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HOUSE OF COMMONS

Tuesday, August 11, 1987

The House met at 11 a.m.

Prayers

[*Translation*]

HOUSE OF COMMONS

RECALL OF HOUSE

Mr. Speaker: I wish to inform the House that, pursuant to the provisions of Standing Order 5, being satisfied, after consultation with the Government, that the public interest required that the House should meet at an earlier time—

[*English*]

—I caused to be published in an extra edition of the *Canada Gazette* dated August 9, 1987, a notice calling the House to meet this day. In addition, on the same date I sent telegrams and electronic mail to each Member of the House containing the substance of that notice.

[*Translation*]

I now table a letter from the Deputy Prime Minister and President of the Privy Council (Mr. Mazankowski) dated August 7, 1987, concerning that notice.

* * *

[*English*]

BUSINESS OF THE HOUSE

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as you have indicated, the House has been recalled to deal with legislation containing the widespread abuses in the refugee system, the issue of smuggling, the needed response to our security system, and the whole question of the refugee process.

I would like to indicate to you that there have been discussions with the opposition Parties. A Bill will be introduced later in the proceedings in the name of the Minister of Employment and Immigration (Mr. Bouchard) which would amend the Immigration Act and the Criminal Code to deal with the issue of deterrence and detention. I submit to the House that this is a matter of grave urgency, and they are strong measures to respond to the developments of the past two weeks.

It was our intention to deal with this issue today. My understanding is that the opposition Parties wish more time to consider this measure, so it will have to be dealt with later in the week. Perhaps they may wish to consider the efficacy of dealing with this measure in Committee of the Whole. We had some discussions yesterday, but perhaps it could be dealt with in Committee of the Whole, providing there could be some clear understanding with regard to the time frame.

I also wish to indicate that Bill C-55 will be the order of business called for today. It dovetails in an integral way with the new Bill that will be introduced. It is broader in scope, and it deals with the whole refugee determination process as well as other things related to it. It provides for a durable, longer term solution to the question of the refugee issue as it affects Canada.

I wish to indicate to the House the urgency of dealing with this matter as well. It is needed soon. Presently we are dealing with a six-month hoist sponsored by the Liberal Party. I would hope that they may reconsider that and attempt to get rid of it.

Mr. Gauthier: Is this a statement on a motion?

Mr. Mazankowski: Mr. Speaker, it is rather amazing in this opening deliberation of an emergency session that the Opposition is so sensitive. I find that rather strange.

Mr. Gauthier: You are making a speech.

Mr. Mazankowski: I am merely trying to outline the order of business. If there are any difficulties with that, perhaps—

Mr. Gauthier: We can read just as well as you can.

Mr. Mazankowski: —perhaps the Member may wish to talk to his House Leader.

Given the urgency of this matter, we may wish to consider extending the hours.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: I offer that suggestion in the interest of ensuring an adequate debate on this issue, the new Bill, and Bill C-55.

Finally, Mr. Speaker, I rise to indicate—and I wish to do this to some extent in the form of an apology—that we did not hear from the opposition Parties in sufficient time to clearly designate the order of business. The Minister of Employment

and Immigration will be making a statement when you call Statements by Ministers. I know that perhaps there has been a shorter than usual notice given to the opposition Parties, but that is clearly because we did not receive a response from them as to whether they would be prepared to move with the new Bill or Bill C-55.

Mr. Gauthier: That's nonsense.

Mr. Mazankowski: With those few explanatory remarks, I hope that in the interests of goodwill, commitment and dedication to the welfare and the interests of the country, we can proceed in an orderly and effective manner.

Some Hon. Members: Hear, hear!

Hon. Herb Gray (Windsor West): Mr. Speaker, if the Government House Leader (Mr. Mazankowski) was serious about approaching the recall of the House in the spirit of goodwill aimed at obtaining the co-operation of the Official Opposition, and the opposition Parties generally, he has shown a very strange and non-constructive way to go about it.

This morning at 7.30 the Deputy House Leader for the Government, the House Leader for the NDP, and myself were together waiting to do an interview on the program called *Canada AM*. At that time I told the Deputy House Leader for the Government that our caucus had decided that, in view of what they understood to be the length, the complexity, and the detail of the Bill the Government intended to introduce today, the ordinary and normal rules of Parliament providing for 24 hours between first reading and second reading should apply. Therefore, I told him that we were not willing to suspend the normal rules of Parliament and move directly today to second reading debate on the Bill the Government wishes to introduce today on refugee abuse. I asked the Deputy House Leader for the Government whether he—

• (1110)

Mr. Speaker: I remind Hon. Members that the Deputy Prime Minister (Mr. Mazankowski) has made a lengthy opening statement, and quite properly so. Hon. Members gave the Deputy Prime Minister a good hearing. I know that all Hon. Members would want to extend that courtesy to the representatives of both the Official Opposition and the New Democratic Party.

Mr. Gray (Windsor West): Mr. Speaker, in the waiting room at the *Canada AM* CTV studio I said to the Deputy House Leader for the Government that the Government House Leader had asked me to provide an answer to his request with respect to beginning second reading debate immediately, contrary to the normal rules, before 9 a.m. this morning. I said to the Deputy House Leader for the Government: "I am conveying to you as Deputy House Leader the answer of the Official Opposition. We want the normal rules of Parliament to apply". I asked him if he would convey that information to his Leader or whether I would have to call the Government House Leader directly. The Deputy Leader for the Government said: "No: I am the Parliamentary Secretary to the Government House Leader. I am the Deputy Leader—"

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): He said: "I will be happy to convey that information to the Government House Leader. You don't have to do it". It is totally unjustified for the Government House Leader, who does not have the guts to stay and listen—

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): He does not have the guts to stay here and take it.

Some Hon. Members: Hear, hear!

Mr. Gauthier: Absolutely impolite!

Some Hon. Members: Oh, oh!

Mr. Speaker: I am sure all Members realize that there is a great deal of business to which we must attend, something which will be more easily attended to if Hon. Members respect the fact that when a Member has the floor the appropriate courtesies should be extended to that Hon. Member.

Mr. Gray (Windsor West): Mr. Speaker, the Government House Leader is not justified in saying that he did not give the usual notice to the spokesmen for the opposition Parties concerning the intention of the Minister of Employment and Immigration (Mr. Bouchard) to give a statement because we had not told him before 9 a.m., as undertaken and promised, whether we would be willing to agree to suspend the normal rules and begin second reading debate immediately. Very clearly, I carried out that undertaking by conveying that information to the Deputy House Leader for the Government. If the Government House Leader and the Deputy House Leader are not talking to one another, then that is just another sign of the disorganization and incompetence of the Government. It is not justification for not extending to the opposition critics the normal courtesy of providing at least an hour or more notice of the intention of the Minister to give a statement and to provide an advance copy of that statement.

I now wish to make two other points. First, I think that it would be normal, even when the Government claims that a measure is urgent, a measure that will be seen to be complex, detailed and lengthy when it is presented in the form of a Bill, that we would want to have the usual period of 24 hours between first reading of the Bill, its printing in official form, and the beginning of debate on second reading. This is not only so each and every Member of the House, including government members if they are really interested, can individually and personally study the Bill before they have to take part in a debate on second reading, but so that members of the public

can see the exact text of the Bill and be available to give their views and their reactions to all sides of the House.

It is for this reason we are saying that we want the usual rules of Parliament, which have worked to protect our democratic institutions for hundreds of years, to apply in this case. We are not approaching this issue on the basis of obstruction or filibuster. However, we think that the matter is serious enough that at least 24 hours, as provided by the rules of the House, should lapse before second reading debate begins. It is the Government which controls the agenda of the House. If the Government wants to call this Bill for second reading at the first opportunity presented under the rules, which I think will be tomorrow afternoon, then we will be ready to debate it.

With respect to the suggestion that the Bill might be considered in Committee of the Whole, I certainly want to consult my caucus on that. I would like to know why the Government is afraid to allow Members of the House to question witnesses directly on this measure. It has not given any explanation for proposing the departure from the normal rules of the House that Bills are studied in legislative and sometimes standing committees.

Finally, with respect to Bill C-55, which we are ready to debate today, the Government is shedding crocodile tears about the procedural amendment we made in order to show that we had serious doubts and questions about Bill C-55—

Mr. Mazankowski: You want to kill the Bill!

Mr. Gray (Windsor West): —along with dozens of other groups from across the country. If the Government had been serious about wanting to make progress on the Bill, then it would have presented it to the House on more than one occasion limited to three hours.

That Bill was introduced on May 5 and the Government did not have enough commitment, enough conviction, or enough belief in it to call it for debate until a month later. And then it called it for only one day. I say to the Government that if it was serious about its commitment to the Bill then it would have presented it to the House day after day between May 5 and June 29 until it it came to a vote. The Government was in a position to do this.

We are here to do the business of the country because of your decision, Mr. Speaker. However, I do not think that we have to start off on the basis of discourtesy and inaccurate information about my carrying out an undertaking given to the Government House Leader as to when I would tell him if we would agree to suspend the ordinary rules with respect to beginning second reading. I gave that information to his Deputy at 7:30 a.m. this morning. If the two of them are not talking then that is their fault. They should not take it out on this House.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: Mr. Speaker, just a very short point of clarification.

Some Hon. Members: Order!

Mr. Mazankowski: The Hon. Member has given us a very weak but spirited defence.

Some Hon. Members: Sit down!

Mr. Mazankowski: My office was officially informed at 10 a.m. this morning; that is the fact.

Mr. Speaker: Hon. Members will understand, of course, that the exchange that is taking place on the floor of the House at the moment is a normal and appropriate kind of exchange since it gives the Government a chance to indicate to the House what its order of business will be. Of course, there are the usual comments from the appropriate representatives of the Opposition.

I would ask of all those engaged in this informative exchange to consider that the exchange should be informative. We might come to a satisfactory conclusion of it more rapidly if all of those engaged in it would use the natural self-restraint which I know they all have to avoid getting into an extended debate on extraneous matters.

The Hon. Member for Kamloops—Shuswap (Mr. Riis).

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is very disappointing that we have had to begin this sitting in the mood that has already developed in the House this morning. I do not think anything demonstrates more clearly the incompetence and the shambles of the Government than the way that this very important piece of legislation has been handled by it.

• (1120)

I remember distinctly that two weeks ago the Prime Minister (Mr. Mulroney) indicated there was an emergency, a crisis in the country, and then, as he went off to attend various picnics and so on, a week went past, then another week, until finally you, Mr. Speaker, were asked to call a special sitting of the House, which you did and to which we responded.

The Government House Leader has now asked that we set aside the rules, traditions and regulations of Parliament so we could begin this discussion a little sooner than we would do so normally. We were given an unofficial draft copy of the proposed new legislation. After a cursory glance, it became clear it was a very important piece of legislation. The Government was intending to take a whole variety of new initiatives. It was felt it would serve the House, the various parties and the country as a whole to give this legislation the usual thoughtful perusal and study before the debate began.

Mrs. Mailly: To take forever.

Mr. Riis: The Hon. Member screams across the floor "To take forever". We are simply asking that we follow the traditions and rules of the House of Commons as we do with all serious legislation. We are asking for no more. I think the Government has accepted that we will begin the debate on this new legislation likely tomorrow which will give Members of the House of Commons a full day to study the legislation, to read, digest and examine the various implications of the clauses so that the debate which will take place will be a thoughtful and informed debate.

I simply want to say, Mr. Speaker, that we, as well, informed the office of the Government House Leader this morning that we would like to take a day to study the Bill. I do not think that should be considered to be holding up the legislation. In fact, it might even facilitate it in terms of thoughtful and productive discussions as opposed to debating a Bill which most of us would not have had a chance to discuss thoroughly.

I also want to say that I am somewhat offended in that we had a meeting of House Leaders yesterday to discuss the business of today and subsequent days and I am asked today to presumably respond as to whether or not we would be prepared to extend hours of debate or to entertain the request for a committee of the Whole to examine this legislation. I think the place to discuss the work of the House of Commons is between the House Leaders at the appropriate times and not on the floor of the House of Commons. I ask the Hon. House Leader for the Government, therefore, that he take advantage of the good nature of the opposition Parties in co-operating to see that the Bill before us receives thorough and complete study and examination, and carry out our meetings as we have done traditionally between each other and not on the floor of the House of Commons.

If the Minister of Fisheries and Oceans (Mr. Siddon) would allow me to make a comment, I do want to register the fact that in respect of the address we will hear later by the Minister of Employment and Immigration (Mr. Bouchard), while presumably the intention was to get it into the hands of the opposition critics so they could respond again in a thoughtful and complete way, we really did not have sufficient time. I appreciate at least the thought of getting it to the critics ahead of time, but 15 or 20 minutes does not allow a very thoughtful response on the floor of the House of Commons.

Therefore, once again I would urge the Minister and the Government House Leader that whenever possible, in order to have the debate on the floor of the House of Commons as meaningful and thoughtful as possible, that we are informed as early as possible.

Mr. Mazankowski: I thought I tried to explain that fully.

Mr. Riis: I appreciate that this is the beginning of this particular sitting and perhaps this morning there were difficulties because there was a lot of business which had to be transacted. However, for the future, I make that request.

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petitions Nos. 332-2598, 332-2600, 332-2631 to 332-2635 inclusive, 332-2639 to 332-2677 inclusive, 332-2679 to 332-2695 inclusive, 332-2697 to 332-2719 inclusive, 332-2721 to 332-2733 inclusive, 332-2737 to 332-2781 inclusive, and 332-2783.

* * *

[*Translation*]

IMMIGRATION

MEASURE TO AMEND

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, Parliament has been recalled to deal with an issue of grave national importance. A serious problem—the growing number of migrants who are entering Canada by posing as refugees—has reached critical proportions.

The arrival of 174 migrants on the shores of Nova Scotia last month has created unprecedented public concern. And rightly so, Mr. Speaker, since organized attempts to evade the immigration laws of this country are absolutely unacceptable. They endanger the physical safety of the migrants, imperil the security of Canada, and—worst of all—jeopardize public support for our immigration and refugee programs.

But there is a much graver problem which has been highlighted by this latest incident. It concerns the growing influxes of undocumented persons who claim refugee status at ports of entry from one end of this country to the other.

These are persons who have not applied through normal channels. These are persons who in most cases have bought their way into Canada with forged documents, or who have destroyed their documents en route.

[*English*]

The number of persons making refugee claims in Canada has grown enormously in the past seven years, from 1,600 in 1980 to a projected total of 30,000 in 1987. The vast majority of these claims are ultimately found to be bogus. Most of these persons are not in need of Canada's protection.

Before I continue, I would like to remind Hon. Members, and this is important, that the United Nations defines refugees as people who flee their homeland because of a very well-

founded fear of persecution. To put it another way, the difference between refugees and immigrants is that refugees leave their homeland because they must and immigrants freely choose to seek a new home.

We all have a stake in these issues. Immigrants and refugees built, and every day renew this country. This is an integral part of our national identity. When the integrity of our immigration and refugee programs is cast in doubt, our sense of identity is weakened. When our willingness to help others is abused, our commitment to providing assistance is placed in jeopardy.

In the past 40 years some half a million refugees and displaced persons have found new homes in this country. Over and over again Canadians have responded generously to the plight of refugees. In recent years, however, this generosity has been brazenly abused by individuals posing as refugees.

[*Translation*]

In February of this year, we sent a strong signal of our intentions to curb abuse of our refugee program. This message was clearly understood by some, and the flows were reduced substantially.

In May, we announced legislative proposals for a new improved system. These proposals were widely welcomed. Our blueprint for a fair and effective system was seen as a reasonable balance. But in some quarters, our commitment to fairness was interpreted as weakness. And as the date of implementation draws closer, those who wish to profit from the misery of others have adopted increasingly dangerous methods of flouting our existing laws. And that is why we have recalled Parliament. Our first priority today is to send the clearest possible signal immediately to the unscrupulous smugglers who callously exploit the hopes of migrants around the world. We have before us two important pieces of legislation. The first proposes tough measures to deal in no uncertain terms with the most flagrant and dangerous forms of abuse. The second piece of legislation—Bill C-55—provides a blueprint for a completely new and streamlined refugee determination system which operates within the constraints of the Charter of Rights and Freedoms.

Mr. Speaker, all Canadians are proud of the system of justice in this country. The Canadian Charter of Rights and Freedoms guarantees those values which we most cherish as a free and democratic society. Unlike most other countries, our Charter of Rights is not confined in its application to those who are citizens or permanent residents.

The Charter of Rights as interpreted by the Supreme Court of Canada in the SINGH decision of 1985, extends to every person within Canada's jurisdiction the same rights to life, liberty, and the security of the person.

• (1130)

[*English*]

Thus it is that every person who arrives in Canada and claims to be a refugee must be treated in accordance with the rights established under the Charter.

When this situation is combined with the inadequacies of a system designed in another era to deal with different needs, it creates an environment where the unscrupulous can flourish.

This combination created gaps through which people steal their way into Canada, confident that although they have broken our laws, we, the people of Canada, will not break our own laws.

Not only has the basic generosity of Canadians been abused, but the generosity of our entire system of justice has been abused. In these circumstances I urge all Members of the House to give rapid passage to the Bill tabled today.

It is a tough Bill containing responsible measures. It will deter those seeking to enter Canada illegally. It will protect the integrity of our immigration and refugee programs, and it will safeguard the security of the country.

[*Translation*]

Under this deterrent and detention legislation—

. Penalties against smugglers and their accomplices will be increased substantially: maximum sentences of 10 years in prison, and fines of a half a million dollars.

. The Minister's power to turn back vessels which disembark migrants in Canadian territorial waters will be reinforced;

. Authority to seize vessels and vehicles engaged in such activities will be confirmed in legislation

. People who arrive with no documents can be detained until their identities are established.

. Fines and penalties will be increased on transportation companies bringing undocumented people to Canada. Transportation companies will pay $5,000 fines for each undocumented passenger.

. And finally, Mr. Speaker, this Bill will empower the Government to refuse access to the refugee determination system to those people who are known criminals, or who pose a security threat. Not only will they be detained, but they will also be expeditiously removed from Canada.

[*English*]

We must act swiftly now to guard against the possibility that we might at some later date be forced to take even tougher measures. This Bill is tough on those who would break the law. It has been designed to dovetail with Bill C-55 to provide immediate and continuous protection from abuse. It is in Bill C-55 that we have the tools to deal with the circumstances which face Canada now and will continue to do so in the foreseeable future.

[*Translation*]

Since 1945, Canada has welcomed over 500,000 refugees to our land. In 1986, the people of Canada were awarded the Nansen Medal by the United Nations High Commissioner for refugees—the first time a country has ever been so honoured.

[*English*]

While the debate over refugee determination has concentrated on refugee claims made within Canada, we must not forget that our first priority as a country is to help genuine refugees who are confined to camps overseas. These people are desperate. They have nowhere to go and no future ahead of them. They deserve our concern and compassion.

The federal Government's sponsorship of these refugees has increased substantially since we took office. This year we will bring 12,000 refugees directly out of refugee camps and settle them here in Canada.

In addition, Canadian citizens have responded generously. Private groups, families, and individuals are expected to sponsor over 5,000 refugees this year. The Government encourages and supports these resettlement efforts.

We shall continue to use our resources to increase the number of refugees brought directly from camps overseas under government and private citizen sponsorship.

Our immigration programs are second to none. Under this Government immigration levels have been rising steadily—84,000 in 1985, 89,000 in 1986, and we will easily surpass our target of 125,000 in 1987. We intend to continue promoting this steady growth. I am announcing today that next year Canada will accept an even higher number of immigrants from around the world.

Some Hon. Members: Hear, hear!

Mr. Bouchard: In addition to increasing the levels of immigration, we have implemented almost all of the recommendations of the Standing Committee on Labour, Employment and Immigration aimed at processing immigration applications more quickly. We also intend to respond to the recommendations made by the standing committee concerning family reunification criteria.

Some Hon. Members: Hear, hear!

Mr. Bouchard: I am announcing today that regulations to include unmarried children of any age will be introduced. This news, I am sure, will be welcome to many Canadians who wish to bring their relatives to this country through the proper channels—

Some Hon. Members: Hear, hear!

Mr. Bouchard: I repeat, through the proper channels. They will now be able to do so.

[*Translation*]

Ultimately, the solution lies in the implementation of a refugee determination system that achieves the best possible balance of speed and due process. Such a system is embodied in bill C-55.

Bill C-55 will not be in place tomorrow. It requires, and it deserves, consideration not only by Members of this House, and members in the other place, but it deserves the attention of all Canadians.

I am confident, Mr. Speaker, that all Canadians want a system that assures fair play. All Canadians want an end to the abuse and we will put an end to it because we all want to preserve Canada's reputation as a fair, open and generous nation.

• (1140)

[*English*]

Mr. Sergio Marchi (York West): Mr. Speaker, I am dismayed at the way the national Government has proceeded on an emergency basis. This Party was prepared to come back if the Prime Minister (Mr. Mulroney) and the Government deemed the situation to be of an emergency nature. However, what troubles us is that it took nearly 10 days from the time the Prime Minister announced that there was an emergency to the time we learned of the date of our return. Second, it was only late last night that we were able to look at the very legislation we as parliamentarians have been called back to debate. Third, we only received the news at 10 minutes to eleven o'clock this day that there would be a ministerial statement this morning.

I am not trying to cry sour grapes and suggest that somehow the Government should not control the legislative agenda. However, if we are to take a look at the very urgent nature of the immigration and refugee policies, then Canadians would expect their representatives and parliamentarians to engage in a mature and enlightened debate, a debate into which we are prepared to enter with the Government and the NDP. However, it does not add to a mature debate when other Parties are kept in political darkness, because this only solicits reactionary comments that we wish to avoid. That is the first premise I wanted to raise for your benefit, Mr. Speaker, so that we may avoid this kind of process in the future.

The second matter that must be placed squarely on the floor of the House of Commons is the fact that this situation could have been avoided. This situation did not have to propel itself into a recall of Parliament for the second consecutive summer. We have urged for nearly three years, together with members of the NDP, together with NGO groups, together with the Plaut report and together with Canadians across the country, that we should begin to reform and overhaul the system. Why? Because there has been a transition in the situation facing refugees, not only those who come to Canada but as well those who are fleeing and are searching for a home throughout the world.

What was that transition to which I have referred? We are no longer experiencing the luxury we experienced in the 1960s and the 1970s of going abroad to select quotas of refugees in a very orderly and sensible way. In the early 1980s, the situation shifted so that people came to our shores to make application from here without waiting for visa officers to visit them in their camps. That is why the previous administration commissioned Rabbi Gunther Plaut to recommend a system that would evolve with the times and adapt to the new phenomenon. We did not want to have a system that continuously operated in the past but one that was updated, one that works.

We would not have allowed the Plaut report and its recommendations, the report of the Standing Committee on Employment, Labour and Immigration and the reports made by countless NGOs and church bodies throughout the country, to have sat for three years without taking any action on them. The Government preferred to engage in public relations exercises in order to try to address public opinion rather than to deal in a substantive way with the matter of policy and the way the process would work. That is the aspect of this situation that is so troublesome. It is not the case that the Government discovered only this past summer that there was a problem with the refugee processing system. Those problems have multiplied since 1984 because our system has not been able to react fairly enough on the one hand and quickly enough on the other.

Therefore, we as a Party advocated separating the current system into four basic steps. There would be an inquiry at the border, an oral hearing, the possibility for a review, and, if that review was refused, then there would be the possibility of an appeal to the Federal Court. We were trying to suggest a system that would be able to deal with the numbers that were coming to our shores rather than to get Canadians hysterical and to undermine our traditions and international obligations.

The Government cannot say two opposite things. It cannot be more restrictive and regressive on one hand while on the other hand expect to live up to its international obligations under the Geneva Convention. The Government is trying to suggest that some opposition Parties or other Members of Parliament are in favour of abuse. For nearly two years we have been suggesting that the abuse must be cut out. Why is this? If we value the legitimacy of *bona fide* refugees, if we value the integrity of our system and the respect for it, then we need to curb abuse. We need to stamp out the practice of putting forward fraudulent claims.

More important, we advocated for two years that the Government clamp down on the growing networks of illegal and phoney immigration consultants and smugglers who traffic and trade in human lives and make huge and immoral profits. Communities provided names of such consultants operating in Toronto, but what happened? As we speak today those individuals are on the streets of this nation conducting business as usual. The RCMP did make raids on a number of consultants and their operations but without the full force of the law. There was no cease and desist order from the courts and therefore those individuals will not have to appear in court for perhaps another couple of years. In the meantime, they are conducting business with immigrants around the world. At that time, in the House of Commons, in committee and during Question Period, we were very much on the side of cutting out abuse.

We have looked at the new piece of legislation that was introduced by the Minister and we are prepared to consider the options the Government has tabled through Bill C-84. For instance, higher penalties for so-called consultants or smugglers is not something with which my Party has a problem. If it can be proven that con artists continue to carry out their schemes and their scams, then those individuals deserve to feel the full brunt of our law, and that will send out the right message.

Clamping down on the various transportation companies and having them begin to scrutinize the documentation of passengers much more severely is a provision that could be amendable through debate in Parliament. However, we cannot be so rigid as to suggest that anyone without documentation is suddenly and automatically a cheater. All parliamentarians have experienced in their own constituencies the cases of individuals who have fled certain regimes but who were not able to have the luxury of presenting themselves to consulates and embassies for fear of persecution, for fear that the secret police would monitor things, and Chile is a perfect example of this.

While we do not condone fraudulent or misleading documentation, we are not prepared to say holus-bolus that anyone who does not arrive with documentation is automatically perceived to be a cheater. That would be counter to the reality of legitimate refugees who run for their lives because of political, religious or other pressures. That is the reality of the world of disorder that the refugee lives in. Any legislation we propose has to deal with that reality and not the public opinion polls or the Government's 23 per cent popularity.

• (1150)

Canadians very desperately want the Government to get the message this time. The system needs to be reformed and improved so it will have the confidence of Canadians. That is why I suggested to the Government House Leader that we need parliamentary scrutiny of the legislation so that six months hence we will not have glaring loopholes staring us in the face. We want to avoid court challenges under the Charter based on some parts of the proposed legislation. That would lead to a system even more chaotic than the one we find ourselves with now. In those circumstances the confidence of Canadians is undermined.

Canadians have not been demonstrating bigoted or racist attitudes in the last several weeks. They are becoming impatient with a Government which has failed to come to grips with the problem of developing a system to help the *bona fide* refugee. After all, it was only with the support and confidence

of Canadians that in the 15 to 20 years previous to the present Government this country brought in special groups of refugees and immigrants. In the late 1970s and early 1980s we settled approximately 106,000 Vietnamese boat people. They were welcomed by and integrated into our communities and today they are proud and loyal Canadian citizens.

Mr. McDermid: Under a Conservative Government.

Mr. Marchi: The reality is that when 174 immigrants landed off the East Coast the first reaction by Canadians was to make them tea and offer them cookies. That was the reaction. Then the media came in and the Government undertook a number of very questionable procedures. Yet the first Canadian reaction was that if they are legitimate refugees there is a responsibility on Canada to honour its obligations and traditions.

What is the real solution? Bill C-55 cannot be viewed in isolation. It must be looked at in the larger context, and the real solution is to put in place a system that works, not an *ad hoc* system sufficient for the next week or two or the next month. We need a system in place that will work for years to come. That is why we, along with countless others, have advocated reform of the system. We have been prepared to lend ourselves to that end. It is simply intellectual dishonesty to suggest that the Opposition did not allow the Government to act.

Mr. McDermid: Tell us about your amendment. Tell us about your six-month hoist.

Mr. Marchi: The Government has controlled the parliamentary agenda for three years. Yet no priority was given to this legislation by the Prime Minister or the four different Ministers responsible for immigration, and the situation has been allowed to reach the boiling point.

Mr. McDermid: Be honest, tell us about your six-month hoist. That was your response.

Mr. Marchi: We have to allow Parliament to come to grips with the refugee determination problem. It is important not only for this month or next but for years to come.

The Government also has the responsibility to define much more clearly the differences between an immigrant and a refugee. That is why this morning I was pleasantly surprised to hear one of the reforms suggested by the Minister concerning family class immigration. I welcomed that because the standing committee made that recommendation. Yet it is simply unfair to try and manipulate public opinion—

Some Hon. Members: Oh, oh!

Mr. Marchi: —so that someone cannot sponsor a member of his or her family because there are too many refugees already. That is not true. The fact is that in the last three years the immigration of people with family members already in Canada has declined and that feeds the frustrations of many Canadians.

To summarize I would like to suggest the following. Canada is not the sucker a lot of people claim it to be. The world is rife with turmoil. This weekend Hong Kong received three boatloads of refugees from Vietnam. West Germany has received more Tamil refugees. Other countries are also receiving refugees. Yes, we must make sure that we allow legitimate refugees into Canada but we also should be playing a leading role in the international community. We have lost our leadership role and the respect of other nations because we have not come to grips with the problem. It is a world-wide problem and unless we have a world-wide solution we will continue to be afflicted by back door immigration consultants who seek to make profits on the trade in human lives. It is time we used immigration as a positive tool for greater economic prosperity.

Consider as well that we suffer a dwindling birth rate and aging population. Our economy needs certain trades that our education system does not produce. You know and I know that immigration has a big role to play in this country, as it did after World War II. Therefore, let us enter into the debate. Let us allow Canadians to participate in a mature, enlightened and unemotional debate so that we may utilize immigration as a nation-building tool rather than having to just accept immigrants or refugees, allowing the international and national situation to deteriorate to what are simply public relations exercises which do not attack the substance of the problem.

I appreciate your patience in allowing me to make these preliminary remarks and I look forward to that enlightened debate. We as a Party are prepared to simply say no to the illegitimate refugees but you cannot do that and at the same time say no to the legitimate refugees. We need to be strong on legitimacy and send out a strong signal that we are not prepared to allow the back door to become the entrance into Canada.

Mr. Dan Heap (Spadina): Mr. Speaker, the Minister said the Government recalled Parliament to deal with an issue of grave national importance. I agree, it is and has been for several years an issue of grave national importance. I am glad the Government now recognizes it. What it does not acknowledge, of course, is how we got into this mess.

• (1200)

For years Canada has had a policy of welcoming immigrants and refugees. We have welcomed them according to procedures established by law. Those procedures were also intended to limit abuse since the abusers do interfere with the proper acceptance of those we consider to be justified immigrants or refugees.

It is true that our system broke down because conditions in the world changed. Instead of a flow of refugees from certain parts of Europe, we began to get large and increasing flows of

refugees from other continents. The increase of air travel in particular caused a need to re-examine our system.

As far as I know, it has never been true that anyone, in or outside of this Parliament, has advocated an absolute open door for immigration or refugees, although the Hon. Minister of State for Immigration (Mr. Weiner) has alleged that. It is simply not true to say that anybody in this House is advocating that we have to accept anyone who sets foot on Canadian soil.

Some of us have said, in accordance with the Supreme Court, that anyone who sets foot on Canadian soil and claims refugee status has a right to be heard. I was glad to hear the Minister acknowledge that at last in his remarks about the Canadian Charter. I hope that when he goes to lunch he will reread both Bill C-55 and Bill C-84 and cut from them the parts which deny the decision of the Supreme Court and deny the Charter of Rights.

In fact, Mr. Speaker, this problem has been addressed by Parliament and by the all-Party committee of Parliament which was asked by the Government to respond to the Plaut report and make recommendations on it. The committee did make recommendations which were reviewed a year later. The original recommendations made almost two years ago were reviewed, improved and considered in consultation with many of the public groups and legal experts which had advised the committee during its deliberations.

During the nearly two years since November, 1985, when the committee's report was first presented, the Government never made the comprehensive reply to the committee's report which the rules of this House ordered it to make. It simply refused to do so. To this date it has not responded to the recommendations made in the 1985 fifth report of the Standing Committee on Labour, Employment and Immigration.

Instead, we had Bill C-55 which does not, contrary to what the Minister tried to tell us, agree with the principal recommendations of the committee. It does not send the refugee claimant directly to the refugee board. Instead, it would stop the great majority of refugee claimants from ever coming near the refugee board. It would stop them by examining them, rather than on the individual's claim that he is in danger of persecution, on what country he came from or passed through and, in most cases, it would send him back to one of those.

In other words, contrary to Rabbi Plaut's excellent report and contrary to the drier legal recommendations of the committee, Bill C-55 denied the fundamental principle of the United Nations Declaration on Human Rights of 1948 which says that every person who is being persecuted has a right to seek and enjoy asylum under another government. It denied the basic principles of the United Nations Convention for the Protection of Refugees of 1951 which Canada signed about 20 years ago.

Instead, it introduced a screening system which not only did not send people to the refugee board, and not only created a refugee board which is in fact largely adversarial, contrary to the recommendations of the committee, but also denied an appeal which the Plaut report advocated and which, although not at first advocated by the committee, has since been supported by members of the committee. That is a very well known fact.

Instead, this summer there has been a sudden outburst of inflammatory statements by the Minister of Employment and Immigration (Mr. Bouchard) and the Prime Minister (Mr. Mulroney). They have stated as a fact in the public media that the people who arrived on a certain ship are not refugees but are in fact illegal aliens. The kindest thing that can be said of the Prime Minister and the Minister in those cases is that they do not know what they are talking about. They have no way of knowing that every person on that ship is not a refugee because those people have not been examined under our laws.

Therefore, it is prejudicial to their case for the Minister of Employment and Immigration, of all people, to give judgment against them before they have even begun to be heard by the due process of our law. To use that premature judgment, and probably untrue judgment in many cases, to inflame public opinion, not only against those refugees and people of that particular national, racial or religious origin, but against refugee claimants in general coming to Canada, is certainly not the proper way to set the scene for legislation worthy of this House.

We now also have Bill C-84 which has been presented in a hurry. We are asked to pass it in a hurry. Fortunately, the rules of this House allow for at least one day's consideration. As a result of our examination of the Bill we are very glad that the rules do allow for that consideration.

As I said, the Minister's statement made much about what is in the Charter and how everyone who comes here must be treated in accordance with our laws. We heard the Minister talking that way in the spring. What he told us in that vein in public statements on Bill C-55 turned out to be with reference to a Bill which had nothing to do with the Bill C-55 which was tabled in this House by the same Minister. The statements he made about Bill C-55 were simply not true. When he was challenged on that he said that we would fix it up in committee, although he knows full well that we cannot change in committee that which is done in principle. The Minister of State for Immigration was very clear in making the point to the critics of the opposition Parties that those things cannot be changed in committee.

Therefore, bearing in mind how misleading the Minister's statements were in May with regard to Bill C-55, we are going to read Bill C-84 very carefully. We are going to deal with what is written in the Bill rather than with the fine sentiments that the Minister expressed in his statement or in any other propaganda he may issue.

For example, in his statement he referred to smugglers. We would like to know how he defines "smugglers" in Bill C-84. Does he mean, as he suggests by his rhetoric, those who make a regular and profitable business from the misery of people

who are desperate to immigrate into Canada by some unusual and perhaps illegal means? Is he talking about people who do it primarily for money? If so, he should say so clearly and write the law accordingly.

• (1210)

Is he talking about people like Sister Bonnie Butler of Buffalo or other sisters of the Roman Catholic Orders on either side of the border who have been helping refugees because it is their religion to be committed to helping the ones they saw were poor, perhaps in the economic sense, but certainly in the sense of being afraid for their personal safety if they were returned to the country from which they were fleeing? There are those who have helped people come into this country although they did not have the proper documents. Does the Minister intend to imprison and fine those people, or people of the churches generally? Many thousands of people have helped refugees. Would he like to perhaps retroactively fine the people who gave tea, cookies and peanut butter sandwiches to those who came ashore from the Sikh ship? Does that constitute aiding and abetting smuggling? We want to know what sort of law the Minister is talking about. Thousands and thousands of Canadians in the last few months have been helping refugees get to Canada. They have been helping at the Ontario border, the Quebec border, in the Prairies, in British Columbia, in the Maritimes, and Newfoundland. Thousands of Canadians have been doing this. We want to know whether the Minister is attacking them or only a more narrow group of people who do this primarily for profit and who, as he suggests, may even endanger the lives, safety, or health of the people they are smuggling.

If the Minister is going to turn back a vessel because one person aboard has inadequate documents, will he turn back the whole boatload of people, including perhaps those who have adequate documents? We want to understand that very clearly. How will he find out quickly at sea who has adequate documents?

The Minister talks about a security threat. A "security threat" is a very widely and vaguely used phrase. Who is a security threat? Not too long ago the RCMP had dossiers on 800,000 Canadians, probably including people in this room, who at some time or other took part in a public demonstration for what they thought was human rights. Are all those 800,000 people security risks, and is that the kind of standard that is to be applied to people who come to our borders?

Will people who oppose the murderous Government of El Salvador or the racist Government of South Africa be fingered by the international contacts as security risks and therefore shut out from Canada without any possibility of a hearing? How will the Minister square that with our Charter of Rights and with our obligations to refugees under the United Nations?

I do not intend to comment on the Minister's rhetoric about the increasing number of immigrants he has brought to Canada because his figures change so rapidly. He has stated that 97,000 came in 1986. I also heard him say 100,000 and, today, I heard him say 90,000. Until the Minister has his figures settled I think there is nothing to be said about that.

However, I want to comment with great pleasure on the promise he made today to enlarge the concept of family reunification. This is something on which I, with members of my constituency, have been campaigning for several years. I am also happy to say that it is consistent with the position that the New Democratic Party took two years ago at our annual convention. We will give very strong support to the Minister if he carries through on that promise.

He promised last fall to respond to our family reunification report upon which our committee worked for six months last year. We have not heard a word since then about carrying out that promise, but it is very welcome today.

We will be examining Bill C-84 very carefully. We will also be examining and debating Bill C-55 and doing our best to see that it is replaced with a system that supports what the parliamentary committee advocated, and what church groups, the Bar Association, the labour movement, every public group and every informed immigration expert in this country has advocated, that when refugee claimants come to our border they be sent as soon as possible, with translation and legal assistance, to the refugee board which should be created. They should have a non-adversarial hearing there, and to remove a possibility of a disastrous error, there should be a quick review arrangement or appeal system. We intend to press for that until it is achieved in this country.

That is not only our opinion, it is also what the majority of Canadians support. Such a system will be efficient, allowing for a matter to be heard in two or three months rather than several years. It will be quick enough to do justice to our refugees as well as the abusers. It will notify commercial smugglers and racketeers that there is no more money in bringing people falsely to Canada because they will not be here long enough to earn enough to repay the money they spent on the racketeers' rates.

We will be debating these two Bills very carefully during the days ahead in Parliament. The country will be watching because Canadians whom I know and Canadians whom my colleagues know want to do what is fair for refugees.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

Hon. Benoît Bouchard (Minister of Employment and Immigration) moved for leave to introduce Bill C-84, an Act

to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof.

Mr. Speaker: Shall the Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read the second time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

• (1220)

[*English*]

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I have a petition from a number of Canadian citizens who are concerned that Bill C-55 threatens Canada's traditional commitment to assisting refugees and sets out measures designed to keep most refugee claimants out of the country rather than ensuring that genuine refugee claimants are given protection.

The petitioners point out that Bill C-55 will result in many, perhaps most refugees who reach our border, being turned away without having their claims heard on the merits of their case, and that by limiting the right of appeal to points of law, this legislation ignores the reality that most refugee claims are questions of fact and credibility.

The petitioners go on to point out that a standing committee of this House has proposed a new procedure for refugees which, if adopted, would fairly and effectively solve problems of backlogs and unsubstantiated claims. However, the Government has chosen to ignore that.

Therefore, the petitioners call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board which is independent of the Immigration Commission, universal access to such hearings for every applicant in Canada and the right to appeal on the basis of fact.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I have the honour to present a petition under the provisions of Standing Order 106 on behalf of citizens of Prince Albert, Saskatchewan and Edmonton, Alberta. The petitioners say that Bill C-55 threatens Canada's traditional commitment to assisting refugees and sets out measures designed to keep most refugee claimants out of the country as opposed to ensuring that genuine refugee claimants are given protection.

The petitioners therefore humbly pray and call upon the Government and Parliament to withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board which is independent of the Immigration Commission and universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact as well as law.

[*Translation*]

OPPOSITION TO BILL C-22

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour to present a petition signed by residents of my constituency of Saint-Michel—Ahuntsic, who are against Bill C-22.

In the opinion of those constituents, the Government's proposals will raise the already high costs of drugs, particularly for provincial health-care programs. They also deplore the fact that drugs will cost more to four million Canadian men and women who are not protected by private medicare programs.

They humbly call upon Parliament to reject these proposals which will increase drug prices.

[*English*]

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have the honour to present two petitions signed by residents of British Columbia as well as residents of Toronto and Ontario who raise concerns with respect to Bill C-55. The petitioners suggest that this legislation threatens Canada's traditional commitment to assisting *bona fide* refugees and sets out measures designed to keep out most refugee claimants from Canada as opposed to ensuring that genuine refugee claimants are given protection.

The petitioners call upon Parliament to ensure that the Government withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the refugee commission, universal access to such hearings for every applicant in Canada and the right to appeal on the basis of fact as well as law.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I too have a petition signed by an number of citizens of Windsor and Amherstburg, Ontario, expressing concern about the Government's proposal for Bill C-55. The petitioners point out their concern that the Bill will in fact lead to many refugees being turned away without having their claims heard on the merits of the case.

The petitioners point out that a standing committee of Parliament has proposed a new procedure for refugees which would fairly and effectively solve the problems of backlogs and unsubstantiated claims. This alternative has widespread support among all parties, the Canadian Council of Churches, the Bar Association, the Jewish Congress and many other groups and individuals knowledgeable about refugee issues.

The petitioners call upon Parliament to withdraw Bill C-55 and put in its place the kind of proposals put forward by the Standing Committee on Labour, Employment and Immigration.

Mr. Lewis: Mr. Speaker, the Hon. Member is following the time-honoured procedure of presenting petitions. I wonder if the Hon. Member could tell us if it was his office which had the petition certified?

Mr. Robinson: That has nothing to do with it.

The Acting Speaker (Mr. Paproski): Are there any further petitions? There are no further petitions.

* * *

QUESTIONS ON THE ORDER PAPER

The Acting Speaker (Mr. Paproski): There are no questions on the Order Paper.

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, a notice was circulated to Members of Parliament earlier today stating that questions bearing Nos. 134, 143, 148, 150, 152, 154 and 155 would be answered today. I wonder if, through your guidance, Mr. Speaker, we could get some sort of reasonable explanation as to why we are not receiving answers to questions pursuant to our Standing Orders because there is a requirement in the Standing Orders that my question, in particular, be answered today under the rules of the House.

Mr. Lewis: Mr. Speaker, I appreciate my hon. colleague's point which is a good one. I was not entirely happy with the documentation I had before me. I intend to submit those answers tomorrow once I am sure the documentation is complete.

Mr. Boudria: I do not want to beleaguer the point, but if there is one question which is not pro forma to be answered today, I would respectfully submit to you, Sir, that the Standing Rules of the House still apply. I would like to know which questions the Parliamentary Secretary cannot answer today, and why not answer the others? I am sure we could all agree unanimously to change a document which he is presenting to include the other questions. It is a rule of the House, just as there are other rules of the House which we observe regularly. As far as I am concerned, the Government has no excuse to breach this particular rule because that is what it feels like at this particular point. Why can we not receive the answer and receive it now?

Mr. Lewis: Mr. Speaker, I stand by my original suggestion. I would suggest to my hon. friend that I will check the documentation out and perhaps we could revert to the tabling of answers later on today and I will have the answers then.

The Acting Speaker (Mr. Paproski): Shall all questions stand?

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Thursday, June 18, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi, (p. 7338).

The Acting Speaker (Mr. Paproski): Before I recognize the Hon. Member for Chambly (Mr. Grisé), I wish to inform the House that because of the ministerial statement, Government Orders will be extended 50 minutes beginning at one o'clock.

[*Translation*]

Mr. Richard Grisé (Chambly): Mr. Speaker, I welcome the opportunity to speak today to the amendment of the Hon. Member for York West (Mr. Marchi) concerning, of course, the refugee problem.

As you know, this Government recalled Parliament in the interests of Canada's security. Mr. Speaker, we are gathered here today because the problem of aliens entering Canada illegally by claiming to be refugees has become an extremely serious one.

I want to make it clear to Hon. Members present that the decision to recall the House was not taken lightly. We are aware of what this decision entails but it was absolutely necessary. It is our duty, as a Government, to take the initiative when the country is affected by events of a serious nature.

Unfortunately, ever since the Government announced its intention to recall the House, it has been accused of either overreacting or being irresponsible. They are never satisfied. Either we are going too fast or not fast enough. I am, of course, referring to comments by Opposition Members.

I believe it would have been irresponsible not to act in this kind of situation. If we had not taken action, it would have meant the steady deterioration of a situation that affects our system for determining refugee status. We cannot tolerate further occurrences. Doing nothing, Mr. Speaker, would have been telling the world that Canada allows its laws to be broken. Doing nothing would have aggravated the dissension reflected in public opinion and thus put our programs for refugees and immigrants in jeopardy.

Mr. Speaker, there is no doubt that Canada's humanitarian tradition of dealing with refugees may come to an end if we do not put a stop to the abuse of our system. To do nothing would be irresponsible and sound the death knell of an honoured Canadian tradition. I will not let that happen, nor will my Government. The Government will never let that happen. The Canadian people want measures to be introduced now, and we are going to do that.

The House was recalled for a specific task. We must stem the increasing flow of migrants arriving in Canada. We must put a stop to the organized and systematic abuse of our system for determining refugee status. We must take measures to put a stop to the exploitation of human misery by people who could be qualified as refugee traffickers.

• (1230)

[*English*]

Today, I am pleased to speak on Bill C-55, a vital piece of legislation which will introduce both fairness and control to the refugee determination process. It is the ultimate step in our plan of action to deal with a problem that has international implications.

For most Canadians the dramatic arrival of 155 Tamils in Newfoundland one year ago was their first inkling that we have a refugee problem. That is not surprising when one considers that just six years ago only 1,600 people came to Canada claiming refugee status. However, by 1986 the number had swelled to 18,000. This year we expect that it will reach 30,000. More important than sheer numbers is the fact that many of these claims are not genuine. Our studies show that last year 70 per cent of refugee claimants were not refugees at all, and that many others had already found safe haven elsewhere before seeking refugee status in our country.

The arrival of the Tamils reinforced our resolve to take action to stem the flow of phoney refugees. Quick action was necessary because of wide media interest in the Tamil boat people. The predictable happened—more and more illegal aliens poured into Canada.

We acted by improving measures to curb the flow of illegals to our shores. The control measures we introduced in February had a limited impact. Refugee claimant numbers which were averaging 1,200 a week in February have dropped to 500 a week today. The control measures and the expanded powers that we are now seeking will deal effectively with short-term solutions to the refugee problem. But a long-term solution will only be found through the passage into law of Bill C-55.

[*Translation*]

Mr. Speaker, everyone knows why we have been called to this place. It is because of a system already over-loaded by a backlog of applications which is being exploited by queue-jumpers who are not legitimate refugees in need of our protection. Unscrupulous racketeers are also taking advantage of the situation and misleading men and women into believing that they will be able to get them the papers required to gain admission to Canada. Those racketeers bring these people to Canada under conditions which are often intolerable, unacceptable even for animals, and absolutely shocking in the case of human beings. Legitimate refugees suffer from delays in the system and are put at a disadvantage because of the increasing number and cleverness of fraudulent claims. Mr. Speaker, Canadians are getting more and more concerned about the inequity of the present system, which they believe to be incapable of putting an end to these abuses.

The patience even the most generous and humanitarian of Canadians is running out. Too many people enter Canada without the required documents and constitute a threat to our security. We are obviously faced with a series of potentially explosive conditions which are unacceptable to the Canadian public and this Government. The situation requires that the Government take the necessary steps. We are determined to put a stop to this traffic in human beings.

I also believe it important to throw some light on another implicit component of this Bill. The purpose of the proposed changes is not to discourage legitimate refugees who need our protection. Bill C-55, combined with the other measures we have taken, will enable us to protect legitimate refugees. With this Bill, we shall establish a fairer, faster and more effective refugee determination system which will benefit all legitimate refugees. This system will respect the basic rights of all those who are entitled to claim refugee status.

Bill C-55 contains key provisions which will simplify the processing of claims, ensure faster rejection of unfounded claims and strengthen the powers of the Government. This will allow the Government to send back to third countries those whose claims are unfounded while respecting their fundamental rights.

We hope that the urgency of taking action and the increasing pressures throughout the word will convince this time the Opposition to be more objective about the importance of Bill C-55.

The temporary measures we imposed in February were indeed only temporary. Bill C-55 goes further. It constitutes the long-term solution required by this problem, and this solution is both fair and judicious.

This legislation allows us to regain control over our refugee determination system which past abuses have rendered ineffective. This is a valid solution, Mr. Speaker. The Bill clearly and concisely defines the new process which I repeat will be an equitable one.

As I have already said, we are here to conclude work undertaken several months ago, and Bill C-55 and the Bill on detention and deterrence are a result of this work. The two

Bills complement each other. We must ensure that our system can put an end to abuses while allowing refugee claimants to present their views. These two Bills give us such an assurance. They guarantee the rights of everyone, but will deter many fraudulent applicants.

The two Bills will enable us to establish a fairer, faster and more effective refugee determination system which will benefit all legitimate refugees and respect the basic rights of all potential claimants.

Mr. Speaker, we are firmly determined to guarantee the rights of all claimants. However, we also want to limit abuses. The legislation on deterrence and detention will attack the very roots of the problem and give us the control we need over the process.

• (1240)

[*English*]

I wish to make it absolutely clear that our commitment to genuine refugees is as firm as ever. In fact, Bill C-55 is a step that is consistent with the traditions of fairness and humanitarianism which saw the people of Canada awarded the Nansen Medal by the United Nations High Commissioner for Refugees. This was the first time that an entire country had ever been so honoured.

I wish to remind Hon. Members that since taking office the Government has substantially increased the number of refugees taken from refugee camps around the world. This year it will sponsor 12,000 refugees from these camps, while private Canadian groups and families will sponsor approximately 5,000.

Canada has a long tradition of proving its humanitarian concern for genuine refugees who need its protection. The new determination system will uphold this tradition of commitment to true refugees. Our commitment goes back a long way. It is an essential part of a policy that, since the Second World War, has brought some 500,000 refugees to Canada for resettlement, and which has helped thousands of others through special humanitarian measures. On a per capita basis Canada's record of aid to refugees over the past few years has been second to none.

[*Translation*]

We provide refugee assistance under three specific formulas. First, direct financial assistance; second, the settlement in Canada of refugees selected outside this country; and protection given in Canada pursuant to a determination process carried out here. This three-prong approach is in line with the United Nations refugee policy.

For 1986-87, Mr. Speaker, the Canadian Government set more than $170 million aside for refugee financial assistance. One third of these funds—over $66 million—was given to international humanitarian organizations like the Red Cross and the United Nations High Commissioner for Refugees, or to various countries in the form of food assistance for refugees.

In 1986 two-thirds of the refugees selected abroad received only financial help from the Government. Groups made up of private citizens and volunteer agencies sponsored more than 5,000 other refugees. In such cases the Government paves the way for refugee sponsors and makes transportation loans as well as language and vocational training courses available to refugees. Canada has also set up unique mechanisms to help victims of oppression even though these people do not necessarily fall within the terms of the United Nations definition because they are still in their country—for instance, political prisoners and other displaced personalities in Poland, Salvador, Guatemala, Chile and Uruguay.

Our aim in introducing Bill C-55 was to make the refugee status determination process effective again because, Mr. Speaker, this third prong of our refugee program is quite simply no longer operational. Right now this process no longer enables us to give protection to genuine refugees who need it because they are unable to sustain the pressure due to a sharp increase in the number of applicants. Thanks to the proposed process Canada will be in a position to live up to its commitments under the Geneva Convention, while at the same time honouring the principles of justice which are the very basis of our legislation. We will thus be able to maintain our humanitarian tradition. The adoption of Bill C-55 does not mean we will be turning our backs on refugees. On the contrary we want to make sure that those who really need help will be guaranteed our protection. However if we are truly intent on protecting genuine refugees we have to put a stop to abuses and reinstate an orderly process.

[*English*]

Canada's refugee program measures up to that of any country in the world. Our commitment to refugees is internationally renowned. Our best contribution is resettlement from camps abroad. Many of the people in these camps have been there for years and they have no other options. But, to do that, the refugee determination process must be changed as it is no longer workable. In its present form many people who are honestly entitled to refugee status in our country are prevented from attaining it. Canadians can no longer tolerate this situation. They want a new refugee process, one that is fair but tough on those who abuse it. We have the solution to this problem in hand. Now is the time to refer Bill C-55 to a committee.

[*Translation*]

I think that in conclusion you will allow me to say that it is clear we have not only the support of my government, but also my own support as President of the Quebec Conservative Caucus, and also the full support of the Chambly riding which I have the honour to represent in the House, to do the utmost to adopt this Bill as soon as possible.

The time has come for us to stop talking and take action.

[*English*]

It is time to stop talking and start acting.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Cassidy: Mr. Speaker, the Hon. Member, who is also the President of the Quebec Caucus for his party, has said that "the time has come to stop talking and take action" on Bill C-55.

Could he explain to me whether there now exists a crisis and whether he feels the need to take action? Why is it that his Government has failed to follow through on Rabbi Gunther Plaut's report in 1985? Why has his government failed to follow through on the report which the Standing Committee on Labour, Employment and Immigration tabled nearly two years ago in 1985 and which had recommended major changes in the refugee determination process which would both be fair and provide all those seeking refugee status the legal protection provided in Canada by the Charter of Rights and Freedoms?

Why is it that the Government has procrastinated for nearly two years and has finally recalled Parliament in the middle of the 1987 summer recess, claiming that the time has now come to "stop talking and take action"?

How is it that Bill C-55 was tabled on May 5 for first reading in the House of Commons, but that nothing further was done on the subject, except holding three hours of debate before the session ended?

If the Government really wanted to act as in an emergency, how is it that it did nothing in connection with this Bill for nearly two months following its introduction in the House, except the three-hour debate held on June 18? Has the Government really demonstrated the urgency of this matter by procrastinating for nearly two years and now introducing a Bill which many who are involved with refugees feel is unacceptable?

Mr. Grisé: Mr. Speaker, listening to the comments made by the Hon. Member for Ottawa Centre (Mr. Cassidy), an opposition Member, a member of the New Democratic Party, we realize there is nothing new under the sun. They want to have it both ways, they want to please everyone at the same time.

Mr. Speaker, they suggest we have been delaying the process too long, we have not been active enough. But a few minutes ago, here in this House, the New Democratic Party House Leader asked our Deputy Prime Minister (Mr. Mazankowski) for more time to review the parliamentary procedure over the next few days.

Mr. Speaker, we are now discussing a Liberal amendment that would delay by six months the decision on the Bill, the passing of Bill C-55, and that Liberal amendment is supported and endorsed by their life-long friends, the NPD old boys, Canada's socialist old boys. And they blame us as a Government for having summoned Parliament on an emergency basis so that we could explain the situation to Canadians and provide them with the protection they are entitled to, prevent any possibility of a terrorist invasion—and I emphasixe that—because of the mechanics of the current procedures. And this thanks to Bill C-55, and also Bill C-84 that was introduced this very morning by the Minister of Employment and Immigration (Mr. Bouchard) who, in agreement once more with the Liberal and the socialist opposition Parties, has decided to put off until tomorrow the decision as to how many hours the debate should last.

Mr. Speaker, on which side of the fence do they stand, those nice people? When will they be serious about the situation? First, as has been said, stop playing party politics with such serious legislation, stop playing party politics, Mr. Speaker, and provide better protection to the Canadian public. They are entitled to expect the best protection from this Government, and we have an obligation to do everything within the shortest time frame to secure and guarantee that protection for the Canadian people.

• (1250)

[*English*]

Mr. Lewis: Mr. Speaker, I have a question for my hon. friend who made an excellent speech. I want to ask him about the people in his constituency. My colleague will know that at the present time the House is debating the following motion by the Hon. Member for York West (Mr. Marchi) of the Liberal Party that "Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be not now read but that it be read a second time this day six months hence."

By the way, that amendment is supported by the New Democratic Party.

I want to ask a question of the Hon. Member for Chambly (Mr. Grisé). How will the people in his riding react to the suggestion of the Liberal Party, supported by the NDP, that the discussion of this very important issue be delayed for a further six months?

[*Translation*]

Mr. Grisé: Mr. Speaker, of course, I will be very brief in my answer to the comment made by the Parliamentary secretary to the President of the Privy Council (Mr. Lewis). The reaction of my constituents of Chambly is simple disbelief, Mr. Speaker—they find it absolutely unacceptable that, in this emergency faced by the Government and Canada as a whole, the Liberal Party come up with a motion to defer by six months the government decision, the implementation of the legislation. This means they are aware of the problem with the Canadian refugee policy. But not to worry.

They will let them come in for six more months, and then, after six months, they will consider whether the decision has any merits.

[*English*]

My answer to the Parliamentary Secretary is very simple. In no way will the population of the riding of Chambly, or the

population of the Province of Quebec which I am proud to represent as Quebec caucus chairman for my Party, support an amendment like that. They urge us, not only the Progressive Conservative Party, but as the Government to make a decision as soon as possible to settle the problem once and for all by adopting Bill C-55 and Bill C-84.

Mr. Gauthier: Mr. Speaker, if the amendment proposed by the Hon. Member for York West (Mr. Marchi) is being debated at this time, it is because it was in order to make it two months or so ago, on June 18, the first day the Government felt it proper to call that Bill. There was one day of debate, one day of debate.

Mr. Lewis: How will you vote on it?

Mr. Gauthier: The Bill was introduced on May 5, 1987. They had three years to study the problem, and as disorganized managers—those are the new words for Tories, "disorganized managers"—they did not put a Bill before us. Finally they presented it first on May 5, and then we had second reading on June 18. Surely Canadians are entitled to know what the Bill is all about. We have put the amendment because they failed to tell Canadians what they intended to do, what they had in mind to do. We will try to explain that, I must admit.

[*Translation*]

Sure enough, Bill C-55 does have its positive aspects, but it contains a number of weaknesses as well: The concept of the third country where refugees will be sent back, the so-called refugees who will be coming to Canada, the preselection concept—the notion, I should say—of the safe third country.

[*English*]

I am referring to the safe third country concept. I want to ask a question about it, because the Government is putting forth an interesting viewpoint. We admit that a person, a human being, comes to Canada with rights; according to the Charter of our country every human being has basic rights. One of the rights he has is to due process. Another right he has is to be heard. The Government is saying "we will return him to whatever country"; the safe third country concept.

[*Translation*]

And I want to ask the Hon. Member whether he is prepared to wash his hands of—*à la* Pontius Pilate—of the problem of refugees in this world by telling a prospective refugee arriving in Canada: You will return to this third safe country. I should like to know what the Hon. Member thinks of this notion.

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Chambly (Mr. Grisé) has 30 seconds to answer that question.

Mr. Grisé: I will be very brief, Mr. Speaker.

[*Translation*]

First of all, while we want to respect the international rights of refugees we must never ignore the rights of the Canadian population, the men and women we represent. That is basic, Mr. Speaker.

[*English*]

The Hon. Member for Ottawa—Vanier (Mr. Gauthier) mentioned that they made that six-month amendment two months ago. Do they need two months or four months? Perhaps the Hon. Member for Ottawa—Vanier is now suggesting to his colleague from York West to withdraw the amendment. Is that what the Hon. Member for Ottawa—Vanier is suggesting?

Mr. Gauthier: Answer the question. That is why we need six months, because they won't answer questions.

[*Translation*]

Answer the question!

The Acting Speaker (Mr. Paproski): The time for questions and comments has expired. Debate. The Hon. Member for Ottawa Centre (Mr. Cassidy).

[*English*]

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I am sorry to be here. I think we all deserved a holiday, but because the Government has mishandled and bungled the whole issue of refugees, it is now trying to incite the public into fearing that somehow there is a need to act on a bad Bill, Bill C-55, which is currently under debate. The problems could have been tackled in a much more effective and humanitarian way beginning two years or three years ago.

We are not now talking about a Government which has inherited problems from the previous administration. We are talking about a Government which, on September 4, will have been in power for three years from the last election. Therefore, we are talking about problems which have been there for action by the Government.

I must say that I am very disturbed over the tone of the comments of the Hon. Member for Chambly (Mr. Grisé), because the Government is suggesting, fearing its very low position in the opinion polls, that it will somehow ride its way to popularity by inciting prejudice, by inciting feelings which may be racist, and by effectively trying to turn to Canadians to say, "We are going to be proud and strong and keep out those people coming into the country and therefore regain your support that way".

The Hon. Minister of Employment and Immigration (Mr. Bouchard) acknowledged that there are problems in the immigration process, that the immigration process needs to be opened up in Canada for reasons of family reunification and for other reasons. In citing their support for Bill C-55, members of the government Party will be saying at the same time that they are not opposed to having legitimate refugees coming into the country.

However, they mislead the public, they mislead Canadians, if they argue that Bill C-55 is an effective way of achieving

that particular goal. They mislead the public if they argue that now we have to act urgently and ignore the fact that the Government failed to act over the last 2.5 years.

It is a fact that virtually every individual and every group concerned with assistance to refugees coming into Canada are opposed to Bill C-55. It is a fact that a number of members of the Standing Committee on Labour, Employment and Immigration, including members from the government Party, are opposed to Bill C-55, and I suspect they will say so in one way or other, during the course of consideration of this particular Bill. It is a fact that the Government had an excellent report from Rabbi Gunther Plaut in 1985, some 2.5 years ago, which proposed a means of having a refugee policy that would be humanitarian, would be just, would be accessible, and would be quick.

It is important that we talk about speeding up the process for two reasons. First, the time the present process takes is unjust to legitimate refugee claimants who are left in limbo for periods of up to two or three years. Second, it is clear that there is an incentive to people who may not be legitimate refugees to seek refugee status in order to have two, three or four years' time in Canada during which they may be able to gain access to Canada for humanitarian or other reasons despite the fact that they were not legitimate refugees in the beginning. On the one hand, people who could be abusing the process benefit from long delays, but on the other hand legitimate refugees who happen to be in camps from where refugees are moved to Canada are disadvantaged by lengthy delays.

• (1300)

Two and a half years ago the Standing Committee on Labour, Employment and Immigration considered the Plaut report. It came up with a set of proposals and those proposals have received approval and support from those groups that concern themselves with refugees. For example, I have before me the proposals made by the Canadian Council of Churches. It proposed a determination procedure that would be just and expeditious, a proposal which was supported by Amnesty International and the Inter-Church Committee for Refugees.

This proposal was that when refugee claimants arrive at the border, they would within a matter of a short time, perhaps two or three weeks, have access to an oral hearing before the refugee board, meeting the requirements of the Supreme Court by unanimous judgment in April of 1985 that people seeking to be refugees should in fact have an oral hearing and not just a paper hearing. It was proposed that if the determination at the oral hearing was negative, refugee claimants would then be able to make an appeal. They would know the reasons why they were refused and would make representations on those particular points but the appeal would be a paper hearing. In other words, it would not be unduly delayed. At the end of that, there would then be a yes or no decision. The appeal body could overrule negative decisions, could request rehearings or could confirm negative decisions. Therefore, within about two or three months, a decision would be made.

If people are seeking to abuse the process, they will not spend thousands of dollars in transportation costs or pay traffickers in refugee claimants thousands of dollars in order to come to Canada to be here for just two or three months. It will not pay. That will discourage many of the people who might, it might be felt, be illegitimate claimants. If people are genuinely desperate, they will continue to seek to come to Canada in one way or other. They will not be discouraged and that is as it should be. If a certain proportion of those people are still turned down by our rules, then we must regret that but we cannot accept everyone who believes legitimately that he may be a refugee.

The people concerned with refugees as well as opposition Party Members have indicated that they would support a proposal whereby there is a just determination made within a period of a couple of months. If such a process existed, then most people who might be potential abusers would not be coming to Canada under that process. That is the matter to which the Hon. Member for Chambly and others have been speaking. It would then be possible, according to these proposals coming from people who are concerned about refugees, to have appeals on points of law to the Federal Court of Appeal. However, that would be rare. There would probably have to be leave to appeal and this too would take a matter of maybe two or three months, a total of six months in all after which a final determination would be made.

[*Translation*]

Mr. Speaker, one wonders why, when the Standing Committee on Labour, Employment and Immigration submitted to the Government a report made by Rabbi Gunther Plaut, a man widely respected and with distinguished credentials, who proposed a system that would be just and accessible, in line with the decision handed down by the Supreme Court of Canada in April 1985, a process that would deal fairly with all those seeking refugee status, one wonders why the Government deferred its decision and refused the advice of the Standing Committee, instead tabling a Bill that ignores the recommendations and creates a situation where instead of genuinely examining claims for refugee status, we are actually trying to turn back at the border individuals who want to come to Canada?

That is the gist of what we read in *Le Devoir* of June 3, 1987. I would like to quote the comments that appeared in *Le Devoir*:

> Contrary to the initial impression given by the new policy announced by the federal Ministers responsible for Immigration, the purpose of Bill C-55 is not to give refugees, either genuine or phoney, who knock at our door the right to have their case heard—a right recognized by the Supreme Court as fundamental—but to turn back the largest possible number.
>
> It is therefore not surprising that the proposed legislation has met with massive and violent opposition across Canada.
>
> It is not that Benoît Bouchard and Gerry Weiner—the two Ministers involved—do not sincerely want to make Canada a country of refuge.

Unfortunately, Bill C-55, a lengthy and complex piece of legislation that even experts have trouble understanding, is actually raising new barriers and, contrary to international law, has opted for a policy of turning back people at the border.

Mr. Speaker, that is what we object to.

The Hon. Member wondered why the Liberal Party proposed a six-month hoist on Bill C-55. The Hon. Member, who has been sitting here in the House of Commons for three years, knows perfectly well that this is a technique used in the House by an opposition Party to indicate it is fundamentally opposed to a Bill. We in the New Democratic Party say to the Government that we are prepared to accept a Bill that follows the recommendations of the Standing Committee on Labour, Employment and Immigration. We believe the committee has made valid and viable proposals that would respond to the concerns expressed by many Canadians since the July incident when 174 Sikhs, citizens of India, arrived on our shores in Nova Scotia, on board a German vessel.

[*English*]

Let us not be panicked by the fact that 174 Sikhs entered Canada a month ago. Let us not be panicked into saying that that proves that there are security questions which require that the House be called back at this time. We have known since the end of June that the Government was looking for one reason or another to have the House sit at this time. We have known as well that there are some serious questions as to whether or not the Government wants the House to be sitting around the first of October when the free trade negotiations reach their final stages. It has been suggested that the Government does not want to have Parliament around at that time because it does not want Parliament chiming in about what may occur at that time.

After listening to the Hon. Member for Chambly and the Minister of Employment and Immigration one must ask oneself this question. If there is a problem of illegal immigrants being brought to our shores in leaky lifeboats, then why did the Government not act a year ago? What was the reason for the delay at that time? Why is it suddenly beginning to act right now?

If the Prime Minister (Mr. Mulroney) considered this to be an emergency two and a half weeks ago, why did he not call Parliament back immediately rather than going out in order to pose with his son Nicholas and his wife at all kinds of ethnic picnics and other events around the country for two and a half weeks before calling Parliament? When is an emergency not an emergency? To what extent is Parliament meeting right now because it is in the needs or interests of the Conservative Party, a Party which is desperate to find some way to get back into the good graces of Canadians, or to what extent is there a genuine emergency at this time?

• (1310)

It has been mentioned that Canada is a recipient of the Nansen Medal for its performance in accepting refugees. We deserved that medal, but maybe we should consider giving it back if this Bill goes forward in its present form.

Those who are watching these proceedings right now should know what are the objectionable features of this Bill. If persons who were persecuted in their homeland because of race, religion, ideology, or some other reason, came to Canada's borders and said they would like to be considered for refugee status, they would face a series of new requirements which effectively make it more and more difficult for their case to be considered.

Canada takes in more than 10,000 refugees a year and that is something of which we can be proud. That is why we won the medal. However, we do not have an obligation just to take refugees in camps in southeast Asia, Africa, or on the borders of Afghanistan. There are people in Central America who are clearly refugees according to the UN definition. They have a well-founded fear of persecution. They make their way into Canada by all kinds of different means. The rules say that if they are judged at the border by the refugee board as having the opportunity to go back to a so-called safe country, they cannot come into Canada. If you are coming from Central America to Canada to seek refugee status, you have no choice but to go via the U.S. It is almost impossible to not travel that way. I presume the Cabinet is not going to say the U.S. is not a safe country. Yet the U.S. rejects 98 per cent of people from Central America seeking refugee status. Canada accepts half of those people who get to our borders seeking refugee status. In other words, the understanding in the two countries of what is a refugee is very different.

The reasons, of course, are very clear. It is because of the misbegotten policies, which most Canadians oppose, of the Reagan administration and its support of military and right-wing regimes in places like El Salvador, as well as its efforts to destabilize and overthrow the Government of Nicaragua. That in my opinion is in flagrant violation of international law.

If a refugee were to come from Sri Lanka prior to the apparent recent settlement, or some other part of Asia, they would have to travel through western Europe. The Government says if they were simply passing through western Europe on the way to Canada that would not meet the requirements concerning a safe third country and they could not be turned back. However, we are saying that if, for example, the refugee stopped in western Europe for a few days or a few weeks, possibly in order to acquire the resources necessary to continue, then they would have lost their chance of ever being a refugee here in Canada.

It is reminiscent of the rules in place before World War I which said anyone who wished to emigrate to Canada from the Indian subcontinent could do so provided they came here directly. A group of Sikhs did so in 1914 and they were turned

away because their ship had refuelled along the way. That was used as a pretext to turn them away.

Is Canada adopting legislation which theoretically may not be racist but which in practice effectively means refugees from countries other than eastern Europe have little or no chance of coming to Canada? I believe that is the result of Bill C-55 in its present form.

These parts of the Bill I believe most Canadians would find repugnant. They would say that is not what I meant. The polls show that most Canadians are in favour of Canada being a place of refuge for genuine refugees. Of course they do not want the system abused. No one does.

We have problems with some people who seek refugee status as a way of coming to Canada. However, as I said before, if they could only come to Canada for a few months and then be turned away, very quickly the word would get back to Brazil, Portugal, Turkey, or other places where things which may look like scams have taken place and these people would stop coming here. They would not spend their life savings just for the chance of being in Canada for two or three months. Their relatives or friends would tell them it was not working.

I call on the Government to recognize the concerns of immigrants and refugee assistance groups who reject Bill C-55. It has to recognize that you cannot turn to people and say, if you do not announce you are going to be a refugee the moment you come into Canada you cannot claim that status again. Refugees are scared to death. That is why they left the countries from which they came. To turn around and say they did not meet the requirements and therefore we are going to turn them back to that regime is unacceptable.

There is a lot of passion and concern here, but Canadians should beware manipulation by the Government. We in this Party are certainly prepared to see measures which would ensure just, fair and expeditious handling of refugee claims. It is wrong that we have 20,000 people backed up in the queue right now when the Government had the choice of putting resources to work in order to shorten the queue. For three years it had the means of putting in place the legislation which would have ensured that we would not be facing a crisis now. If there is any crisis now, it is not because of the opposition Parties, it is because of the inaction and incompetence of the Conservative Government of the Prime Minister and his colleagues.

The Acting Speaker (Mr. Paproski): Questions or comments.

Mr. Crosby: Mr. Speaker, I have a comment and then I would like to ask the Hon. Member a question. My comment relates to his remarks at the outset of his speech when he referred to the Government and presumably members of the Progressive Conservative Party inciting the people of Canada with respect to legislation to control the entry of refugees into Canada. I realize the Hon. Member lives in the insulated atmosphere of Ottawa Centre, but the people in my constituency of Halifax West, and my colleagues from across Canada with similar experience, tell me very clearly that the people of Canada were not incited by anything other than the sight of 174 people gaining illegal entry into Canada in apparent defiance of the law. That is what incited the people of Canada, not members of the Progressive Conservative Party or this Parliament.

We are all elected to this Chamber as representatives of the people and we participate in debate. We expect to be hit in the give and take of debate. However, the Hon. Member has no basis for insulting the intelligence of the people of Canada who read this situation very clearly and reacted to it. They said to their Members of Parliament, get back to Ottawa and do something about the situation. The incitement did not come from elected Members of Parliament.

There is a very real feeling among the people of Canada that something has to be done. I am shocked and ashamed that the Hon. Member would stand in this place and deny the feelings of the people of Canada, insult their intelligence, and claim they are merely being incited. Those people feel very strongly about this and the Member's defiance in standing in this House and insulting the intelligence of the people of Canada because of the attitude they honestly hold is ridiculous.

I want to ask the Hon. Member if he believes people should be allowed to enter Canada in the way these 174 Asians did when they landed on the shores of Nova Scotia? Does he believe that the law governing that situation should allow them to stay here, notwithstanding that they have not shown in any way, shape or form that they are legitimate refugees? Does he agree with that law? Does he want that law maintained? Is that the reason his Party supported a six-month hoist of Bill C-55? Is that why it wanted consideration of the Bill in the House of Commons delayed for six months and passed into oblivion? Members of his Party agree with the current state of the law. They want this to happen and they want it to happen again and again and again. Is that what they want?

• (1320)

Mr. Cassidy: Mr. Speaker, I would like to respond in a more calm way than that in which the Hon. Member has just spoken. We had a similar incident a year ago when a group of Tamils were deposited on the coast of Newfoundland by lifeboats. If the Government was as concerned at that time as the Hon. Member indicates that he is now, it had every opportunity to bring legislation forward.

There was a model put forward by the Standing Committee on Labour, Employment and Immigration which, as I suggested in my speech, had general support and would have ensured that people seeking refugee status would have been dealt with quickly.

In addition, at that time the Government had the opportunity, and failed to do so, of bringing forward legislation along the lines of what I understand is being proposed in Bill C-84,

that is, the imposition of heavy penalties for traffickers in illegal immigrants into this country.

Let us suppose that a group of people who genuinely suffered fear of persecution in El Salvador managed to find a fishing boat and persuade the captain of it to take them up the coast to Vancouver. Is the Hon. Member saying that the Navy should be sent out with guns blazing in order to sink that ship or send it back to a place where people would be subject to death squads? Is that what the Hon. Member is saying?

I do not think you can make a rule to cover every circumstance. I believe that people who are seeking refugee status are likely to be coming into Canada by all means. The transportation carriers and the passport control systems and so on are not such as to encourage or facilitate refugees moving from one place to another.

I am not happy about what happened on the coast of Nova Scotia. I am not insulated from it, as the Hon. Member has suggested. My office, like his, has received a number of calls. A number of people have spoken to me about this issue outside of my constituency during the last several weeks. People have expressed their concern that these people may be jumping the queue.

On a different point, the Hon. Member for Chambly said that we must have legislation no ›ecause of the security risk of people coming in in this partic lar way. An adjudicator has now processed all of the cases. The Government has put forward any evidence that it may have of a possible security risk. The adjudicator, who I assume the Hon. Member believes is a competent individual who would consider very seriously evidence from the Government, has judged that there was no substantive evidence that there was a security risk involved in this case.

We must look at this situation with some perspective. This was a rather dramatic case of 174 people made more dramatic because there was not a lot of other news at that particular time. It was perhaps dramatized as well because the people who came in happened to be Sikhs. They look different. They wear turbans and so on. The Hon. Member will be aware that Sikh Canadians right across the country are very productive members of Canadian society and make a great contribution to the country. We are not talking about people who will necessarily be prejudicial to Canadian society. We do not know that.

The question is whether we make law on the basis of a sudden, sharp reaction to one particular incident, or whether we make law in a measured way as was proposed by the standing committee more than two years ago. That is what should have happened. It is the mark of an incompetent and ineffective Government that it has panicked into action now when it should have acted a year and a half ago.

Mr. Althouse: Mr. Speaker, I have a couple of brief questions for the Member for Ottawa Centre (Mr. Cassidy). Toward the end of his speech he referred to the backlog of 20,000 people who are seeking entry to Canada. What is there in Bill C-55 which will ensure that we will have the human resources necessary to speed up the process in order to keep the backlog at less than 20,000 so that people can go through the process without having to wait months and even years?

Second, what is there in Bill C-55 which will assist in the speeding up of the process without hiring more counsellors and other people to handle the processing of paper in the immigration department? What is there to make this process more streamlined? Do we still maintain the same protection against security risks and ensure that this faster, streamlined process allows genuine refugees to enter?

Mr. Crosby: Mr. Speaker, I rise on a point of order. The Hon. Member for Ottawa Centre (Mr. Cassidy) directed a question to me and I am sure he would rather use the time by listening to my answer.

Mr. Cassidy: That is not a point of order.

The Acting Speaker (Mr. Paproski): I will allow the Hon. Member a supplementary question, but I would like the Hon. Member for Ottawa Centre (Mr. Cassidy) to answer the question of the Hon. Member for Humboldt—Lake Centre (Mr. Althouse).

Mr. Cassidy: Mr. Speaker, I am not sure about the question with regard to the security provisions in Bill C-55. However, I am sure that the question of resources is not adequately addressed. It is clear that if the Government believes, as it correctly should, that the backlog is too great and the process is taking too long, then this matter requires not only legislation but also a commitment of adequate resources.

As the Minister indicated, Canada devotes over $150 million a year to refugee resettlement and that kind of thing. I believe most Canadians support that. If we have to find an extra portion of resources, one which would be much smaller than that already allocated, in order to ensure expeditious handling of people seeking refugee status, I believe that most Canadians would also agree with that. I regret that the Government is seeking to turn public disdain on to people seeking refugee status rather than dealing in a compassionate and humanitarian way with persons seeking refugee status here in Canada.

It is also worth noting that under the present process there is provision which is often used whereby a person who does not meet the UN convention definition of a refugee is still allowed to stay in Canada for humanitarian reasons. Humanitarian reasons have no place in Bill C-55. I believe that is a matter for regret. In other words, persons who are now consistently being allowed to stay in Canada for humanitarian reasons would be rejected under the proposals of Bill C-55.

Are we wrong to accept them now? If we are not wrong, why does Bill C-55 in essence say that in the future we will not accept persons for humanitarian reasons which appear to be justified at this time?

Mr. Crosby: Mr Speaker, the Hon. Member for Ottawa Centre asked me my view of the entry of the 174 East Asian migrants into the Province of Nova Scotia. I am unalterably opposed to that entry in that way. I will explain why. The migrants violated Section 95 of the Immigration Act by seeking to enter Canada through a place other than a port of entry, knowing well that had they entered through a port of entry they would have run into the formalities of our immigration laws and would have been required to identify themselves, state honestly under oath from whence they came, and meet the other requirements. Therefore, I am unalterably opposed to their entry into Canada because I believe that they purposely avoided the immigration laws of Canada.

I resent, and I think the people of Canada resent, the remarks of the Member for Ottawa Centre attributing, not to me and not to Members in this House of Commons, but to all Canadians the attitude that they are concerned about the entry of these East Asians because, in his words, "they look different and wear turbans". No one said to me, "I am against these people because they look different and wear turbans". I take Canadians at their word. When they tell me that they do not want law-breakers to enter the the country, when they tell me that they want everyone to observe the laws of Canada as they seek entry to the country, I take their word. I do not attribute malice or racial prejudice to honest Canadians who believe that all our laws should be respected. Canadians are law-abiding people. They pay income tax, they stop at red lights, and they resent people who do not abide by our laws. I am shocked and amazed that the Member for Ottawa Centre would attribute to law-abiding Canadians a racial prejudice that only exists in his own mind.

• (1330)

The Acting Speaker (Mr. Paproski): I will allow a very short rebuttal.

Mr. Cassidy: I thank the Hon. Member for his contribution and his assurances that that was not in fact the intention of the Government in its statements at the time of the entry of the Sikhs, and that it was not attempting to build up any kind of support in that way. If that is the case, I am glad to hear it.

I simply say that the concerns of Canadians about the refugee process were concerns to which the Government should have responded a long time ago. Sure, they were heightened and sharpened by the arrival of the Sikhs, but they were also heightened by the arrival of the Tamils a year ago. One must ask why the Government failed to act at the time of the Tamil arrival or when the House resumed in October of last year? Why did it not get on with the job at that time?

Mr. Crosby: You obstructed it.

Mr. Cassidy: There was a bad Bill which we are opposing. Why was there no Bill at all until May 5? Why was there no debate at all on the Government's response to more expeditious handling of refugees until June 18 when there was effectively no time—

Mr. Crosby: You were obstructing then and you are obstructing now.

Mr. Cassidy: It is hardly obstruction when the Bill was not even before us between September and May.

Mrs. Mary Collins (Capilano): Mr. Speaker, I am very pleased to be here today to have the opportunity to debate Bill C-55, unlike my colleagues opposite who seem to decry the recall of Parliament to debate this issue. I believe it is perhaps one of the most important issues that has faced Canadians in the past two years. Members of Parliament from all Parties have a responsibility to deal with it. The Hon. Member for Ottawa Centre (Mr. Cassidy) indicated that he does not believe it is important to return at this time. The Member from the Liberal Party, the Hon. Member for York West (Mr. Marchi), indicated that he felt the Government was trying to whip up hysteria on this issue. While I do not like leaving British Columbia, I returned from my riding of Capilano because I believe it is important to be here to deal with this vital issue.

I am very pleased that in addition to debating Bill C-55 today, the Minister of Employment and Immigration (Mr. Bouchard) has introduced additional legislation, Bill C-84, dealing with the deterrent and detention aspects of the refugee claimant situation. We will debate that legislation as well during this recall.

Let me trace what has happened in the past month. On July 12, 174 people arrived on the shores of Nova Scotia claiming refugee status. This particular event touched the nerve of Canadians and caused an outpouring of response like none other I have seen during the past three years I have served my constituency. Indeed, it reminded me somewhat of a movie which I am sure many recall seeing when, after reaching a certain level of frustration, the character said, "I am mad as hell and will not take it any more". That is what Canadians are telling us as their elected representatives. They are tired of being abused and having our borders abused by those who would seek to enter this country illegally.

That does not mean that Canadians are not generous. While we know that Canadians are generous, we also know that Canadians share a fundamental sense of fairness and will react if they feel they are being dealt with unfairly. We have seen such a response over the past three weeks because Canadians believe there are people trying to come into this country unfairly, by jumping the queue ahead of legitimate refugees and those who would come here through the regular immigration process.

Let me refer the House to a few of the comments I have received in letters and phone calls which number well over 1,000. These are the views of individual constituents who are concerned enough to call or write their Member of Parliament. While people may stop on the street to discuss such things as

the free trade agreement or the Meech Lake Accord, they do not ordinarily write to express their views as they have done on this issue.

Let me give some examples of the comments I have received. One states in part:

> I am writing to you to express my displeasure at the way the Canadian Government is responding to the . . . migrants who are attempting to enter our country in an improper manner.
>
> I have been fortunate to travel all over the world and it is heartbreaking to see people waiting at the doors of our embassies and consulates with desperation in their eyes trying to immigrate to Canada.
>
> What distresses me about the current situation is that these people are just "queue-jumpers" and "system-beaters"—They are showing, by example, what kind of citizens they will make and if allowed in, will try to find a way around every law and regulation we have—

That is the feeling of many Canadians. Those trying to enter this country illegally or by lying are establishing an example of their future behaviour.

Let me quote another letter which I am sure is similar to letters all of us have received:

> Send the boatloads home, and let them apply legally. There is no reason why the boatloads should be given preference over other people—who have applied through the regular channels and are awaiting processing.

Another states:

> As an immigrant who came to Canada in 1969 having been subject to scrutiny, lots of paperwork, screening, delays, denials, and finally after many months acceptance into Canada, I want to know what policies we now have for people to enter the country.
>
> —anyone who can somehow creep ashore at night, be left wallowing in our territorial seas or concoct any other plan to circumvent the normal entry process is soon housed, fed, given money and other hand-outs, lawyers, et cetera at taxpayers' expense, and then set free into the community.

Finally:

> If it can be proven a person is a genuine refugee then yes, Canada has room for such desperate people, but the applicant must prove his case beyond a question of a doubt. Otherwise, people without a valid case claiming "refugee" status can enter Canada illegally, stay here for months or years while an investigation goes on, and thus make a mockery out of the entire immigration system.

Those are the kinds of concerns I have been hearing over the past three weeks. That is what led me to suggest that this situation must be addressed and why, on July 17, I wrote to the Deputy Prime Minister (Mr. Mazankowski) asking for the recall of Parliament. I want to share what I said in that letter because it was a culmination of what I was hearing from my constituents and how I wanted to represent their views to the Deputy Prime Minister. I wrote:

> After several days of discussion with many of my constituents regarding the arrival of 174 persons last weekend by boat to Canada claiming refugee status, and much personal reflection, I am writing to you to urge the early recall of Parliament for the consideration and passage of Bill C-55 (amendments to the Immigration Act).
>
> I believe that this is a matter of national urgency and importance calling for action by our Government.
>
> Canadians in Capilano, and across the country, are deeply concerned about this matter. They are angry and frustrated by what appears to be the inability of government to act swiftly to determine whether or not recent arrivals have a legitimate claim to refugee status and where they do not, to be removed from Canada.
>
> The proposed amendments contained in Bill C-55 would give us the tools to be much more effective in dealing with refugee claims while ensuring fairness and justice.
>
> I believe Canadians are generous of spirit and are willing to accept a fair share of genuine refugees who wish to contribute to this country; however, they cannot accept persons who enter this country by illegitimate means, or make false claims, while many others must wait their turn through established immigration channels.
>
> We must show our support for the generosity of Canadians but not allow it to be abused. Lack of action will lead to unacceptable levels of frustration and cynicism.
>
> By moving to put in place the proposed legislative changes quickly, rather than waiting until the fall, we will exhibit our good faith by discouraging those who might seek to enter our country illegally.
>
> Thank you for your consideration of my request.

• (1340)

I must compliment the Government for responding favourably to the request, which I know was made by other Members of my party as well, which brings us back here today to deal with the situation. We will be dealing with Bill C-55, which is the process by which claims are judged, as well as new legislation to much more effectively deter by tough penalties, up to $1 million and 10 years in jail, for those who would seek to bring in people to this country illegitimately. There is a right to seize and sell the vehicles, the boats, planes and, I guess, perhaps even a train which might be used to transport such people illegally, and there is a right to detain those who would enter the country until such time as their identification can be verified. Where there are any questions of serious criminal background, we will have the right to remove that person quickly from Canada.

Those measures are important given the reality in which we now live. It is not a happy global reality, we all recognize that. There are many millions of people, many millions of legitimate refugees, who are seeking to leave these countries. However, there are also many others who wish to seek access to a country where they might have a better life, a greater economic advantage. Certainly we all understand the motivation of these people who would like to come to Canada. However, we also recognize that immigration procedures must be done in a fair way, and that we as Canadians must have control over our immigration policy so that we have control over our destiny.

Bill C-55 will help to give us the tools to deal with those claims quickly and I believe that is what Canadians want. We all know the problems in the existing system which was developed 10 years ago in a different era when these kinds of global movements did not occur as they do now. We now need legislation to deal with the reality in which we live today.

Certainly Canadians to whom I talked, who are not professionals or lawyers, but ordinary Canadians, want to be sure that the system is fair and that it is expeditious. So we see in Bill C-55 a new and streamlined system. Within a period of 72 hours of a person entering the country and claiming refugee

status their case can be determined by a member of the refugee determination board and a member of the Immigration Department. If, in certain circumstances, it is very clear there is no legitimate claim to refugee status, that person will be removed from Canada.

There are criteria by which cases would not proceed to a further hearing; "persons recognized as refugees by another country, persons who can be returned to a safe third country and persons under a removal order, those who have made repeat claims or those whose claims have no arguable basis", and there are lots of those. In fact we know that over the past few years the number of those coming to Canada who claim refugee status has increased from 1,600 in 1980 to 18,000 in 1986 and for the first seven months of 1987, they totalled 16,500. Seventy percent of these claims have been unfounded.

I believe we should look at this problem as reasonable men and women with a responsibility for making laws and think through how they should be implemented. A reasonable person would recognize that what we are trying to do is put in a system by which we can weed out that 70 percent or least deter them from coming to Canada in the first place because they will know they will not get through the system. With that in place, the legitimate refugees will be dealt with expeditiously, so they can quickly enter into the fabric of Canadian society. Those kinds of tools are available in the Bill before us.

My colleague, the Hon. Member for Ottawa Centre expressed a number of concerns which I believe are really not quite fair when we look at the situation carefully. I have talked to a number of people involved in refugee determination work. These people actually hear the cases. They have told me that once one is involved, one quickly can appreciate and understand the difference between legitimate and illegitimate claimants. There are people who claim refugee status who are very quickly known not to be refugees. It is not a big deal. That can be done quickly and safely and they can be sent back to the country from which they came.

At the same time we must have a system where there can be a fair hearing when there is any doubt at all that a person may be a legitimate refugee. Bill C-55 provides for the due process of law. Where either one or two of the persons receiving the information to begin with have any doubts, it will go on to the next stage. The new refugee determination board, will be able to hear the case in a matter of weeks so that possibly within a period of seven to 12 weeks there will be a final determination and the claimant will either be returned or will be able to stay in Canada to start to build a new life. In the present situation it can sometimes take a year, two years and even up to four years before a person's status is finally verified. As politicians we all know the problems that involves. Once a person has been in Canada for four or five years and has established ties, it becomes very emotional and very difficult to remove that person. It is really not fair to any of us.

Bill C-55, taken in conjunction with Bill C-84, will give us the tools and the system by which we can genuinely determine the refugee status of those who would seek to enter Canada legally and deal effectively with those who would try to come here illegally. It will deal with the concerns of Canadians who want us to have that kind of control over our borders and our future.

There are other longer term issues which need to be addressed. Obviously much work needs to be done on the international scene in our role and responsibility in the movement of refugees around the world. Much work needs to be done in order to familiarize and involve Canadians in immigration policy in terms of its goals, objectives and numbers. In this way they can take a greater part in that discussion.

• (1350)

These are issues which my colleagues and I will work on over a period of time. I would like to ask now for the co-operation of all Members of the House in terms of moving quickly and expeditiously on Bill C-55 so that it can finally become law.

The Acting Speaker (Mr. Paproski): I regret to interrupt the Hon. Member but her time has expired.

It being 1:50 p.m., I will now leave the Chair until 2 p.m. After Oral Question Period the Hon. Member will have 10 minutes for questions and comments.

At 1:51 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ENVIRONMENTAL AFFAIRS

ENVIRONMENT CANADA—GOVERNMENT POLICY

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the report that the Government is again withholding information about toxic chemicals and human health is only the latest in a series of events that demonstrates that the Government does not see Environment Canada playing an advocate role to protect the public.

It started with the St. Clair River "blob" in 1985 when the Minister criticized his scientists for being open and honest with the public. Then a pamphlet entitled "Storm Warning" was withheld from distribution for one year. Communication between Environment Canada and the public has been centralized in Ottawa in an attempt to avoid further embarrassment to the Minister. Scientists are no longer allowed to give opinions that differ from his. In 1986 the Deputy Minister

apparently went so far as to tell Environment Canada managers that the department is out of the advocacy business.

These changes are a serious blow for all Canadians. Our pollution laws and regulations need public support through the advocacy role Environment Canada plays in defence of the public. By removing the advocacy role, the Minister has removed the soul of the department. By withholding information, the Minister is muzzling scientists who are working to protect the public interest.

* * *

HOUSE OF COMMONS

PARLIAMENTARY INTERNS—ANNOUNCEMENT OF SPECIAL AWARD

Mr. William C. Winegard (Guelph): Mr. Speaker, it is a pleasure for me today to inform you and Members of the House about a new and special award to be given to a parliamentary intern each year.

The originator of the parliamentary intern system was the former Member of Parliament from Guelph, Mr. Alfred Hales, a man much respected across Canada. He served the Guelph riding and his country for almost two decades and was recognized as a thoughtful but tough politician. His name is synonymous with service in my riding.

Mr. Hales has agreed to allow his name to grace this award, and an "Alf Hales Plaque" will be presented by the Speaker of the House of Commons to the person judged to be the best all-round intern in the eyes of the Members of Parliament and the director of the program.

I know that you, Mr. Speaker, will enjoy presenting the Alf Hales Award. I hope Mr. Hales will be present as you do so. He was a man with an idea that grew.

* * *

WAR CRIMINALS

CALL FOR RAPID PASSAGE OF LEGISLATION

Hon. Bob Kaplan (York Centre): Mr. Speaker, on June 30, the last day the House sat before adjourning for the summer, the Government devoted a mere five minutes to dealing with Bill C-71 which would provide for the prosecution in Canada of war criminals. Five minutes was not much time, but within that time the Minister of Justice (Mr. Hnatyshyn) made a promise to the House. He stated, and I quote from page 7903 of *Hansard*:

> —I will call on my House Leader to make arrangements to have this matter brought up at the earliest date when this House reconvenes. It will be a priority—for us.

The House reconvened today, the Government has put forward the list of legislation that it intends to deal with, and Bill C-71 is not on the list.

On behalf of my Party I indicated that we were prepared to take all steps to give rapid passage to this Bill in order that it could enter into effect quickly. The Government has not brought it forward. I wish to renew the commitment that I made during that debate and before to assure rapid passage. Let me urge the Government to keep its promise and have this matter dealt with. War criminals are a problem which, because of the biological clock, is disappearing. I think this matter should be dealt with soon.

* * *

THE LATE FRANK BEBAN

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, two weeks ago the men and women who work in the forests of British Columbia lost a friend with the passing of Frank Beban. Like his father, Jack, and his grandfather, Frank, before him, Frank Beban will be remembered by the people of Nanaimo, the Queen Charlotte Islands, and indeed all of British Columbia, as a first-class logger, and a first-class guy.

Canadians knew of him as the man who fought with determination to protect his employees. Those of us who knew him called him "one in a million". As his business partner, Bill Verchere, has said: "Frank was no ordinary man, and he put the welfare of others before his own. Those who worked for his company were not employees. They were his friends."

Now that the South Moresby region is to become a new national park, Mr. Speaker, it would be fitting to remember the man and the family who did so much for the people of that region. Frank Beban cared for the Queen Charlottes as much as he cared for his crew. I think it would be fitting for the Government to rename Lyell Island Beban Island in tribute to a man we will miss.

* * *

TRADE

SOFTWOOD LUMBER TAX—USE OF REVENUE IN BRITISH COLUMBIA

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, when the federal Government decided to impose a special 15 per cent tax on softwood lumber exports to the United States, many experts predicted that this extra tax would place many Canadian lumber companies in an uncompetitive position in the U.S. lumber market. Of course, the United States requested such a tax in the first place to cut Canadian companies out of its market.

A recent casualty is the Ainsworth Company sawmill at Savona, British Columbia. This company has announced the August 15 closure of its stud mill. It states that it can no longer compete in the United States market. The result will be 120 employees laid off in a region of extremely high unemployment. For these 120 people to end up on unemployment insurance is unacceptable and unnecessary.

In 1987 the softwood tax revenues collected from the British Columbia companies will be more than $200 million. This money was intended to be used to promote new job opportunities for the displaced workers, such as those at Savona, British Columbia, through intensive and extensive silviculture programs, new market and production development, economic diversification, and special support for single-industry towns. This $200 million should be targeted for jobs, and not a general revenue fund as the British Columbia Government intends.

* * *

REFUGEES

WEAKNESSES IN ADMISSION SYSTEM

Mr. Bill Attewell (Don Valley East): Mr. Speaker, it is very clear that Canada's refugee determination process must be changed to block the flagrant abuses taking place. Canadians have demonstrated a remarkable generosity over many years to welcome warmly genuine refugees from all corners of the world. In recognition of this long-standing generosity, the people of Canada were awarded the Nansen Medal through the United Nations last fall.

However, many Canadians are outraged over the events of the past year, and more particularly the arrival of 174 persons on the shores of Nova Scotia a few weeks ago. These people obviously schemed with foreign and domestic immigration brokers to exploit the weaknesses of our current system. Many Canadians and landed immigrants had to wait years to obtain legal approval to create a new life in this wonderful country.

Canada expects to welcome at least 20,000 persons under legitimate refugee and humanitarian programs this year, and will assist them to settle in our communities. However, when it is estimated that over 70 per cent of persons claiming refugee status are not valid, then clearly changes must be made.

I urge the two opposition Parties to stop playing politics and listen to Canadians who want fair, responsible action now. I am confident that the legislation will not diminish our caring attitudes towards the very real needs of genuine refugees, but it will deal harshly with bogus refugees and the unscrupulous brokers involved. Let us get on with discussion and amendments, if required, and the passage of Bills C-55 and C-84.

S. O. 21

INDUSTRY

FIRESTONE PLANT IN HAMILTON—REPORTED EXPORT OF MACHINERY

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the last question on the last sitting day the House of Commons dealt with the issue of Firestone in my riding of Hamilton East. There are 1,400 jobs at stake. The Minister has now agreed to allow the machinery from that company to leave Canada, without asking for the repayment to the federal Government of a $13.5 million grant which was paid by the taxpayers of Canada.

I have asked for a meeting with the Minister. I have received no reply. I have asked the Minister to conduct an inventory of all equipment sitting on the Firestone premises. The Firestone Company in Akron, Ohio, is in the process of closing the most productive plant in North America.

• (1410)

If the Government and the company expect the workers of Canada to believe our word when we say we will fight for them when we have a corporation which has the most productive workforce in the country and it is closed down, well, that is the result of free trade. That is the result of a Minister who has washed his hands of his responsibility. That is the result of a Government which does not care about 1,400 jobs in Hamilton East.

We are going to keep fighting. I think the Minister's treatment of this dossier is disgusting. It is incredible, and he should resign.

* * *

WESTERN DIVERSIFICATION FUND

ANNOUNCEMENT WELCOMED

Mrs. Mary Collins (Capilano): Mr. Speaker, I am pleased today to congratulate the Prime Minister (Mr. Mulroney) and his cabinet colleagues—

An Hon. Member: Are you serious?

Mrs. Collins: That's right—for the announcement last week in Edmonton of the $1.2 billion Western Diversification Fund. I refer not only to the fund but to the establishment of the new Economic Development Agency for western Canada.

In Pacific Canada, in British Columbia, we certainly welcome this initiative. We are excited by the prospects that many of our small and medium-sized businesses will benefit from these funds. We will be encouraging our basic industries of forestry, fishing, and mining to add value to their products and will be looking toward new industry, tourism, high-technology and other kinds of industrial manufacturing to take advantage of these new funds.

Equally important is the role that the new Western Diversification Agency will play in ensuring that the interests of western Canada are clearly represented in the development of national economic policies and programs.

As a Member of Parliament from British Columbia I look forward to working with the new Minister responsible for western diversification to promote economic prosperity for British Columbia and all western Canada.

* * *

PENITENTIARIES

CONDITIONS IN STONY MOUNTAIN PENITENTIARY

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, since March I have been in correspondence with the Solicitor General (Mr. Kelleher) about conditions at Stony Mountain Penitentiary, and so far the Minister has been unwilling to change policies that are endangering the lives of guards and inmates. I have recently met with constituents of mine who work there, and I am convinced that unless action is taken we may well have another incident like the one in July, 1984, which led to the deaths of two guards.

The policies which most need review are, first, the contracting out of health care services, teaching services, and construction or repair jobs; second, reductions in post standards and security staff; and, third, the closing of the segregation unit and consequent mixing of inmates who should not be put together. This latter policy is all part of what is called management by risk. The only problem is that all the risk is borne by line staff, not by management.

At the management level, all that is happening due to reorganization is that more management positions are being created, while the burden and the stress on those who actually work with inmates are being increased.

What is happening in Stony Mountain is happening elsewhere in Canada, in Prince Albert for example, and the Minister should wake up before it is too late. The risk may not be his, but the responsibility will be. He and his officials have been warned by CSC employees. He has now been warned in Parliament. We hope that he will take heed, and soon, before an explosive situation is detonated.

* * *

TRADE

IMPORTANCE OF MANITOBA'S EXPORTS TO UNITED STATES

Mr. George Minaker (Winnipeg—St. James): Mr. Speaker, in 1986 Manitoba exported $1.7 billion worth of goods, of which 82 per cent or $1.4 billion went to the United States. In the face of growing American protectionism, Manitoba needs to maintain and improve its access to the U.S. market.

Manitoba is five times more export oriented in manufacturing than any other prairie province. The province accounts for one-half of Canada's exports of agricultural machinery with 90 per cent going to the U.S., a third of bus and bus chassis, a quarter of outerwear clothing, and approximately 10 per cent of aerospace exports.

The bilateral discussions with the United States on a comprehensive trade agreement are vital to the economic future of our province. Events have shown that the *status quo* is not acceptable to either Canada or Manitoba.

New rules to guide trading practices between Canada and the U.S.A. will provide the security of access and the potential for trade expansion to enable Manitoba to develop its manufacturing base and invest further in its natural resources.

* * *

NATIONAL CAPITAL COMMISSION

OPPOSITION TO USE OF LAND AS SITE FOR GARBAGE INCINERATOR

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, last night some 500 people protested the proposal to build a garbage incinerator at Walkley Road and Russell Road in Ottawa.

I want to take this opportunity to express my disagreement with any plan which could result in the using of National Capital Commission land to be turned from the Greenbelt into a garbage belt. It is the responsibility of the NCC to protect and maintain the Greenbelt surrounding the National Capital.

We are proud of the Greenbelt, and we are proud of our city. Therefore I ask the Minister of Public Works (Mr. McInnes) to state clearly that under no circumstances would he allow or permit the Greenbelt lands of the National Capital Commission to be used for a garbage incinerator or any other purpose, like a U.S. embassy.

* * *

DISASTERS

EDMONTON—EFFECT OF TORNADO

Mr. Arnold Malone (Crowfoot): Mr. Speaker, in a few twisted, roaring, smashing moments much of Alberta's capital city, Edmonton, was transformed to rubble. Lives and homes were shattered. A city grieved, a province and a nation were stunned in unprecedented disbelief. A tornado had scoured a major Canadian metropolis. What lay behind was wreck and ruin. The results were tragic. In some cases lives were lost. In other instances nothing else remained except life itself.

The awesome power of nature and the staggering levels of loss of life and property are exhibited in a special supplement of the August 7 edition of the *Edmonton Journal*. Copies are available for all Members of Parliament. I thank the *Edmonton Journal* for making these supplements available for distribution.

The magnitude of tornado power is beyond comprehension. Loaded semi-trailer trucks are flung about like children's toys, multi-storey steel I-beam buildings are flattened in a few seconds, and people's homes and lives lie crushed and shattered.

If there is a silver lining in all tragedy, surely in this case it is the blessing of being Canadian. In the wake of the July 31 tornado, which shredded the lives of so many, there exists a specific characteristic that binds us all—we have again acted out the fact that we are the keepers of our brothers and sisters.

As powerful as a cyclone can be, which tears apart homes, makes swizzle sticks out of steel beams, and lifts and smashes oil tanks, it has not daunted the Canadian spirit of generosity. Albertans in general and Edmontonians in particular are forever thankful for the warm assistance received from Canadians everywhere.

The outpouring of assistance from all parts of Canada has been overwhelming and, as chairman of the Alberta caucus, I wish to express our heartfelt thanks for the generosity of Canadians and for the fortunate fact that we are Canadian.

* * *

INDIAN AFFAIRS

TRANSFER OF ADMINISTRATIVE RESPONSIBILITIES

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, early last month the head office of Indian and Northern Affairs Canada directed its Ontario regional office to close seven of 10 district offices next spring, overruling that office's recommendation of a gradual phase-out. The transfer of program administration and delivery to band governments and tribal councils is of course a process which we in the New Democratic Party support and promote as a fundamental move toward the eventual self-government of aboriginal communities.

However, the transfer of responsibilities in a unilateral, hasty, and simultaneous fashion will not meet the needs of aboriginal governments for a smooth transition and could instead disrupt services to aboriginal people as drastically as it will affect the careers of public servants.

What is required is a phased, co-ordinated, and carefully paced transfer of resources and responsibility which will allow the fair and equitable resolution of problems as they arise and give displaced public servants every opportunity to accept internal transfers, to initiate career moves, or to enter the service of aboriginal governments with appropriate arrangements for continuation of their benefits.

Ontario's aboriginal governments are willing to accept far wider responsibility, but not without the proper identification and allocation of resources adequate to their newly acquired tasks.

* * *

NEW MEMBERS

Mr. Speaker: I have the honour to inform the House that the Clerk of the House has received from the Chief Electoral Officer certificates of the election and return of the following Members:

Ms. Marion Dewar, for the electoral district of Hamilton Mountain.

Mr. John James Harris, for the electoral district of St. John's East.

Ms. Audrey McLaughlin, for the electoral district of Yukon.

* * *

• (1420)

NEW MEMBERS INTRODUCED

Marion Dewar, Member for the electoral district of Hamilton Mountain, introduced by the Hon. Edward Broadbent and Ms. Pauline Jewett.

John James Harris, Member for the electoral district of St. John's East, introduced by the Hon. Edward Broadbent and Mr. Rod Murphy.

Audrey McLaughlin, Member for the electoral district of Yukon, introduced by the Hon. Edward Broadbent and Mr. Nelson A. Riis.

* * *

DISASTERS

EDMONTON TORNADO—CONDOLENCES AND ASSISTANCE TO VICTIMS

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I rise today to express, on behalf of the Prime Minister (Mr. Mulroney) and the Government of Canada, and I am sure on behalf of all Members of the House, our deepest sympathy and condolences to the victims and families of those who suffered during the Edmonton tornado on Friday, July 31. Tragically, 27 people lost their lives as a result of the tornado and approximately 200 were injured.

To those bereaved, our thoughts and heartfelt sympathies are with you at this sorrowful time. To those injured, we offer our best wishes for a full and speedy recovery.

Immediately upon hearing of this disaster, the Prime Minister of Canada telephoned Premier Getty expressing the condolences of the nation and offering the resources of the Canadian Government in providing whatever assistance was required. As well, the Prime Minister and I had the occasion to visit personally the area struck by the tornado, and witnessed directly the power and the fury of this terrible storm.

It is indeed difficult to find words that adequately describe the extent of the damage and the destruction caused by the tornado. The Prime Minister and I saw homes, trailers, rail cars and steel and wooden buildings twisted almost beyond recognition. Yet, in our conversations with those who endured the storm, we found that one thing had not been broken, the human spirit and the resilience of those determined to rebuild and to renew.

Mankind has not the means to prevent such natural disasters. However, we do have the ability and the responsibility to assist in the recovery when a disaster strikes.

Immediately following the tornado, the emergency planning teams from the civic, provincial and federal Governments swung into action. Resources were mobilized in an unprecedented, co-ordinated and co-operative manner.

For the federal Government's part, on-site actions were co-ordinated by Mr. Jim Hoffman, the Regional Director of Emergency Planning Canada. Numerous federal departments played a part including Canada Post, the Department of National Defence, Consumer and Corporate Affairs, Health and Welfare, Employment and Immigration, Industry, Science and Technology, and Canada Mortgage and Housing Corporation.

Specifically, the federal Government made Department of National Defence helicopters and ambulances available to provincial officials to assist the medical response. As well, emergency housing was provided by Canada Mortgaging and Housing and immediate accommodation was provided in a quick and orderly fashion. Some 62 families were given accommodation in this manner.

A victim assistance centre involving all three levels of Government was opened on August 3 as a single-window centre to help individuals and families. The centre registered losses and property damage, assisted with housing needs, provided immediate clothing, food and emergency financial assistance, and arranged distribution of various federal payments such as family allowance, UIC and Old Age Security, as well as unemployment insurance registration.

A second centre was opened in Leduc on August 4 and a special centre to assist employees and employers whose businesses were damaged also opened on August 4. Federal financial assistance will be provided under the disaster financial assistance arrangements and through Industry, Science and Technology to help businesses re-establish and rebuild.

Throughout, co-operation with the provincial Government and civic officials has indeed been excellent. I want to express our gratitude to the Premier and the mayor and I also want to compliment the Hon. Dr. Ian Reid and the Hon. Ken Kowalski, the Alberta Ministers involved, for their efforts in ensuring a quick and co-operative response.

Canadians from coast to coast who saw the effects of this disaster on their television screens and in their newspapers have truly opened their hearts to the victims in a Canadian spirit of generosity and compassion. Whether it be those many volunteers who assisted in the immediate aftermath or those Canadians who have generously donated money, food and clothing, the response of individual Canadians has been truly remarkable and in the best tradition of Canadian generosity.

In closing, I wish to convey once again, on behalf of all government Members, our sincere and deepest sympathies to those who lost loved ones or suffered personal injury in this tragedy. I pledge, on behalf of the federal Government, to continue to provide all possible assistance to those rebuilding their lives, their homes and their businesses. We have already seen evidence of the determination and courage of Albertans in dealing with this tragic disaster. This Government will be there to help and assist in their efforts.

Some Hon. Members: Hear, hear!

• (1430)

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, all Canadians feel great sympathy for the people of Edmonton. We grieve particularly for those who lost family and friends in the disaster. In large part our country is formed psychologically by our climate and geography. As much as any people in the world we have reason to respect the awesome power of nature. While over the years Edmontonians have endured the challenge of severe winters, they could not have expected at that northern latitude that, out of nowhere, a violent, unpredictable tornado could lay waste part of their community. No amount of experience ever quite prepares any of us for a disaster of that magnitude.

[*Translation*]

Mr. Speaker, we find a measure of comfort in the fact that Canadians from coast to coast reacted generously to this situation of which the people of Edmonton were the victims.

[*English*]

The Prime Minister (Mr. Mulroney) and Deputy Prime Minister (Mr. Mazankowski) will of course have our support in any measures the federal Government takes to help alleviate the suffering of the people of Edmonton. We also want to assure Mayor Decore of our full support.

While we know that as human beings we can repair and rebuild our homes, and restore our roads, we can never recover

those whom we have lost. Our hearts go out to those who lost family and loved ones and we pray that memories of happier times will sustain and console them in the very difficult moments which lie ahead.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I rise today on behalf of members of the NDP caucus to express our deepest sympathy and condolences to those who suffered during that very tragic day, July 31, in Edmonton. We feel for the families who suffered losses and for those who today lie injured in hospitals, as well as those trying to put their homes and families back together again.

One of the very impressive things which occurred as a result of the disaster was the way Albertans responded with an unprecedented amount of generosity and compassion to the victims of this disaster. That response was something to behold. I believe all of us were moved when we heard through the media about the generosity of individuals, families, communities and agencies coming together to assist those in need as a result of this tragic and violent natural phenomenon.

We are reminded by this disaster how violent nature can be and the rack and ruin which can occur to communities in a very few moments. While it is of course impossible for man to stop a natural disaster like this, we are able to respond and provide assistance for those who suffer. In this respect I would like to think that we will one day soon hear specific financial commitments by the Government so that those who are suffering as a result of this tragic situation will know that the federal Government will provide full financial support to help them get back on their feet.

I think this also points out the tremendous need for legislation to establish a fund which will automatically cost share with provincial or territorial Governments during these crises so that there is no question that immediate financial support is made available to assist those who have experienced tragic losses.

I also want to use this moment, and I am sure I speak for all Members of the House, to refer to the tragic situation on July 14 in Montreal. We are well aware of the tremendous flooding that occurred there which caused $229 million in losses. We again look forward to a commitment by the federal Government to provide funds to assist the 21,000 people who were victims of that serious flooding.

Again, to those in Montreal and in Edmonton, on behalf of the NDP caucus I extend our deepest sympathy and condolences to the victims and their families.

Mr. Speaker: I know Hon. Members would want to rise for an appropriate minute's silence.

[*Editor's Note: Whereupon the House stood in silence.*]

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—BINDING DISPUTE RESOLUTION MECHANISM

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, for two years now the federal Government has been selling out our country bit by bit, sector by sector, in the course of its free trade negotiations with the U.S. Leading American Senators are now reminding us once again that there will be no binding mechanism to solve trade disputes between our two countries, and there will be no exemption from American trade remedy law in order to satisfy Canada in these negotiations.

My question to the Prime Minister is this. Will he again guarantee to this House that there will be no trade deal with the U.S. unless there is a binding trade dispute mechanism and Canada is given meaningful exemption from trade remedy laws under the Act of 1974 and under current legislation now before the U.S. Congress?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think my right hon. friend would acknowledge that I have set out that view on many occasions in and out of this House regarding those kinds of provisions. We are working towards that end. Obviously there are different points of view concerning this among members of the U.S. Senate, as there are among Members of this House of Commons. The Government is pursuing the negotiations very actively attempting to secure a comprehensive agreement which will meet all the required provisions.

[*Translation*]

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Prime Minister's voice is so soft that he does not really have an answer.

REGIONAL DEVELOPMENT IN QUEBEC—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister has dismantled our regional development programs to accommodate American interests during the free trade negotiations. We now find ourselves without a national program of regional development. The Government has totally abandoned Quebec. Is the Prime Minister prepared to sacrifice the development of Abitibi, Saguenay—Lac-Saint-Jean or Beauce just to please the Americans?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the unemployment rate in the Quebec regions mentioned by my hon. friend has been declining ever since this Government took office.

Some Hon. Members: Hear, hear!

Mr. Mulroney: The current job creation rate is better than it was in the past, from 1980 to 1984. So I would suggest that in co-operation with the Quebec Government we are creating jobs at a relatively impressive rate, not fast enough but impressive still. As to policies of regional development, we are firmly convinced that regional development must be geared to regional needs. In the Atlantic and Western Canada regions, for example, our policy is such that instead of having bureaucrats in Ottawa who impose their will on the regions, the regions are now working with the federal Government to draft policies which apply directly to them.

• (1440)

[*English*]

RECALL OF HOUSE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, after peeling off the Western Rediversification Program, the Atlantic Opportunities Program and the Northern Ontario Program, we have a Minister with no department left.

I will give the Prime Minister another example of shaping legislation in order to satisfy our American friends in the course of these trade negotiations. We all know that the real reason Parliament was recalled was to pass legislation to inflict higher drug prices upon Canadians. That is the real reason.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The Prime Minister was not able to convince you three or four weeks ago, Mr. Speaker, and he tried another tack.

Are these trade negotiations really so important to the Prime Minister and his Government that he is willing to sacrifice our elderly and our sick and inflict upon them higher drug prices merely to keep these trade negotiations going?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think a couple of more weeks at the lake would have done the right hon. gentleman a lot of good.

An Hon. Member: A couple more years.

Mr. Mulroney: Someone says "a couple more years". Who knows?

The reason for the recall of Parliament is that Canada's immigration and refugee system, which is held in such high regard, was in the process of being abused. When it is abused it is diminished and unfairness creeps into the system. That unfairness then destroys what is an otherwise very valid national apparatus and international attraction.

We have asked parliamentarians to come back to deal with this very, very serious matter. We do not agree with those voices which suggest that we should turn ships away. That is unacceptable to us. However, the system itself must be cleansed of abuse.

I know that my right hon. friend will join with us, not in dilatory measures, in agreeing to conditions which will allow us to expedite this important piece of legislation through the House of Commons so that all Canadians can have the assurance that those abuses which diminish our system cease.

Mr. Gauthier: Give him a copy of the Bill.

EFFECT OF FREE TRADE ON REGIONAL DEVELOPMENT

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I wish to raise a question with the Prime Minister, but I will first offer the kindly suggestion that after his last statement he might be well advised to read Bill C-84 which his Minister of Employment and Immigration introduced this morning. He may find out exactly who wants to turn the ships away.

Officials in the Department of Regional Industrial Expansion, before their demise, produced a report which has now been released, or found out, which suggests that in every region of the country the free trade arrangement with the United States will substantially undermine key industries, resulting in enormous job losses in every single region and that, furthermore, the ability of both the federal and provincial Governments to deliver regional development programs will be undermined by a free trade deal.

Taking into account that that is the conclusion of federal officials, can the Prime Minister promise that before any deal is signed with the Americans the Government will properly divulge what the costs of all those job losses will be and what the impact upon all the regional development programs will be so that Canadians will know what to expect by way of a free trade arrangement?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I did not think I needed to add, in my response to my hon. friend with regard to turning ships back, "without lawful authorization".

Some Hon. Members: Oh, oh!

Mr. Mulroney: Once the House has granted its authority, if it does, that will, of course, become an entirely appropriate gesture for the people of Canada to exercise. However, without that authorization that, of course, is a different matter.

With regard to the specific question, my hon. friend will agree that all of the documentation which has been established so far, from the Economic Council of Canada, the C.D. Howe Institute, the research institutes and think-tanks, concurs in the judgment, as best we can see, that a comprehensive free trade arrangement would result in more jobs in virtually all sectors of the economy.

As I recollect, the Economic Council of Canada is of the view that some 350,000 new jobs would result from a comprehensive agreement. I think most people would agree that that is the case. There may be divergent minority opinion from time to time to which we will be happy to listen. However, the Government of Canada is clearly of the view, based on objective data, that a comprehensive agreement would result in many more jobs for all Canadians.

REQUEST FOR TABLING OF INFORMATION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question will deal with one of those divergent views, that being a divergent view produced by federal officials in the Department of Regional Industrial Expansion. They have gone through a list, province by province, detailing a substantial number of industries which will experience loss and require major adjustments to deal with those losses across the country while, at the same time, losing the power to do so because of a free trade deal.

Before a deal is signed we are trying to get the Government to provide Canadians with their own information, to give Canadians the kind of information which the Government itself has.

If the Government has information which details the costs and prices which will have to be paid, why will it not publicly table that information so that Canadians will know what is going on before the Government signs a deal?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we have indicated many times that if the Government of Canada concludes that there is a trade deal which is in the national interest, we shall bring it forward for the consideration of Parliament. That has always been the view. I have expressed that many times.

If, at that point in time, my hon. friend has a divergent point of view or an objective study on which he would care to base his opinion, that would be the appropriate time to bring it forward. However, we are in the process of entering the last two months of negotiation and we believe that a deal can be concluded if it is a good one in the national interest. Otherwise, as I have indicated many times, it will not be brought forward. If it is brought forward for consideration, there will be ample opportunity for debate.

* * *

FINANCIAL INSTITUTIONS

PRINCIPAL TRUST—BANKRUPTCY DECLARATION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Minister of Finance. The Minister will know that yesterday in Alberta the Principal Group declared bankruptcy. This follows on the heels of the bankruptcies of two other financial institutions affiliated with Principal. The major problem is that literally thousands of Canadians, most of whom are in western Canada but spread as far east as Nova Scotia, will be terribly affected by these bankruptcies.

• (1450)

Considering that literally thousands of these Canadians thought they were protected by insurance similar to what they would have had if their deposits had been in one of the chartered banks, and considering that two provincial Governments in the west have begun an inquiry into this situation, will the Minister tell us what the federal Government is doing? Is it participating jointly in these inquiries? Is it taking some kind of independent action?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am pleased to respond to the Hon. Member's question. I want to join him in expressing my concern with the plight of the investors who are being affected by the bankruptcy. Earlier, we expressed sympathy for the other tragedy in Alberta. These types of tragedies are equally burdensome and worrisome.

The CDIC has done everything it can along the way to be helpful in this situation. I am very pleased to tell the Hon. Member that the Canada Deposit Insurance Corporation hopes to be able to reimburse all depositors in Principal Trust within a few weeks, in terms of those covered by insurance.

In terms of the two investment companies, the Member will know that these were investment companies under provincial jurisdiction. They were not deposit-taking institutions and were not covered. The CDIC has offered administratively to help them in any way and that offer still stands.

GOVERNMENT ACTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I thank the Minister for his answer. He chose his words with care. He knows very well that no matter what action is now being taken by certain federal institutions, there are thousands of Canadians of moderate income, and indeed many of low income, including boy scouts in the country, who will be affected very disastrously by these failures.

The Government is moving toward more deregulation which could exacerbate the problem rather than improve it. The Attorney General of Nova Scotia has said that there is a need for consistency in securities legislation across the country. What will the Minister do to bring about that desirable consistency to protect average Canadian families?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, there are not enough occasions in the House for me to remind Members of the policy announcement of December 18. That announcement put in place a regime of corporate governance and investment rules for federally-regulated financial institutions which, if followed, I suggest would virtually prohibit this sort of tragedy. If the provinces, under

their jurisdiction, would follow the lead that we are taking, I believe that would answer his question. They would see that very few cases of this nature would occur if they would follow the guidelines that we will set by example at the federal government level.

Let me add that financial institutions are custodial as far as I am concerned. They have other people's money, deposits, and policies. Therefore, the Government's role is to be very careful in a custodial relationship toward those institutions. I hope all provinces will do their best through their consumer protection to follow the lead that this Government is trying to establish not only with the legislation currently before the House but with the rest of its policy of December 18.

FEDERAL-PROVINCIAL MEETINGS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, again the Minister chose his words with care. He said that if the provinces put in place the kind of legislation that the federal Government is proposing all will be well. However, the problem is that they may not do so.

Canadians in the provinces which are covered by provincial jurisdictional concern do not want wishful thinking from the federal Government, they want concrete action that will protect them.

Therefore, just as when the federal Government took initiative on the question of medicare to get all provinces to come together to agree on a national program of medicare, will the federal Government take some initiative and request a meeting with its provincial counterparts and try to develop the kind of legislation on a national basis that is relevant in provincial jurisdictional areas that the Minister himself has talked about? Why not show some leadership at the federal level?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, we had this meeting on December 5, 1986. We had another meeting in the spring, and we will be having another meeting in the fall.

The federal Government has been holding very important meetings with the provinces on these very questions.

Second, if the Hon. Member is suggesting that the Canada Deposit Insurance Corporation should be in charge of all provincially-regulated institutions—

Mr. Broadbent: That is not what I said.

Mr. Hockin: If you are suggesting that, you are making an effacable change in terms of party policy and this Government's policy.

CANADA DEPOSIT INSURANCE CORPORATION'S ANALYSIS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the same Minister. The Minister has chosen his words very carefully and will know that the Principal Group Limited owns First Investors, 100 per cent of Principal Savings and Trust, the Associated Investors. In turn, all were owned by Collective Securities Limited and 80.5 per cent of those shares are owned by one individual.

Will the Minister confirm that in the last 12 months CDIC did an analysis and a financial administration study of Principal Savings and Trust? Will he confirm that this audit has been done, and produce the record for the House?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Canada Deposit Insurance Corporation and the Inspector General of Banks do an ongoing analysis of financial institutions, especially those that are having difficulties. I would expect that a close and regular analysis has been done every year, not just in the past year.

Mr. Dingwall: I hope the Minister will table that report by CDIC because the linkages to First Investors, Associated Investors with Principal Savings and Trust are obvious and clear.

ROLE OF DEPARTMENT

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the Minister. Was the CDIC so blind in its investigation of Principal Savings and Trust that it did not bother to look at First Investors who stamped on the bank accounts of various investors: "Member of Canada Deposit Insurance Corporation"? Is this not gross negligence by his department and CDIC with regard to this investigation?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, nothing is more fundamental for the Hon. Member to understand. As far as we know, each of these investment contracts made by those investment companies was stamped and indicated that they were not insured by the Canada Deposit Insurance Company. We have not had an example otherwise. These are not deposit-taking institutions. These are investor institutions and they were so stamped.

* * *

DISASTERS

EDMONTON TORNADO—FEDERAL ASSISTANCE

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Deputy Prime Minister. In his statement to the House earlier this afternoon he said that federal financial assistance will be provided under the disaster financial assistance arrangements and through the Ministry of Science and Technology to help businesses re-establish and rebuild. Will the Minister indicate how much money the federal Government is prepared to make available to the people of Edmonton to rebuild their homes and communities?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think at the first indication of the disaster the Prime Minister offered the resources of the federal Government to assist in any way, shape or form. There is a formula under a disaster fund emergency arrangements Act which clearly provides funding from the federal Government.

In addition, in consultation and co-operation with the Alberta Department of Economic Development, we are assessing the magnitude of the damage with the business community and determining what type of assistance would be available. That has not been completed, but the Government stands prepared to work out in a co-operative manner such assistance that might be helpful in terms of re-establishing those businesses.

MECHANISM FOR DISTRIBUTION OF ASSISTANCE

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, we wait with interest to hear what the value of the assistance will be because I think the people of Edmonton want to know what is available to them. Is the Government prepared to re-evaluate the mechanism for providing disaster relief for areas like Montreal, Edmonton, Hornpayne or wherever to ensure that there is a permanent fund put in place and money is immediately available under established rules so that people will not have any further anxiety about what is facing them?

• (1500)

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, perhaps I could answer this question as the Minister responsible for emergency preparedness. There is an agreement between the federal Government and all of the provinces which guarantees to any province affected by a disaster like this that, after the province contributes more than $1 per capita in disaster relief, the federal Government will contribute as well. As soon as more than $1 per capita is spent, between $1 and $3 per capita, the federal Government contributes some 50 per cent, between $3 and $5 the federal Government contributes 75 per cent, and if it goes over $5 the federal Government contributes some 90 per cent. That formula is there for everyone.

* * *

[*Translation*]

THE CONSTITUTION

MEECH LAKE ACCORD—OPPORTUNITY TO PROPOSE AMENDMENT—GOVERNMENT POSITION

Mrs. Lucie Pépin (Outremont): Mr. Speaker, my question is directed to the Minister of Justice.

According to many constitutional experts, including the National Association of Women and the Law and LEAF, the Meech Lake Accord contains a serious flaw that could be fatal to equal rights for women and minorities in this country.

Mr. Speaker, I wish the Minister of Justice would let us know whether today, on behalf of Canada's women and minorities, he would be willing to move and defend an amendment that would clarify an ambiguous text that puts the equality of women and minorities in this country in jeopardy.

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I appreciate the question of the Hon. Member which allows me the opportunity to deny categorically the implication of the question. Our legal advice is just to the contrary. The rights of women in this country are not in any way diminished by the provisions of the Meech Lake Accord. Indeed, there is unanimity with the respect to the desires of all Canadians to make sure the rights of women in Canada are fully protected. This Government has been giving leadership in that area.

I say to the Hon. Member that while the committee is going on, as we are now sitting, there is an opportunity for Members of Parliament and Canadians generally to participate in a very important process, to understand fully the implications of this particular Accord. I conclude by saying to the Hon. Member that her assessment with respect to the rights of women is not correct.

[*Translation*]

TRIBUNALS' POWERS

Mrs. Lucie Pépin (Outremont): Mr. Speaker, is the Minister saying he does not want to take this step and that it is the Government's policy to be ambiguous?

Mr. Speaker, perhaps the Minister of Justice could inform the House whether it is government policy to let the courts determine and decide whether women and minorities in Canada are entitled to equal rights in this country. Is it the Government or the courts that are going to decide?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, the Constitution of our country does provide for the equality of women. The Meech Lake Accord does nothing at all to diminish the rights of women in Canada. I ask the Hon. Member if she is indicating the position of her Party with respect to this matter that this Accord should be rejected?

Is it not an important principle that Quebec should be brought into the Constitution,—

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: —that we should in fact be urging acceptance of this Accord? I ask the Hon. Member to consider her position.

[*Translation*]

DISASTERS

EXTENT OF GOVERNMENT'S COMMITMENTS

Mr. Robert Toupin (Terrebonne): Mr. Speaker, my question is directed to the Deputy Prime Minister.

Mr. Speaker, following the rainstorm in Montreal which caused nearly $230 million worth of damage and took one human life, the federal Government promised to contribute about $17 million.

Considering the extent of the disaster, could the federal Government show some leadership and increase the amount it is willing to commit to compensate the people of Montreal?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, as the Hon. Member is well aware, an agreement exists between the provinces and the federal Government which provides for federal funding in such circumstances. In July I wrote a letter to Mr. Gilles Rocheleau, Quebec Minister of Supply and Services, informing him of our intention to provide the necessary funds.

EFFECT OF AGREEMENT ON QUEBEC

Mr. Robert Toupin (Terrebonne): Finally, Mr. Speaker, could the Minister guarantee before the House that the people of Montreal will not receive less, proportionally, than the people of Edmonton? Could the Government, could the Minister guarantee that the agreement concluded with the provinces is equally fair to Ontario, Manitoba, Alberta and Quebec?

Hon. Perrin Beatty (Minister of National Defence): Yes, Mr. Speaker, the agreement is the same for all Canadians. It provides the same treatment for all Canadians across Canada. We have an agreement with all the provinces, and the terms are the same for each province.

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REGIONAL ECONOMIC DEVELOPMENT

GOVERNMENT POLICY

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is directed to the Right Hon. the Prime Minister.

This morning the Prime Minister swore in his MIST, or mess I should say. I should like to ask the Prime Minister—given the fact that he has announced a plan for Western Canada, a plan for the Atlantic, a plan for Northern Ontario—how he can justify leaving Quebec in a vacuum, leaving Eastern Ontario without a program? What is the policy of this Government with respect to regional economic development? And why was Quebec ignored?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, Quebec was not ignored at all. My friend mentions the Province of Ontario.

Unemployment figures were released last Friday and they indicate among other things that the unemployment rate in the Province of Ontario has now dropped to 6 per cent, which is quite a remarkable job creation effort. So I should think that the situation is relatively good in the Province of Ontario

Quebec as well did experience a rather significant economic upswing. We have been holding important discussions with the Quebec Government over the past three years, discussions which involve the new Minister whom I commend for his excellent work. We intend to continue working with the Quebec Government at an unprecedented rate to speed up the job creation process in all regions of Quebec.

SITUATION OF QUEBEC

Hon. Jean Lapierre (Shefford): I have a supplementary for the Prime Minister. He says he is going to co-operate with the Government of Quebec. But does the Prime Minister realize that as federal Prime Minister he must make sure that the fight against regional disparities continues? His own DRIE Minister at the time had announced last June 5 that DRIE had sufficient funds, both to honour commitments made during the previous year and to make new ones for this year.

Mr. Speaker, the Prime Minister ought to know that the Minister of Regional Industrial Expansion misled industry leaders and various interest groups in Quebec. The President of the Association des commissaires industriels du Québec . . .

Mr. Speaker: Please. Would the Hon. Member ask his question, please?

Mr. Lapierre: I would like to ask the Prime Minister why he does not show any concern for regions like Beauce, the Eastern Townships, Châteauguay, Valleyfield, Saguenay, Lac-Saint-Jean? Why does the Prime Minister have different standards? Some regions are favoured while others are completely ignored.

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): Mr. Speaker, it is absolutely appalling and even disgraceful to hear comments on this subject, particularly from this colleague who implies that Quebec has been ignored, when we can recall for instance that a regional economic development agreement of nearly $800 million was signed with Quebec, an unprecedented initiative. In addition, more than 1,300 projects have been approved since September 1984 under regional industrial development programs.

Mr. Speaker, I am not mentioning the assistance we gave Petromont, Domtar, Canadair, GM, Sainte-Thérèse, Hyundai and a lot of others. When I am told that Quebec is being ignored, that Quebec is badly represented, Mr. Speaker, I think the people of Quebec will understand.

As to his latest remarks, Mr. Speaker, over the weekend when we were in fact accused of lying, I wish my colleague would rise in the House and deal with that just so I might respond. I can tell him that more than 220 projects valued at $240 million have been approved since June 1987. Now let anyone tell me that the Department of Regional Economic Development is dead.

* * *

• (1510)

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—EFFECT ON ONTARIO INDUSTRIES

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the Minister for International Trade. Is the Minister aware of a DRIE report which states that free trade will cost the jobs of ordinary Canadians in Ontario in the areas of automotives, tires, automotive parts, major appliances, construction and material handling, industrial electrical equipment, electrical wire, textiles, wine, beer, household furniture, toys and games, motion pictures, sound recordings and publishing—the list goes on—and that the effects will be worse in southwestern Ontario? If the Minister is aware of this report why has she not informed the people of Ontario and the Members of the House of the severe implications of free trade for Ontario?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Minister responsible for the Department has answered that question. I have not read the report. It has no official status with the Government.

I have read the reports of the Economic Council of Canada, Informetrica, and the University of Toronto, all of which have indicated that the benefits to Canada from a free trade pact with the U.S. by far outweigh the problems we face with increased protectionism down there. The people who will benefit the most will be the people of southwestern Ontario.

ONTARIO MINISTRY OF AGRICULTURE'S REPORT

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, perhaps the Minister will see the following as benefits. Has she read the report of the Ontario Ministry of Agriculture which states that farm cash receipts in Ontario will decline by 50 per cent: $170 million for dairy farmers; $127 million for poultry and egg farmers; $45 million for fruit and vegetable growers; and $24 million for grain and oilseed producers, for a total loss of $500 million? Does that not say to the Minister that it is about time to stop the lunacy of the free trade negotiations?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think the House can take into account that in the final two months of the free trade negotiations there will be rumours, election speeches, leaks, innuendoes, and just plain mischief of the kind we have just heard from the Hon. Member. I do not intend to comment on that kind of loose allegation at a time when we are in crucial negotiations.

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GOVERNMENT EXPENDITURES

TRAVEL UNDERTAKEN BY MINISTER OF ENERGY, MINES AND RESOURCES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, in the absence of the Minister of Energy, Mines and Resources, who is probably off travelling some place, my question is for the Prime Minister. It concerns government waste. Does the Prime Minister approve of the behaviour of his Minister of Energy who went to Washington and Vienna in September, Cannes in October, Washington and Caracas in November, California in January, Switzerland in February, Bogota in April, and he spent $13,000 going to Paris in the month of May of 1987? Does the Prime Minister approve of that type of expenditure? If not, what is he going to do about it?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Member is aware I am sure that the Minister is obligated to travel in his capacity as Chairman of the International Atomic Energy Agency, the International Energy Agency which he has chaired. He met with the International Atomic Energy Agency after the Chernobyl disaster. He has travelled extensively to defend Canada's multilateral and bilateral interests, particularly with respect to the very volatile petroleum market.

I am sure that the Hon. Member would want our Minister to take an active interest in world energy affairs. I think he has done so with a great deal of competence and leadership. I think that the Hon. Member should be complimenting the Minister rather than hurling cheap shots across the floor at him.

PAYMENT OF EX-MINISTER'S LEGAL FEES

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question also relates to government waste and in particular to the Government's legal aid program for ex-cabinet Ministers. Last month Canadians were outraged to learn that the taxpayers of Canada are paying a total of $650,000 in legal fees for the former Minister of Regional Industrial Expansion. That relates to $7,831 per sitting day. How can the Prime Minister justify this outrageous decision of his Government, this rip-off at taxpayers' expense? Can he indicate whether this means that the Government of Canada will be paying the legal fees of the ex-Minister, the Hon. Member for Saint-Jean?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, that question has been answered in the House before. The precedent to which the Hon. Member has referred was long established by the previous Government, the Liberal administration.

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ENERGY

BOW VALLEY CORPORATION—PROPOSED PURCHASE BY BRITISH GAS

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I too have a question for the Minister of Energy, Mines and Resources who has surely given new meaning to the phrase "mass transit". In his absence I will ask my question of the Prime Minister.

The Prime Minister will be aware that British Gas proposes to buy Bow Valley, a very important Canadian energy company. The press secretary to the Minister of Energy said that the deal runs counter to the Government's policy that healthy oil companies may not be bought up by foreigners. Is that still Canadian government policy? If it is, how does the Government propose to treat this proposed deal between British Gas and Bow Valley?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): Mr. Speaker, we are of course aware of the facts described by the Hon. Member. However, we have yet to receive all the details of the proposed transaction. In any case, as the Minister responsible for Investment Canada, we must ensure that the transaction will provide a net benefit for Canadians, in terms of the energy policy announced by my colleague, the Minister of Energy, Mines and Resources.

[*English*]

PRIME MINISTER'S POSITION

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I wish to direct my supplementary question to the Prime Minister. He will be aware that Investment Canada, which was mentioned, recently approved the takeover of a Canadian utility, West Kootenay Power, by an American utility. We have sold out oil companies, gas companies, water rights and electricity rights. I want to ask the Prime Minister who saw the results of the by-elections the following question. Does he want to go down in Canadian history with the political epitaph: "The man who presided over the sell-out of the Canadian energy industry"?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, when I became Prime Minister we had witnessed a period in which the energy industry in western Canada had been devastated by the National Energy Program. The NDP and the Liberals will go down in history as the authors of that devastation.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I can tell my hon. friend that he should have learned a long time ago—and I know that my right hon. friend will agree with me on this—that by-elections do not general elections make. The Leader of the Opposition and I agree fully on that.

I want to tell my hon. friend that although his NDP colleagues are trying to squeeze him out of his seat it is a good time to leave since, when we issue a writ, we will curl his hair.

Some Hon. Members: Oh, oh!

* * *

FINANCIAL INSTITUTIONS

PRINCIPAL TRUST—BANKRUPTCY APPLICATION

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, my question is for the Minister of State for Finance. It also concerns the Principal Group which filed for bankruptcy yesterday.

One of the group's companies, Principal Trust, was insured by the Canada Deposit Insurance Corporation. Since the group's financial difficulties were well-publicized over the last six weeks, can the Minister assure the House that his officials moved quickly enough to avoid loss to the CDIC? Or has there been a run on the financial institution over the last six weeks leading to a substantial deterioration in the quality of the company's assets, with tens of millions of dollars of losses to both the CDIC and to depositors?

• (1520)

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I wish to respond to the Hon. Member's question as precisely as I can.

As far as the timing of the bankruptcy is concerned, deposits at the Principal Savings and Trust Co. Ltd. had decreased 7 per cent since the failure of the investors groups.

In further answer to the Hon. Member's question, I also should tell him that there has been no increase in insured deposits since that time. Therefore, the CDIC's exposure has not changed at all. It is too early to determine the final cost to the CDIC, as the liquidation procedure has not yet begun.

As I stated earlier, it is hoped that the CDIC will be able to start reimbursing depositors within three weeks for those that they cover. I remind the Hon. Member that these two investor groups were under provincial jurisdiction, and they have had their response from the provincial authorities.

SOVEREIGNTY

CANADIAN AIRSPACE—PROPOSED TRANSPORTATION OF PLUTONIUM

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in the absence of the Secretary of State for External Affairs, and the Minister of Transport, I have a question for the Prime Minister. He may recall that last March in reply to a question by the Hon. Member for Windsor West, the Secretary of State gave a rather evasive reply as to whether or not Canada would oppose the flights of plutonium radioactive material from France to Japan across the Arctic.

Will the Prime Minister give a clear and conclusive commitment here today that Canada will register a strong opposition to these proposed flights, as we are getting very close to the deadline?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): In short, Mr. Speaker, I can assure my colleague opposite that there will be no overflights of Canada without the full permission of Canada, and the full application of international and domestic law that may affect those flights.

* * *

PATENT ACT

USE OF SECTION 19

Mr. Neil Young (Beaches): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. In defending the Government's action to amend Canada's drug patent laws, the Minister has referred to generic drug manufacturers as, among other things, thieves, et cetera. Will the Minister explain to the House why the Government issued a policy bulletin dated June, 1987, which will continue as government policy to use Section 19 of the Patent Act, not only to steal people's patent inventions, but even to the extent of assigning them to other manufacturers who have applied for a government contract? I would ask the Minister to explain to the House who is stealing what, and where is that government policy consistent?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, what I was quoting yesterday at the press conference were remarks by Dr. Polyani, Canada's newest Nobel Prize winner. Dr. Polyani stated on the *Morningside* program on CBC radio that for Canada to adopt a policy that other countries do the research and that we simply import and duplicate that technology is equivalent to being a burglar. Those were Dr. Polyani's words. He further stated that, to be a good burglar, some research still has to be done so that you know the real gems from the false ones.

I am asking the NDP if it is their policy that Canada should continue to be a burglar—to use Dr. Polyani's words—and let the rest of the world do the research, or does the NDP wish to see Canadian scientists do that research here in Canada?

DEPARTMENTAL BULLETIN

Mr. Neil Young (Beaches): My supplementary question is directed to the same Minister. After making that statement, could the Minister tell the House why in June, 1987, a government Department issued a policy bulletin which instructed its Department to continue using Section 19 of the Patent Act to use other people's inventions totally arbitrarily? Could the Minister explain that to the Canadian people?

Some Hon. Members: Hear, hear!

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): If the New Democratic Party has now come to the view that we should increase patent protection for Canadian inventors, I welcome the change of heart. If the Member would pass over the document in question and would like to participate in an amendment to the law that will strengthen the protection that we provide to Canadian scientists, I welcome this remarkable change on the road to Damascus, and would appreciate his assistance in making the change.

Mr. Speaker: The Hon. Member for Cochrane—Superior. In view of the hour, I would request that the Hon. Member ask only one question.

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SMALL BUSINESSES

NATIVE ECONOMIC DEVELOPMENT—CONSULTATION PROCESS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to the Minister of State for Small Businesses and Tourism.

In July the Minister of State announced a six-month consultation process with native people across the country concerning native economic development, and I say to him well done. However, a briefing note prepared for the Minister of Indian Affairs in that same month called for recommendations on native economic development to be in the hands of the Prime Minister by October. That is a full three months before the consultation process is to be completed. Therefore, native leaders are referring to a bogus and a meaningless consultation process. I ask the Minister of State, is not this elaborate announcement of his nothing more than a sham, an empty gesture, and just a phoney PR pitch?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism)): That is probably what the Hon. Member would like natives in this country to believe. It is not at all a sham. This consultation process had been promised by the Government. The Prime Minister stated clearly in 1984 that these programs would not be touched without full consultation with natives in Canada. We have engaged in that

process. We have the full co-operation of the native groups across Canada. That process will take place.

MINISTER'S POSITION

Mr. Keith Penner (Cochrane—Superior): It is not myself that is trying to convince the native people about the sham of this process. They, themselves, have asserted this through their various organizations.

I turn to the Minister of Indian Affairs. In that same briefing note that I referred to earlier, the Minister reveals that the amalgamation of native economic programs is to go forward almost immediately. Last Friday the native leadership described the Minister as being untrustworthy for not advising them of this new scheme. Why is the Minister proceeding with this approach without taking into his confidence and trust the native leadership of the country?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I am sure that the Hon. Member is aware of the Task Force on Economic Development from DIAND and I am sure he is also aware of the recommendations that were put forward. I wish to refer to one of them.

One was the single agency concept proposed by the Ontario Indian Advisory Board in February, 1985. In June, 1987, an AFN National Assembly resolution contained the following assessment, that "federal initiatives to date have further entangled the First Nations in a complex web . . . . short-sightedness and jurisdictional disputes—federal Departments responsible for supporting First Nations' economic development are unable to effectively col-ordinate their activities."

I assume, Mr. Speaker, the Hon. Member is referring to a briefing note prepared for myself. I have not seen it, and I do not know what he is talking about. I can tell the Hon. Member that, along with my colleague and other colleagues, we have to address the desires and needs of the Indian people in economic development. That is exactly what the Government is going to do.

Mr. Speaker: I would like to advise the House that there will be one more question.

* * *

ADMINISTRATION OF JUSTICE

REQUEST FOR COMMITTEE HEARINGS

Mr. Alan Redway (York East): Mr. Speaker, my question is directed to the Chairman of the Standing Committee of the House on Justice and Solicitor General. Regardless of where they stand on the question of capital punishment, all Canadians are interested in seeing immediate reform of our criminal justice system, and in particular reform of sentencing and parole. The Chairman has indicated that his committee will be studying these issues and making a recommendation.

In the light of the concerns that have been expressed in the House and across the country in the capital punishment debate, and in the light of the comments of the Hon. Minister of Justice that Canadians have lost faith in our criminal justice system, will the Chairman give the House his undertaking to commence those hearings and that study immediately?

• (1530)

Mr. David Daubney (Ottawa West): Mr. Speaker, I thank the Hon. Member for his question and his interest in this important area, as he says, an interest which is increasingly shared by many Canadians.

Last month I wrote to hundreds of individuals and groups active in the criminal justice field. I invited them to submit briefs to our committee by the end of September.

Certainly if it becomes apparent that the House will be sitting for some weeks this summer, I intend to call a meeting of the committee soon in order that we can start the important work which the committee has before it.

Mr. Lewis: Mr. Speaker, I would ask the permission of the House to revert to Routine Proceedings and Questions on the Order Paper.

At the time this matter was called earlier today my documentation was not complete. I appreciate that the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria) was upset in that he waited around for the answer and I was not able to deliver it. However, as I undertook to do, I am prepared to answer the questions now if the House would give its consent to revert to Routine Proceedings.

Mr. Speaker: Is that agreed?

Some Hon. Members: Agreed.

ROUTINE PROCEEDINGS

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 148, 150, 152, 154, and 155.

[*Text*]

IMPACT OF PESTICIDES ON ENVIRONMENT

Question No. 148—**Mr. Caccia:**

1. For the fiscal year 1986-87, were funds allocated to assess the impact of pesticides on the environment in the budget of the Department of the Environment and, if so, in what amount?

2. For the fiscal year 1987-88, was the budget increased and, if so (*a*) by what amount (*b*) in what manner will it be spent and, in particular, will the number of person years be increased and what are the specific positions,

responsbilities and numbers (*c*) is the increase (i) new money (ii) internal reallocation of existing funds and, if so, what programs and person years will be affected (*d*) in what manner will the increase be spent on (i) research (ii) scientists' salaries (iii) support (iv) travel (v) other items?

3. For the fiscal year 1988-89, will the budget be increased and, if so, by what estimated amount?

Hon. Tom McMillan (Minister of the Environment): 1. Yes, $3.5 million.

2. Yes. (a) $900,000 (operating funds).

(b) The budget will be spent to:

Evaluate the environmental impact of pesticides submitted for registration under the Pest Control Products Act;

Undertake the re-evaluation of in-use pesticides under the Pest Control Products Act;

Conduct environmental monitoring of in-use pesticides to determine their presence, levels, trends and effects;

Undertake research on the environmental impact of pesticides used and the transport of fate of pesticides in the environment.

The number of person-years will not be increased.

(c) (i) Yes (ii) No.

(d) (i) Critical review of public literature on pesticides; analytical work; protocol and guideline development. (ii) N/A, (iii) N/A, (iv) N/A, (v) N/A.

3. The 1988/89 budget has not yet been finalized.

MILITARY PERSONNEL RELEASED IN 1986

Question No. 150—**Mr. Howie:**

In 1986, were any military personnel released from the Canadian Armed Forces and, if so, how many?

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Yes, 5,980 military members.

HALIFAX COMMONWEALTH GAMES SOCIETY

Question No. 152—**Mr. Boudria:**

1. Did the government offer a grant to the City of Halifax or any other group in the Halifax area for the specific purpose of preparing a proposal to attract the 1994 Commonwealth Games to that city and, if so, what was the amount and to whom was the grant given?

2. Did other cities receive similar benefits and, if so, which cities and in what amounts?

Hon. Otto Jelinek (Minister of State (Fitness and Amateur Sport)): 1. The 1994 Halifax Commonwealth Games Society, the incorporated group seeking to bring the 1994 Commonwealth Games to Halifax, applied for assistance under the Canada-Nova Scotia Subsidiary Planning Agreement, which allows cost-sharing between the two Governments on studies related to economic development in Nova Scotia. Inasmuch as the application met all the criteria for funding under the program a postitve recommendation was given by DRIE and the provincial Government.

In order to ensure that the federal Government would not be favouring any one candidate over any other through programs accessible only to certain regions of the country, Fitness and Amateur Sport officials, upon hearing of the application, intervened requesting that no federal support be given. DRIE officials agreed with the position of FAS and the application for assistance was not approved and no federal funds were given.

2. Fitness and Amateur Sport has made no financial contribution to any of the bidding municipalities. To the best knowledge of FAS, no other federal government department has made any grant or contribution to any of the nine candidates.

ASSISTANCE TO NEW BRUNSWICK DAIRY FARMERS

Question No. 154—**Mr. Howie:**

In 1986, did the government pay production assistance to dairy farmers in New Brunswick and, if so, in what amount?

Hon. John Wise (Minister of Agriculture): Yes, $4,569,108.

NUMBER OF PERSONNEL—CANADIAN ARMED FORCES

Question No. 155—**Mr. Howie:**

On January 1, 1987, by rank, what number of persons were serving in the regular force of the Canadian Armed Forces?

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

Total Strength All ranks	86,302
Total Strength—Officers	17,795
General	2
Lieutenant-General	10
Major-General	31
Brigadier-General	88
Colonel	365
Lieutenant-Colonel	1,066
Major	3,362
Captain	6,696
Lieutenant	2,164
Second-Lieutenant	1,214
Officer Cadet	2,797
Total Strength— Non-commissioned Members	68,507
Chief Warrant Officer	920
Master Warrant Officer	2,440
Warrant Officer	4,925
Sergeant	10,410
Master Corporal	12,017
Corporal	21,267
Private (Trained)	4,451
Private (Basic)	11,045
Private (Recruit)	1,032

[*English*]

Mr. Speaker: The questions as enumerated by the Parliamentary Secretary have been answered.

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QUESTIONS PASSED AS ORDERS FOR RETURNS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if Questions Nos. 134 and 143 could be made Orders for Returns, these returns would be tabled immediately.

Mr. Speaker: Is it the pleasure of the House that Questions Nos. 134 and 143 be deemed to have been made Orders for Returns?

Some Hon. Members: Agreed.

[*Text*]

DPW—AWARDING OF CONTRACTS TO METROPOLITAN TORONTO AREA

Question No. 134—**Mr. Stackhouse:**

For each of the years 1985 and 1986, did the Department of Public Works award contracts over $10,000 to firms within metropolitan Toronto and, if so (*a*) how many contracts (*b*) what were the names and head office addresses of each firm?

Return tabled.

VIOLATIONS OF FEDERAL POLLUTION LEGISLATION

Question No. 143—**Mr. Caccia:**

In (*a*) 1985 (*b*) 1986, were any charges laid as a result of the violation of federal pollution legislation and, if so (i) how many (ii) under which Statutory authorities and what was the number of separate charges under each (iii) how many led to successful prosecutions and, in each case, what was the penalty?

Return tabled.

[*English*]

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

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi (p. 7338).

Mr. Caldwell: Mr. Speaker, I should like to ask a question of the Hon. Member for Capilano (Mrs. Collins). I am sure that she, like the rest of the Members of Parliament in this Chamber, has been very busy answering the telephone and her mail over the past couple of weeks regarding the immigration policy, especially as it pertains to refugees.

I think the message we received, especially in my area of Essex—Kent, was that our constituents want the policy tightened up and tightened up reasonably fast. Of course that is why we are back in the Chamber today.

The Hon. Member will know that we are now debating an amendment at this time which calls for the policy not to be debated at the present time but to be debated six months hence. I am wondering how her constituents would react if we waited for six months.

Mrs. Collins: Mr. Speaker, I appreciate that my colleague has brought that matter to my attention. As I am sure my colleagues are aware, we are actually debating the motion put forward by the Opposition that Bill C-55 should be hoisted for six months. My constituents in Capilano find that incredible, totally incredible. Most people do not follow the proceedings of this Chamber very carefully. In most cases I would have to mention to people that this had happened, that the Liberals in the first part of the debate immediately asked for a six-month hoist on this legislation, and that the NDP apparently supported it.

That is not what Canadians want. I think my colleagues across the House must be totally out of touch with public concerns on the issue. Canadians want action now. They want fairness, as I discussed in my speech earlier, but they want action and they want the legislation to be passed expeditiously. This is why I ask my colleagues in all Parties to work quickly to get this piece of legislation through all stages.

Mr. Axworthy: Mr. Speaker, I should like to pose a question to the Hon. Member for Capilano (Mrs. Collins). As she probably knows, the United Nations Commission on Refugees has given an *aide-mémoire* to the Government suggesting that Bill C-55 contravenes the convention on refugees. Amnesty International, the Canadian Bar Association, and all refugee organizations and church organizations in Canada have said the same thing, that the pre-screening provisions and appeal provisions of Bill C-55 are in direct contravention with the international obligations we have signed. They are in direct contravention with the Charter of Rights. Those statements have been made by anybody who knows anything about the business itself. Those statements have been made publicly.

The Hon. Member will also know that members of our Party have said that if the Government was prepared to make amendments to those two key items in Bill C-55 it could gain immediate acceptance and quick passage.

The Hon. Member should take into account all the evidence and weight coming from the United Nations, Amnesty International, the Commons committee including a majority of

Members from her own Party, the Plaut Commission, the churches, and the refugee organizations, which say that with one or two amendments to Bill C-55 it would then be acceptable. There could then be a consensus in the country; the Opposition has said that it would agree to it. Would the Hon. Member also agree that those amendments should be made and that therefore we could give total, quick, and immediate passage to the Bill within the next 24 hours and meet the requirements she says her constituents want?

Mrs. Collins: Mr. Speaker, it is certainly my understanding that the United Nations Refugee Agency has not said that it would violate but that there is a possibility that it might.

I think one should look at the international comparison. If all these people are so upset by what we are proposing, in my mind it is far more fair and generous than the systems in place in Sweden, West Germany, France, Denmark, the Netherlands, the United Kingdom, and the United States.

We are providing for the initial screening. We are providing for the possibility of hearings, due process, and return only to a safe country, which is determined by Order in Council. There are lots of provisions to make changes to meet differing situations.

Good heavens, I cannot think of any more safeguards which need to be in a Bill like this one, while at the same time ensuring that we get rid of illegal immigrants, people who abuse the system and try to enter the country illegally.

I am satisfied with the Bill, and certainly a comparison with every other western industrialized country would show that we are doing a tremendous job.

Mr. Axworthy: I have a supplementary question, Mr. Speaker.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) after recognizing the Hon. Member for Winnipeg North (Mr. Orlikow).

Mr. Orlikow: Mr. Speaker, in her remarks before lunch the Hon. Member indicated that she had written to the Prime Minister (Mr. Mulroney) some time ago, that she urged him to call Parliament together to deal with this question, and that she welcomed the fact that we had been brought back. If the matter is so important, if the issue must be dealt with so quickly, why did the Government not introduce the Bill before May 5? Why did we get one part of a day, three hours of debate on June 18, if it is so important? Why was there delay on the part of the Government?

I also want to ask the Hon. Member a second question. Just over a year ago a group of Tamils came to Canada in exactly the same way as the Sikhs about whom she and other people are so upset. When they came to Canada the Prime Minister welcomed them and said that they would be treated fairly, with compassion, and in a humane way.

What has changed? We see here that the Government has no policy at all. It will go in any direction which it thinks the public will, because it is so concerned about doing what it hopes people will support.

Mrs. Collins: Mr. Speaker, I find it interesting that my colleague and some of his colleagues want to keep talking about the past when I am here to talk about what we need to do right now.

It would have been nice had the legislation come through more quickly, but I know there was a long process of consultation with all the groups my hon. colleague mentioned earlier and with the lawyers to ensure that it was legally correct and complied with the Charter of Rights. Obviously all this took time.

When it was introduced in May, as has already been indicated, the first response was a six-month hoist. It was evident that the co-operation of the opposition Parties was not to be forthcoming in the limited time we had.

In terms of the Canadian public, it was upset last year when the first boat load came. I remember it well. However, what has happened now is that they are even angrier. There is a fear that this can happen over and over again, that we do not have the tools in place to remedy the situation. They are demanding, as I am demanding, that we get those tools in place, that we get Bill C-55 and Bill C-84 in place so that we have control over the borders of the country.

• (1540)

Mr. Axworthy: Mr. Speaker, I would remind the Hon. Member for Capilano (Mrs. Collins) that there was a time when Canada took pride in its leadership on refugee matters. Canada provided new standards to which the world would respond. For that reason, we were awarded a prize for exemplary conduct. To compare Canada with other countries does not impress us because there was a time when we felt Canada showed leadership in this area and did not follow.

The Hon. Member said that the Bill took time because of the consultation process. Does consultation not also mean listening and responding? If time was taken to consult with all the groups I mentioned, why were they not heard? Why were their objections not responded to? Why were the changes recommended by every single reputable organization involved in refugee matters totally rejected by the Government? Why did the Government take the perverse, reactionary way it has taken when the weight of opinion around the world and in Canada was that we could solve the refugee problem expeditiously within three months and still retain our rights and obligations under the covenant? Why did the Government go so wrong?

Mrs. Collins: Mr. Speaker, first, Canada does have a good reputation with respect to refugees and it will continue to have a good reputation.

Mr. Axworthy: It used to have.

Mrs. Collins: In fact, this year we will be accepting up to 12,000 government-sponsored refugees, and of course refugees are sponsored privately through churches and organizations. There is no limit on privately sponsored refugees and these refugees go through the proper channels for dealing with refugees. Indeed, we are and will continue to be one of the most generous countries in our response to real refugees and refugee-producing situations.

In terms of consultation, this Government and this Prime Minister (Mr. Mulroney) listen to Canadians. Is that not a surprise? We do not simply listen to special interest groups. We do not simply listen to people who have a particular interest. We listen to a broad cross-section of people and we need to respond to the concerns they have. In fact, we have incorporated—

Mr. Axworthy: So the Citizens' Coalition isn't what you would call real Canadians?

Mrs. Collins: I am answering the question. We did respond. We incorporated many of the recommendations and we responded to the basic concerns of Canadians who wanted us to deal with this issue and deal with it quickly and effectively right now.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated.

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, there have been discussions among Parties and I think you would find that there would be unanimous consent for my proposal. The Hon. Member for Edmonton West (Mr. Dorin) had a private Member's item scheduled for today, but unfortunately he cannot be in the House. We have discussed this with Opposition House Leaders and it has been agreed to suspend Private Members' Hour for today and continue with the business before the House prior to that hour until 6 p.m., at which time the adjournment proceedings will take place. We have also agreed that the Hon. Member's item should be dropped to the bottom of the list of the order of precedence on the Order Paper.

Mr. Gauthier: Mr. Speaker, I can indeed confirm that there have been negotiations. I would just like to remind the House that this cannot be considered a precedent for any future time when a Private Member's Bill is not proceeded with. I do not want to create any precedents at all.

Mr. Riis: Mr. Speaker, I too want to say that there have been extensive consultations on this matter. As my hon. friend has indicated, we do not want this to set a precedent. However, I think it does indicate the spirit in which opposition Parties are trying to facilitate sensible and thoughtful debate on these very critical issues. We look forward to hearing the next speaker with a great deal of anticipation. Again, we as opposition Parties are trying to make this place work. In that respect, when the request came, our first response was to co-operate as fully as possible.

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IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and on the amendment of Mr. Marchi, (p. 7338).

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, why has Parliament been called back into emergency summer session? Where is the emergency? Where is the crisis? The Government is using the smoke-screen of the refugee question as a pretext for quick passage of the Bill providing for changes to our drug legislation. This legislation has been demanded by the Americans as part of their required agenda in the free trade negotiations with our country.

It is no coincidence that the Chairman of President Reagan's advisory board on trade also happens to be the Chairman of Pfizer Corporation, one of the large American multinationals. The Americans have kept no secrets from us. Unlike our Government, they have been open with their priorities and their wish list. At the top of that list, of course, is this legislation which would open up more patent protection for American multinational pharmaceutical companies in Canada. That is the real agenda and the reason we are here.

We are here because Your Honour refused to grant the Deputy Prime Minister (Mr. Mazankowski) the privilege of recognizing it to be in the public interest to recall Parliament only for the drug legislation. Your Honour quite justifiably refused that request.

The Deputy Prime Minister, on the instructions of the Prime Minister (Mr. Mulroney), returned with a better subterfuge. It was not good enough to be direct about it and to state the priorities of the Government, so be indirect and choose the refugee question which has inflamed Canadian public opinion during the summer.

[*Translation*]

Mr. Speaker, it is probably the first time in history that the Parliament of a sovereign country like Canada is convened for an emergency session to adopt legislation at the behest of the government of another country. The Conservative Government is using the refugee question as an excuse to push through quickly the amendments to our drug patent legislation requested by the Americans in the course of the free trade talks. The new legislation will cause the price of drugs in

Canada to increase by hundreds of millions of dollars annually. The poor, the sick, the handicapped, the elderly and low-income families will be worst hit by these price increases, and all because the Government caved in to the Americans.

The Prime Minister is of course hoping that with the uproar about the Government's bungling of the refugee question, Canadians will not realize that his real purpose in reconvening the House was to adopt this Bill. This is one of the most cynical and most desperate acts of a cynical and desperate Government.

[*English*]

Why then has Parliament been recalled? Does the public interest demand that the House of Commons sit merely to deal with the issue of the 174 Sikhs, particularly in view of the fact that there is already legislation before the House dealing with the issue? The Government had advance notice of this. It was given weeks of warning. It should have taken control of the situation. Instead, it allowed it to happen the way it did.

Why wait to declare an emergency session of Parliament when, in the previous three years, the Government failed to reform the refugee determination system despite the urgings of the commission under the chairmanship of Rabbi Gunther Plaut, despite the urgings of the Committee on Labour, Employment and Immigration, indeed despite the urgings of the two opposition Parties as well as NGOs and Canadian churches? Why did the Government wait until May of this year, almost a full year after the boatload of Tamils landed last summer, to introduce Bill C-55 before the House of Commons? Why did it bring Bill C-55 before the House for second reading debate only in the dying days of the June session? Why did the Government allow a total of only three hours of debate? Where was the urgency? Where was the crisis? Where was the need to deal with it now?

The Government's record and the Government's actions clearly demonstrate an indifference to and a low priority for the issue. Now, in a desperate attempt to cover up its inaction, as a pretext to recall Parliament, the Government is trying to send a message to Canadians that it is in control, when the very opposite is true.

• (1550)

Deep concern has been expressed to me by Canadians all over the country. In my own riding of Vancouver Quadra the phone has been ringing off the hook. When I was there for two or three days two and a half weeks ago, my constituency office received 190 phone calls on this subject on one day, July 24. I have confirmed with the other constituency offices in the Vancouver area that our situation was not unique. Capital punishment paled by comparison. Perhaps that is what influenced His Honour to recall the House. He shares the boundary of 41st Avenue across the centre of Vancouver.

Public opinion on the refugee issue has been manipulated by the Government. There have been selective leaks that there may be terrorists among the recent arrivals off Nova Scotia. There was a massive phoney search for a mysterious vessel reputedly carrying more people to this country. It turned out to be not true and a farce. It reminded us very much of an old poem by Samuel Coleridge. We had the colourful rhetoric of the Prime Minister on his recent visit to rural Manitoba. I see the Minister of National Health and Welfare (Mr. Epp) sitting here. He was the host to the Prime Minister in the Town of Steinbach, which I passed by yesterday.

Mr. Epp (Provencher): Great reception.

Mr. Turner (Vancouver Quadra): He got a great reception but he did not have the guts to go to Winnipeg. He floated around rural Manitoba because he wanted to be shepherded by the Minister and his colleague, the Minister responsible for the Wheat Board, to where he could be assured of a manicured, controlled and friendly reception. It was a miniature election campaign. As a personal note to the Minister let me say that he must have felt proud walking down the main street of Steinbach, the automobile capital of Manitoba.

Mr. Epp (Provencher): Of Canada.

Mr. Turner (Vancouver Quadra): I have the Leader of the NDP (Mr. Broadbent) in such a buoyant mood today, I do not want to interfere with his domain of Oshawa.

Can we blame Canadians for being confused? The Government has bungled and mismanaged the refugee issue ever since it assumed power in September, 1984. Of one thing I am sure. Canadians are a reasonable, fair and tolerant people. They want a fair resolution of this issue.

[*Translation*]

A large majority of Canadians support a non-discriminatory immigration policy. We must welcome immigrants and refugees because we need them. Canada needs a bigger population to help develop this vast country of ours, to create new markets and new jobs.

We want to promote family reunification, and our generous immigration policy has enjoyed the support of Canadians throughout this century.

[*English*]

Canadians believe in an expansive, non-discriminatory immigration policy. It has made us the rich country we are today. It has given us the broadening heritage and spirit of tolerance we enjoy today.

Canadians also believe in an open and compassionate refugee policy. Historically we have received with open arms people from all over the world who are genuinely fleeing the threat of death, torture, persecution, intimidation or imprisonment. We have always given the benefit of the doubt to those who are genuinely seeking a haven and a new home in Canada. This was true of Hungary in 1956, Poland in 1972, people from Uganda or the boat people from Vietnam. Canadians have always opened their hearts, their doors and their homes when the issue is clear and beyond question. At the same time

they do not want to see the system abused. They do not want commercial trafficking in the lives of desperate people. They do not want manipulation of lives in hopeless transit. They do not want commercialization of those seeking refuge. They do not want manipulation of a system that they believe should be fair and orderly. Jumping the line and cutting the queue does not meet the test of fairness. It calls into question the credibility of our refugee policy and tests the legitimacy of our immigration programs. Canadians, usually open and tolerant, become suspicious. Each of us in this House have people in our constituencies we have been trying to help to reunite their families. This is particularly true of those of us who live in the large metropolitan centres of Canada. Those people have been trying to reunite their families for years and they resent the arrival of those who appear to be bypassing the system.

Why has this happened? The Conservative Government created a refugee backlog and the resulting backlash against refugees and immigrants, this despite the fact that over the past three years we in this Party have repeatedly called for the Government to bring in a more efficient refugee claims system. The Tories have seemed incapable of doing so despite the promise of action by several Tory Ministers. The current Minister of Communications (Miss MacDonald), when she was Minister of Employment and Immigration, promised legislation as early as November, 1985. That statement is on record before Your Honour.

The number of refugees landing on our shores went up from 7,000 in 1984 to 18,000 in 1986 and 16,000 in the first six months of 1987. Not only did the Government fail to introduce legislation earlier, it compounded the problem by granting administrative reviews or amnesties. In the long run that action to clear up the backlog had the opposite effect. It stimulated the growth of a new industry, immigration consultants, manipulators and exploiters in human traffic. This resulted in a large increase in the number of people landing on our shores in 1986.

Furthermore, despite the fact that under existing law the Government has the authority to deport refugee claimants whose appeal process has run out, it has repeatedly refused to do so, resulting in a further loss of credibility for our system. Worse, the Government has adopted what can only be called a selective approach to immigrants and refugees. Consider these facts. The total number of immigrants admitted to Canada in 1974 stood at over 200,000, compared to only 87,000 in 1986. Not only has the Conservative Government put a higher priority on the immigrant entrepreneur than past Liberal Governments did—note that the number of entrepreneur immigrants rose from 3,500 to 5,400 in 1986—but it has replaced the standards for qualifying in that category. Under Liberal Governments immigrant entrepreneurs needed more than just money to get into this country. They needed the appropriate skills which would allow them to contribute in a meaningful way to the growth of our economy. The Government has taken a different approach. It has moved to the top of the list anyone with enough money to invest. If you have enough dough, you can buy your way in. Contrast that with the number of immigrants approved from the family class which dropped by 10,000 between 1984 and 1986.

• (1600)

We want improvements to the refugee system. The process is too long and too complicated. The long delays are unfair to genuine refugees. The long delays, prolonged by the Government, have led to the massive abuses and attempts to bypass the system. Bill C-55 does not improve the system. It makes it less fair.

We have proposed a reduction of steps in the process from eight to three. My colleague, the Member for York West (Mr. Marchi), who responded admirably to the Minister this morning, set out our concerns. Our first concern with Bill C-55 is that in the pre-screening process proposed the crucial first step, the right to an oral hearing, is denied. That is the primary reason we oppose the legislation. It may mean that up to half of all claimants to refugee status may be denied refugee status without ever being able to present their case fully.

Our second concern is that Bill C-55 allows the Government, under the so-called third country concept, simply to deport claimants to that country without considering how that country may treat such individuals. The Government does not care if it ships someone to a third country from which that person could immediately be sent back to his or her own country to face persecution, death, torture or imprisonment. Our proposal is that we would not return anyone to a third country unless that person had refugee or landed immigrant status in that country.

[*Translation*]

The third concern of our Party and of our caucus relates to the appeal process. Provision is made only for appeals pertaining to purely technical questions. During this process the claimant must leave the country while waiting for a ruling. That is unfair.

The fourth concern: the refugee board is inadequate. Since it is now provided that a Government lawyer will submit elements of proof it is false to claim that there will be no confrontation.

[*English*]

Our fifth concern is how this affects our international responsibilities. We know that we cannot take in 10 million or 15 million refugees looking for homes, but we do want to do our share. What if every country were to adopt the same third country concept? All the doors would be closed to legitimate refugees.

This Bill has now been subject to public gaze for a number of months. What do other people think of the legislation, the people who deal with refugees? The Member for Capilano (Mrs. Collins) implied that they do not have any special hearing before this House, but they are the people to whom I believe we should look for some advice, particularly Rabbi

Gunther Plaut, the author of a study on this very question. With regard to this Bill he says:

> It does not do justice to our international obligations to protect refugees. Nazi Germany would qualify as a safe country under Canada's proposed new refugee rules. I don't think that I would have been let in. I came in the 1930s from Nazi Germany. The Government is building a Berlin Wall around the country.

Tom Clark of the Interchurch Committee for Refugees says:

> Instead of access, there is a screen. Instead of bringing Canada a notch ahead of European countries, the Immigration Minister has brought it down to their level. It's despicable.

Michael Schelew of Amnesty International says:

> It's an about-face on Canada's humanitarian record that may place people fleeing persecution in jeopardy.

Lorne Waldman of the Canadian Jewish Congress says:

> A long-term aim of the Immigration Department is to eliminate all refugee claims within Canada. The Government has spent millions of dollars and innumerable hours consulting on this problem, and everyone's recommendations have been ignored altogether.

That is the verdict on Bill C-55 which is now before the House. That is the verdict of people to whose opinions we should pay attention.

There was a new Bill introduced this morning labelled Bill C-84. The Government attempted to introduce debate immediately without an opportunity for the country, and the Opposition in particular, to look at it. We received, on a so-called confidential basis, a draft at 5.30 last evening. It was not a complete draft at that. We got official copies just before the House met and were then required by the Government to respond to this very difficult and complicated Bill on this very vital human question.

We will study it. My colleague, the Member for York West, has already given an initial response. We will examine whether the remedies are enforceable. Are these procedures appropriate? Is there sufficient due process? Are existing remedies under existing statutes already sufficient? What sort of legislative duplication have we here? What sort of judicial complications have we here? What sort of constitutional doubts are we raising here?

For example, will we give the same treatment to those individuals, church groups, and so on which bend the rules to bring in legitimate refugees as we do to those unscrupulous commercial operators who exploit illegitimate refugees in order to circumvent the system?

Bill C-84 needs the careful scrutiny which Bill C-55 has already received. I suggest to you, Mr. Speaker, that Bill C-84 cannot be read alone. It must be read with Bill C-55. Why were there no abuse provisions in Bill C-55 which is now before Your Honour? Why have one Bill with the procedural remedies and enforcement provisions and another with the substance of the law relating to refugees? You cannot study the remedies or enforcement procedures without reviewing the substance. Until we are satisfied with Bill C-55 we will not feel comfortable with Bill C-84 because they are one package.

We are in favour of tough measures against profiteers and abusers. We want to examine carefully whether the measures in Bill C-84 are targeted properly. We must have a fair system in place before we design measures against abuse of the system. The system is in Bill C-55 and we are not satisfied with it. The remedies in Bill C-84 must be read in conjunction with the substantial measures contained in this Bill. We do not favour jumping the queue or cutting the line, but we do not favour closing the theatre either.

[*Translation*]

We do not favour jumping the queue, we do not favour cutting the line, but we do not favour closing the theater either.

[*English*]

I believe that Canadians want a larger population to help develop our vast land, create new markets and new jobs. The low fertility rate in the country and the aging population will become a real concern for our country by the year 2000, particularly for maintaining productivity and providing a tax base adequate to support our social programs. I do not have to deal with the phantom issue that immigrants and refugees take jobs away from other Canadians. That does not happen. The entrepreneurship, the work, the ideas and the resources have historically provided more jobs than were ever replaced.

We continue to hold that liberal view on immigration. As I said earlier, we also deplore the abuse of our refugee system by unethical consultants and other profiteers. We will support any reasonable measures designed to crack down on the abusers of refugees and of the system. Contrary to what the Government would have the public believe, there are already legislative measures in place to allow the Government to detain and deport people who may be a threat to the security of Canada. There are also measures on the books already aimed at consultants which the Government has refused to use. We will want to ensure that the new measures are better than what we already have. Why the duplication? Why the failure to use what is already on the statute books of the country?

• (1610)

Sections 19 through 32 of the Immigration Act, 1976, declare persons with a criminal record or those likely to engage in criminal activity, inadmissible to Canada.

In order to be deported under those sections, persons must first be given an oral hearing. There is also Section 95(I), (j) and (n), which allow for prosecution of consultants and other profiteers.

Section 95(n), which was used to prosecute the captain of the *Amelie*, provides, on an indictable offence, for a fine not exceeding $5,000 or imprisonment for a term not exceeding two years or both; and, on a summary conviction offence, for a fine not exceeding $1,000 or imprisonment for a term not exceeding six months or both. As well, the fraud sections of the Criminal Code have always been available to the Government. What are the effects of this cumulative remedy?

[*Translation*]

We have constantly urged the Government to implement the changes recommended as early as in 1980 by the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) and formally proposed in 1984 by Ed Ratushny and in 1985 by Rabbi Plaut, well before the refugee problem grew worse.

[*English*]

We also have sought an expanded definition of the family class which corresponds more accurately with many immigrants' notion of extended family living. We will examine very carefully the action announced by the Minister this morning.

At the same time we must make it abundantly clear to the immigrant community that an immigrant who does not have sufficient points to get into Canada does not lose his spot in line because his place is taken by a refugee. We are talking about a new stream of admissions to the country. The refugee is admitted to Canada on an entirely different set of criteria, namely, genuine fear of political, religious, or racial persecution.

Finally, we call upon the Government of Canada to seek actively, by way of a United Nations conference or Commonwealth conference, the participation of other countries confronted with similar strains on their refugee systems. This is not an isolated problem, this is a global phenomenon. We need to work with other countries toward a mutually satisfactory solution. Refugees are on the conscience of Canada, but they are also a global responsibility.

We must stress a co-operative attitude toward solving this international problem. I say to the Prime Minister and the Minister, give us a fair system. Canadians will support that. Canadians will be generous and open, but target the abuses carefully and do it in a spirit of firmness, reasonably, with openness and generosity.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall)—Pharmaceutical industry—Committee Proceedings—Hearing of witnesses—Minister's position; the Hon. Member for York East (Mr. Redway)—Harbourfront—Moratorium on Toronto waterfront construction projects; the Hon. Member for Kenora—Rainy River (Mr. Parry)—Regional development—Northern Ontario—Alleged transfer of public service jobs—Request for freeze on job transfers.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi (p. 7338).

Mr. John Oostrom (Willowdale): Mr. Speaker, I am pleased to have the opportunity to address the House on this very important issue and to speak to this vital piece of legislation.

There has been a tendency by some to read the worst into the new provisions. One of the most important points for us to understand is that in devising strategies and policies that address the needs of refugees, we always need to look beyond the immediate and domestic solutions. More and more, countries are coming to see that addressing the problems of refugees is an international endeavour. As a Canadian delegate to the 106-country international parliamentary union recently, I proposed that the question of refugees be addressed at the fall conference in Bangkok, Thailand. This proposal was adopted due to the urgency of this world-wide problem of refugees.

Refugee problems can only be resolved by finding solutions to their root causes, by long-term efforts to promote development, self-reliance, and respect for human rights.

Initially, the primary need of every refugee is a safe haven. Without access to a country of safe haven and without an ability to uphold the principle of safe haven as a primary need, none of the approaches or solutions advocated by the international community will work.

Initially, a refugee needs to find a place, any place, where he or she will be free from torture or the threat of death, and where basic needs for food and shelter will be met.

The search for a safe haven was not, as we all know, what motivated the tens of thousands of bogus refugees who have overburdened our system in recent years. The decision by refugees to leave the safe haven provided by another country in order to ask for safe haven in Canada, while understandable, is not a refugee matter.

While we understand the preference for this country over another, individual preference cannot dictate national policy. We welcome, however, their applications as immigrants. Our convention refugee determination system must remain open for those who really need it.

At the request of the Standing Committee on Employment and Immigration, the number of refugee processing officers, both at home and abroad, was increased due to the higher demand. However, the processing of immigrants and refugees must be done in an orderly fashion. We cannot have chaos,

whether it be at home or abroad. Third country nationals cannot decide for Canadians who should jump the line or who should have priority.

Canadians have rights too, as my colleague, the Hon. Member for Chambly (Mr. Grisé), mentioned earlier this afternoon. Through our laws, and with the assistance of very competent officers both at home and abroad, they can decide who will be allowed into Canada and under what conditions.

My constituents especially favour family reunification and do not want to tell their relatives to jump the line. As Eli Weisel, the Nobel Prize laureate reminded us not too long ago: "A society can be measured and judged by its attitude to strangers". I believe we have measured up to these humanitarian standards time and time again. This legislation will allow us to continue to open our doors to strangers, and more particularly, the neediest among them.

Let us look at the principles of the new system. Let us examine how this obligation is honoured in the structure of the new system.

The new system will deal quickly with claims. That is, it will deal quickly with those submitting bogus claims and will attend quickly to those whose claims have real merit. This is what hundreds of my constituents in Willowdale have told me over the past number of weeks: deal with the problem quickly and do it now.

My constituents understand that the current immigration and refugee processing system was set in motion some time ago by the previous Liberal regime, reinforced by the Charter of Rights. This system has gone haywire and is now abused.

My constituents in Willowdale want a fair and open system. This is an open system. Everyone will have the opportunity to make a claim to Canada's protection at home and also abroad. No one will be turned away without having an opportunity to appear before a member of the refugee board.

It is a system which establishes the highest standards of fundamental justice. First, proceedings are oral. Second, the claimant is entitled to be represented by counsel. Third, in many cases, legal representation is provided even free of charge. Decision-making on arguable cases will be made by an independent quasi judicial panel and, once again, individuals will present their claims in a non-adversarial and oral hearing. Those awaiting their hearings before a refugee board will be allowed to work and attend school. Welfare and health care benefits will be provided through federal-provincial cost-sharing programs, which is not the case under the current system. Successful claimants will be entitled to apply for permanent residence. These are the principles and the benefits delivered in the body of the Act.

• (1620)

To date we have heard many arguments. We have heard criticisms and demands that the Bill be withdrawn or postponed. Some have argued that the Bill does not say what we think it says. If there is a legitimate doubt about all this, let us talk about it and consider amendments if necessary. There are other criticisms. However, what is abundantly clear is that this system will stand up where the current system does not. The existing system is based on principles which just do not work in practice, for instance, full access of all claimants to the refugee board for refugee determination, and there are two levels of review.

It does not really matter how you arrange the steps of the process. This is a system which just does not work for everyone because the principles are wrong. They were wrong when the system was conceived, and I referred to that earlier, and their inability to stand the test of events and time has been shown again and again.

We are not the first who have come this route. Other countries have tried and failed. I say to those who still criticize to look at what is being proposed under the new system as a whole, as it has been designed. Look at the insistence on quality, on fairness above all and on the benefit of the doubt being given at every stage. In short, I believe Bill C-55 will provide the solution to the problems which have been plaguing us and that it will allow our refugee determination system to distinguish between the genuine refugee in need of our protection and all other claimants who are not in need of our protection.

The principles behind Bill C-55 are right for Canada. They are right for the present and they will be right for the future. My constituency of Willowdale, and the country, support these principles. I would hope, therefore, that during the course of this debate we could focus on improving the Bill, smoothing the rough edges and clarifying the ambiguities. Further delay is not going to solve anything. It is not going to benefit anyone, least of all the people in need of our protection.

I urge all those who would still be a dissenting voice to keep in mind the objective, which I believe we all share and which this legislation honours, which is to support the genuine refugees in need of help regardless of number and without limit. But the economic migrants and the queue jumpers must obey our Canadian laws. They cannot continue to lie and cheat their way into this country.

Mr. Epp (Thunder Bay—Nipigon): Mr. Speaker, I appreciate the opportunity to ask a question of my colleague who is on the multicultural committee, namely, the Hon. Member for Willowdale (Mr. Oostrom). He has endeavoured in his comments on Bill C-55 to provide the right rhetoric required for the Government to put this Bill forward. He talks about it being fair and open and so on. He suggests it is going to provide for our future needs. Yet I sense in his comments as he talked about bogus refugees, his last observations on people who supposedly come to Canada primarily for economic reasons, a certain aversion to refugees and perhaps to immigrants generally.

I want to ask the Hon. Member how in his defence of Bill C-55 this afternoon, with all his rhetoric, he can reconcile these observations with the fact that practically everyone concerned about refugees in Canada opposes Bill C-55? How can the Hon. Member reconcile what he calls this fair system in which people have to make their case very quickly when they arrive and can be turned away by an administrative decision? How can he reconcile his sense that Bill C-55 will protect refugees with the conclusion of those who work with the present system that Bill C-55 would have the effect of turning away 50 percent, perhaps 90 percent of people who make claims on Canada as refugees? Surely we do not have that many people making bogus claims. How can the Hon. Member reconcile his defence of the system with the rejection of Bill C-55 by everyone across the country who is concerned about Canada maintaining its record of providing a refuge to persons in danger of their lives elsewhere? How can he reconcile this with Canada's receipt of the Nansen Medal?

Mr. Oostrom: Mr. Speaker, I do not think I have resorted to rhetoric. I have only expressed the views of my constituents. I trust the judgment of my constituents in Willowdale.

With respect to generosity, Canada allowed in about 18,000 refugees last year and it looks as if we are going to have at least 20,000 this year. This is why we received the Nansen Medal. And this will continue. The generosity of Canadians will continue in the future. This administration has increased immigration year after year and we will continue to do so. As we do so, the levels of refugees will rise. Canadians are generous. We are humanitarian and will continue to be. I think the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) is giving us a bit of rhetoric himself.

Mr. Lewis: Mr. Speaker, I would like to point out to the House that we are presently debating an amendment of the Liberal Member for York West (Mr. Marchi). He moved that Bill C-55, an Act to amend the Immigration Act, 1976, and to amend other Acts in consequence thereof, be not now read a second time but that it be read a second time this day six months hence. It is the position of the Liberal Party that debate and discussion on this Bill should be delayed for six months. This amendment was made by the first speaker on the Liberal Party side. It was supported by the New Democratic Party.

I ask the Hon. Member for Willowdale (Mr. Oostrom), how will the people in his constituency, those people who stand by law and order and the queue, take to the suggestion of the Liberal Party, supported by the NDP, that this Parliament not even discuss the Bill for six months? How do the members of the constituency of Willowdale feel about that suggestion?

Mr. Oostrom: Mr. Speaker, the feedback I have received over the past month is that we definitely should deal with it now. My constituents wanted me to come back. They phoned me while I was on a trip for a few days to the United States and asked me to come back. They will not stand for any postponement. They want us to deal with it right now. There will be ample opportunity if we are here for one week, two weeks or three weeks. I am willing to stay for the whole month. There is no problem at all. Let us deal with this matter now. We have a large number of members here. We have members of the employment and immigration committee here. I think we should deal with it now and not later.

One of my constituents, Mr. Van Noord, has been waiting for 17 years to bring his sister-in-law here from Jamaica. He told me to deal with it now because this whole question has to be settled. He also mentioned that he would like the Minister to increase the family reunification program in the coming years. I am very happy to note this morning that the Minister of Employment and Immigration (Mr. Bouchard) has given some indication that this may be the case.

• (1630)

Mr. Gauthier: Mr. Speaker, since the Parliamentary Secretary seems to rise after every speaker to bring the attention of the House to the fact that we are indeed debating an amendment to the main motion, I would like to make the point that the so-called main motion was part of a process that the Government initiated on May 5 last. After three years in power it decided to do something about this important problem. We do not disagree with the actions being taken by the Government. It left this matter sitting there from May 5 until June 18 when it called the Bill for all of one day's debate—some emergency! In approximately nine and one-half months of sitting time last year and after three years of being in power, disorganized as it is, that is all the time the Government could find to come to grips with this problem.

My question to the Hon. Member is this. The third country concept, the friendly third country concept, is in my view and in the view of my constituents one of the most important parts, and perhaps even one of the serious weaknesses, of Bill C-55. How does the Hon. Member feel about the safe third country concept? Does he feel comfortable with the fact that refugees, possibly bona fide refugees, will come to Canada and be told to go back to a safe third country? Will he wash his hands of the problem as Pontius Pilate did? Does the Hon. Member feel comfortable with that?

Mr. Oostrom: Mr. Speaker, I feel very comfortable indeed with it. I recently travelled through Holland and Germany. The Governments of Holland and Germany are very pleasantly surprised that Canada will take people from their countries, that Canada is willing and has even increased its staff in these countries to process genuine refugees. They give their full co-operation in this regard.

I am also pleased to note that the United States has given its assistance to us in that if there are genuine refugees in the United States who are in our stream, whether they be at border points, at consulates or embassies in the United States, it will not deport genuine refugees. I am very grateful that these countries co-operate with Canada to process refugees.

This Bill was in place in May. Our priorities in the past have been with respect to getting Canadians working again. As we got Canadians working, other problems cropped up. But this Bill was in place in May. There was ample opportunity in the month of May and in the month of June—even during the last days of Parliament—to help us process it. However, there was no willingness on the part of the Opposition, which is why we are back here today.

The Acting Speaker (Mr. Paproski): The time for questions and comments has now terminated. The Chair recognizes the Hon. Member for Vancouver—Kingsway (Mr. Waddell) on debate.

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I rise to speak on Bill C-55. I do so because I would like to direct my remarks to many of my constituents who have telephoned my constituency office in great numbers and who have written to us here in Ottawa. I wanted to do so at the earliest possible time. This being the afternoon of the first day that Parliament has been recalled I am proud to be able to get up to speak.

I wish to acknowledge that this has been a good debate thus far. It is shaping up to be an excellent debate. It is a very important one. The public has a great deal of interest in it. I am pleased to be back in Ottawa to face this issue.

I wish to acknowledge the excellent speech made by the Hon. Member for Spadina (Mr. Heap) who spoke in reply to the Minister this afternoon. I also wish to acknowledge the speech given by the Right Hon. Leader of the Opposition (Mr. Turner) who represents the constituency next to mine in Vancouver. Many of the things he said in his speech rang true to my ears.

I said that we have had many telephone calls. Indeed, my constituency assistants, Mr. Adrian Dix and Mrs. Sharon Olsen, have listened patiently to a number of people who have been very angry when they have phoned on this matter. We have probably had more calls on this issue than on any other issue, even more than on the capital punishment issue.

My riding is a multicultural riding in the southeast part of Vancouver. Indeed, my riding receives something like 2,200 new citizens a year. I think that is certainly the largest number of new citizens of any riding in British Columbia, and perhaps it is the largest in Canada. Thus there are many people who have a great deal of concern about immigration and who may be recent immigrants themselves or who may want to bring in their families. There is no doubt that no one wants queue-jumping in Canada. Hon. Members have mentioned that already. People want a fair immigration process, as do families who want to bring their brothers and sisters into the country but who cannot. I am pleased that the Minister announced some lessening of the restrictions concerning these people.

This is a Government that has cut back on immigration, contrary to what the Hon. Member who just spoke said. I believe it has cut down on immigration. It has also encouraged other types of immigration. It has encouraged people to buy their way into the country as opposed to bringing in people through the area of family reunification.

As I have said, there is a great deal of concern out there about queue-jumping from people who are immigrants themselves and who want to bring in their families. There is also a concern, and one which I have to deal with in the Vancouver context, and I will deal with it honestly, about violence in the Indo-Canadian community. They see Sikhs coming into Canada and, in some instances, the presence of representatives of revolutionary organizations in the Sikh community. Right across from my constituency office, a lawyer, Ujjal Dosanjh, was beaten up because he was an outspoken moderate. That incident occurred right across from my office.

After that incident there was the assassination of Mrs. Ghandi. There were demonstrations in celebration of that in the streets of Vancouver by a very small group of people. There was also the blowing up of the airline, which resulted in the tragic loss of many families and especially children who were on their way back to India for vacations and family visits. I ask Hon. Members to make no mistake about it, that has inflamed the people in the country, and partly those in Vancouver.

The majority of people in the country do not want the Kalistan issue fought in Canada, or fought from Canada. The great majority of people want to make their lives here in Canada. It is the same with other issues, not just the Kalistan issue. For example, with respect to the Irish issue, we do not want fights in Canada. We want peace in Canada where people can live together in a multicultural society. We all believe in that. Everyone in this House believes in that.

I heard from a colleague of mine from up North who has a Sikh friend who is a postmaster. This man has been a postmaster in a small town for 20 years. Twenty years ago he used to hear comments about a Sikh being a postmaster. Of course, he was accepted into the community because he is a good postmaster and a good person. Now, today, he is hearing comments again in the same vein. So we must be careful with what is happening in the country.

I want to say to the people who have called my office, many of whom have said: "I am not racist but—", that they do not have to apologize. They are not racist when they call in about their concerns. One can have concerns about this issue and not be racist. However, one can also have concerns about it and be racist. But people have called with genuine concerns. I want to acknowledge that.

I think that there is a feeling out in the country that the genuine refugees should be let in and the phoneys should be kicked out. But that is easier said than done when the matter has to be put into law. I want to remind my constituents and Members of the House about some matters which I think are important. First, we are bound by international law. As the Minister said earlier today, refugees are defined as people who flee because of a well-grounded fear of prosecution. We are

signatories to those conventions. We have to deal with refugees who come to our borders. I get the feeling that many of our people do not understand that, that there is this refugee law to which Canada is a signatory. We received an international award, as an Hon. Member just said, for our treatment of refugees. I am told that since World War II we have accepted 500,000 refugees: 40,000 Hungarians, 7,000 Ugandans, 100,000 Vietnamese, and many others. We have always accepted many refugees. Let us not panic that we have refugees. Let us try to deal with the problem within the international context.

• (1640)

My mother once said that your reputation is everything. That applies to an individual, and it also applies to a country. Canada's reputation is everything in the international scene. We have one of the best reputations in the world. We do not wish to lose that reputation. We have to be very careful when we deal with this Bill C-55. Therefore, I am telling my constituents to remember our United Nations and world obligation to refugees, and let us not be stampeded into passing a bad Bill. It is important to examine this law very carefully. I will not go into all the pros and cons of the Bill. It has already been dealt with in debate. I think there have been instances in the House where, by proceeding rapidly with a Bill in a fit of panic, a bad Bill can be produced. There can be another War Measures Act. I do not think that we wish that.

I wish to remind Canadians that we are a nation of immigrants. I am an immigant from Scotland. There are other people from many different countries of the world. The immigrants coming into this country helped to create jobs and made this economy hum after the Second World War. We should not forget that. We should not have the mentality that once we are in will pull up the plank. Let us remember that we still need immigrants. We need honest, good immigrants in a fair system.

I will be a little more partisan here in reminding my constituents that they should not trust this Government. It knew two years ago of the Rabbi Plaut report on refugees. In 1985, in its fifth report the House of Commons committee brought forward recommendations. These abuses have been going on for a number of years. In the House in 1982 I asked a question about immigration consultants. I had recently returned from Hong Kong where I saw and heard about some unscrupulous people who were milking helpless, desperate people who wanted to emigrate to Canada. This problem has been around for a long time. For Members opposite to say that it is the Opposition that has stopped them from acting on this is patently nonsense. The Government has 209 Members of Parliament to our 73 in the Opposition. It is misleading the people to say that the Government could not have done anything with this Bill before and it is all the fault of the Opposition. I think that the Government wanted Parliament recalled to pass the drug patent Bill. In my view, that Bill means that prices will go up for people. The drug patent Bill is a pay-off to Ronald Reagan and the American administration for favours on the free trade negotiations. That is why it is there. The drug Bill is not a popular Bill in this country. It is to pay off the drug lobby and its friends in the United States. I ask my constituents to remember that when they are judging the Prime Minister's (Mr. Mulroney) Government in recalling Parliament.

We will remember that a few months ago the Prime Minister welcomed the Tamils and stated that they were welcome in Canada. Suddenly we have another boatload, this time of Sikhs, and Parliament is recalled. We send the Navy out on a wild goose chase for some other boat that was coming which was found somewhere else. It was a ridiculous situation.

I see this Government recalling Parliament to try to inflame public opinion on this issue to show that it is decisive, so it can try to recover from its abysmal showing in the public opinion polls. My constituents are not fooled by that. They are not stupid.

I wish to say a couple of other general things. Angus MacInnis, who represented the riding of Vancouver—Kingsway, is somewhat of a hero to me because in 1944 he stood up in the House when the Canadian Government was deporting the Japanese Canadians, putting them in concentration camps, and taking their property. He spoke out against what his wife, Grace MacInnis, later told me was a tidal wave of public opinion. I am afraid that sometimes the opinion of our people can be whipped up so that there can be a tidal wave of public opinion that would force us into passing a bad law. As Edmund Burke said 200 years ago, my job is to give my electors my judgment. My judgment is that we should change the immigration system. We must have a fairer system that is quicker; the delays are too long. We have to go against the people who are smuggling. As the Hon. Member for Spadina said, we must watch how that is defined. Are we dealing with sisters of the church who are helping Central American refugees at the border in Buffalo, or are we dealing with guys who are making a buck off a cheap boat from Germany, or unscrupulous immigration consultants? That must be looked at very carefully.

The other thing that Canadians must remember is that this problem will not go away. It is a new type of problem. We now have airlines that take us very quickly from one country to another. TV is around the world, and people can see how wonderful Canada is. There is a Third World debt crisis. Those economies are losing wealth, and they have precious little to lose. There is a lesson here in the sense that maybe through this Canadians can understand that debt problems and Third World development problems are not problems that do not touch Canadians, because they do. They mean refugees and people flowing into our country. In other words, I am trying to say that problem will not go away. We have to pass a Bill. Personally, I am in favour of passing a Bill, but Bill C-55 is not the answer. As the Hon. Member from Spadina stated, Bill C-55 does not send refugee claimants to a refugee board. It denies some principles contained in the UN treaties that we

have signed, and there is another way of doing it. I think that Bill C-55 will be an unworkable Bill.

On February 3, 1987, the Leader of our Party, Ed Broadbent, wrote to the Minister of Immigration supporting a proposal of the Canadian Council of Churches for a refugee determination process. At our national convention in Montreal, the NDP passed a resolution calling for "a refugee determination process that is speedy, fair, and accessible to all, and which ensures the safety of those who seek refuge in Canada". There has been no lack of recommendations: the Robinson task force; the Ratushney report; the Gunther Plaut report; the fifth and sixth reports in November and December, 1985 of the Standing Committee on Employment and Immigration; and the proposal of the Canada Council of Churches. The Government has ignored all this and brought in a bad Bill. It has now brought us back here in a panic because the refugee system is not working.

Our NDP proposal would include a process that could be completed in three months. All claimants would receive an oral hearing before an independent review board within two weeks of arriving. There could be a review of unsuccessful claims on the merits and on the facts perhaps to another board that is right there and that could be called soon. There would be an appeal to the Federal Court only on a matter of law which could be cleared up on another matter in at most three months. Therefore, unscrupulous lawyers would not delay the process and keep delaying it, because that is what lawyers would do. That is the way to have a system. The speed of the process would be a disincentive to frivolous, time-buying, false claims. It would comply with our international obligations, and it would prevent the deportation of legitimate refugees.

I will conclude by saying that this is a weak Government which is trying to gain by appealing to some of the worst fears out there in the country. It has brought in a weak law. Our job is to make it better. That is what we will do in this particular Bill.

I will remind Canadians that we are a charitable, thoughtful, and a civilized people. We are people from all different parts of the world. We have tried to adopt the best of the other countries in the world. We have always had a fair process for refugee claims. At the same time we are listening to what our people are saying on the telephone and in letters.

• (1650)

They want a fair process. They want to kick out unscrupulous people and keep genuine refugees. They do not want the battles of other countries to be fought in Canada; we have enough of our own problems here. They want Parliament to deal with the matter in an expeditious but fair way. That is what we will try to do.

Mrs. Collins: Mr. Speaker, I want to make a few comments on my hon. colleague's remarks. I disagree with most of his speech, but I should like to deal with only a couple of remarks. He is trying, like his colleagues earlier today, to come forward with the pretence that the Government has actually come back to deal with the Patent Act. That is patently nonsense. As I am sure the Hon. Member realistically knows, we are back here to deal with the refugee determination legislation.

Another comment he made—and I have also heard it from other Members on the opposition benches—is that somehow the Government has inflamed public opinion or that we somehow influenced the public to come forward with these concerns. My hon. colleague knows that that is nonsense. Was he out there phoning people, telling them to phone other people about this issue?

The feeling on this issue came from Canadians. They are inflamed and concerned about dealing with refugees. Nobody imposed that on them. I think it came out of their real, honest concern, which leads me to one area where I agree with my colleague.

What he was hearing from his constituents was exactly what I was hearing from mine, that we should let genuine refugees in and kick the phoneys out. That is what we will do with Bill C-55. The very first stage is the pre-screening stage. Those for whom there is no arguable claim—and there are many of them—will be kicked out. We will kick the phonies out. The genuine refugees will have the chance to go through the proper system of hearings, review, and appeal to the court.

We know we are dealing with a six-month hoist, the amendment to Bill C-55 brought forward by the Liberals, which would put it in limbo for six months. When this amendment comes to a vote, would the Hon. Member for Vancouver—Kingsway (Mr. Waddell) tell me whether he is going to vote for a six-month hoist and no action, or whether he is going to vote against it and let us get on with further discussion on Bill C-55?

Mr. Waddell: Let me reply to that, Mr. Speaker.

Mr. Crosby: You are going to vote for it.

Mr. Waddell: The Hon. Member wants to read my mind. Sometimes I have trouble reading my own mind. I am glad he is so adept at doing it.

The Government tried to recall Parliament before. I do not want to get too deeply into this debate—

Some Hon. Members: Oh, oh!

Mr. Waddell: It is a fool's game, because Parliament is already recalled. I do not trust the Government, and I do not think the public trusts the Government. It tried to recall Parliament before for the drug patent Bill. It is dying to get that Bill; it has to get the Bill to satisfy the Americans. We are going to deal with the Bill as Parliament is sitting, so I think it is quite convenient for them to recall Parliament on this matter.

They could have sent a number of officers down there, every officer they had, and dealt with the 174 claimants very

quickly. That was another alternative. Of course they did not do that.

There are allegations that the Department has been leaking documents. I believe the Hon. Member for Spadina has been talking about that.

Mr. Epp (Provencher): There have been no allegations.

Mr. Waddell: Yes, there have been allegations. Let me just explain, Mr. Speaker, that they are confidential documents of refugees who have given statements, in hearings, as I understand it, and suddenly the statements have come out. How have they come out? Who has leaked them? The only people who had access to them were basically government authorities. I call them "allegations", but nevertheless they are there.

Mr. Epp (Provencher): How about lawyers with retainers of several thousands of dollars a day?

Mr. Waddell: The Minister is talking about lawyers with several thousands of dollars a day—

Mr. Epp (Provencher): Think about that before you say those things.

The Acting Speaker (Mr. Paproski): May I interrupt the Hon. Member and say that he is answering the Hon. Member for Capilano (Mrs. Collins). I hope he will answer that question and then, if anybody else would like to ask questions or make a comment, I will recognize them accordingly.

Mr. Waddell: With reference to other comments, there has been a phoney sea search which the Government seemed to orchestrate and which fell flat. We all thought another boat was coming with a lot more people. Where is it? That turned out to be like the *Keystone Kops*.

With respect to Bill C-55, we both agree with the principle, that the genuine ones come in and the bad ones go out quickly. However, I do not understand how the Hon. Member can explain why so many people—and I am not talking about immigration lawyers—who are fairly objective, have experience in immigration, and have dealt with refugees, think that Bill C-55 is a bad Bill. We have received telegram after telegram from groups saying that it is a terrible piece of legislation.

Finally, with respect to the six-month hoist, it is normal as a procedural move to propose a hoist, so the hoist is a no big deal situation. It is normal to do that when we want to oppose a Bill and want more debate on it.

Some Hon. Members: Oh, oh!

Mr. Waddell: That happens in the House of Commons. With respect to my vote, I will let the Hon. Member know which way I will vote when the matter is called for a vote.

Mrs. Collins: I will be watching.

[*Translation*]

Mr. Ferland: Mr. Speaker, I will give the Hon. Member a chance to use our interpretation services.

The Hon. Member for the New Democratic Party referred earlier to the fact that he was pleased with the support he received from the Liberal Senators on Bill C-22. I may remind him that this is a direct attack by the Liberal Senate against two governments in Quebec, the Bourassa Government and the Lévesque Government, that each voted unanimously to urge the Liberal Government to pass legislation protecting drug patents. As I understand it, the Hon. Member for the New Democratic Party supports this attack against the Government of Quebec.

[*English*]

The Acting Speaker (Mr. Paproski): Order, please. I know the Hon. Member is a fairly new Member, but I should like to bring to his attention that he should not reflect upon the decision or what is happening in the other place. I think it is important that he realize that.

[*Translation*]

Mr. Ferland: Mr. Speaker, regarding the subject before the House, which is the migrant problem, the Hon. Member said earlier that he felt the Government had been pretty ridiculous when it detailed ships to patrol our shores and prevent other vessels from landing illegal aliens.

He thinks all our measures were ridiculous. He thinks the Minister's Bill is ridiculous. He told us he did not know whether he would vote for or against the amendment.

I would like to know his real position on Bill C-55. Will he be for or against, will he vote for or against the amendment? Could he be clear and precise and say whether it will be yes or no?

Mr. Waddell: Mr. Speaker, I want to thank the Hon. Member for his question, but I did not say I supported the Senate, and I did not even mention the Senate and what its reaction was to the drug patents legislation.

However, I can say now I think the Senate is right. This is not a good Bill. The result will be higher prices for drugs for Canada's consumers and for my constituents. I am entirely against this Bill, and I say it is a Bill for the Americans, not for the average Canadian.

As far as the Navy is concerned, it was rather confusing because the Government and the Minister said there was a ship out there, but I didn't see any ships, and finally they found one in England. This is a ridiculous situation. I don't know the French expression for Keystone Cops, but in English, it means a situation that is ridiculous and idiotic.

As far as Bill C-55 is concerned, I am opposed to it.

The Acting Speaker (Mr. Paproski): The period provided for questions and comments has now expired. Resuming

debate. The Hon. Member for Etobicoke—Lakeshore (Mr. Boyer).

• (1700)

[*English*]

Mr. Patrick Boyer (Etobicoke—Lakeshore): Mr. Speaker, I listened with close attention to the Hon. Member for Vancouver—Kingsway (Mr. Waddell). Being a product of the Lakeshore, the area that I represent, I am always interested.

I agree with the Hon. Member when he says that we are having a good debate here today on this fundamental question that has seized the concerned minds of so many Canadians, but I fundamentally disagree with him when he contends that Parliament has been recalled this summer in order to fulfil some design of the Government to whip up public frenzy and concern over this issue.

I think the Hon. Member for Vancouver—Kingsway has it completely backward. Parliament has been recalled in order to respond to the pre-existing public concerns, so adequately demonstrated from coast to coast, over the failure of Canada to have at its disposal adequate legal provisions to deal with those who would take advantage of Canada's very generous refugee determination provisions.

One of the things I have learned since being elected to represent Etobicoke—Lakeshore and after listening to people talk about a great many issues is that when one listens to discussions about issue after issue, one begins to appreciate the fact that Canadians are a tolerant people, a very fair people. This is so almost to the point of frustration. One sometimes thinks that Canadians can be pushed to any limits, that they can take almost anything and not respond. However, I have discerned that there is a certain flash point which occurs on an issue when one element emerges, and that element is the perceived double standard.

One quick example of the double standard can be seen in the tax laws. When someone who pulls into a gas station driving a Cadillac has paid less tax than the fellow who pumps the gas, that is seen to be inequitable. That is why Canadians got upset about the tax system. That is why the Government enacted a minimum tax and is introducing a thorough reform of the tax system.

The present example has to do with the refugee determination system. My constituency of Etobicoke—Lakeshore is composed of people from many different backgrounds. A great many of them are to this day still seeking to have family members join them. They are still spending months and indeed years complying with all the formalities and the detailed regulations of the immigration laws of Canada. They, like me, detest the double standard that can operate when others can come to this country and jump to the front of that queue in which they have been standing for months and years. Through distortion of the process, these people seek status here through what is in effect a parallel immigration system.

The figures show that of those who have fraudulently claimed refugee status, next to none have ultimately been deported. In fact, we are looking at an alternate immigration system. It is not the kind of fair and equitable system that Canadians want. That is why legislation has been proposed. It has taken this Government and the previous Government some time to come to grips with how to deal with so difficult an issue as this.

I listened to the Right Hon. Leader of Her Majesty's Loyal Opposition (Mr. Turner) deliver in this Chamber this afternoon a speech that I thought was very befitting of a former Prime Minister. It was balanced and dealt with these concerns, but even the right hon. gentleman was not able to avoid partisan lapses on this issue. He said, for example, that the Conservative Government has created a backlog in deciding refugee claims. That is very, very interesting. Why then was it a Liberal Government that appointed Rabbi Gunther Plaut to study the refugee determination problems which were already in existence long before September of 1984?

No, this is not something about which we can be partisan, no more than the Leader of the Opposition was when he said on July 17 on national CBC television that that boat might well have been apprehended and could have been turned back because this is not a legitimate refugee process. Those were the words of the Leader of the Opposition and I wonder how he could say that on July 17 and make the comments he made today in this Chamber.

I believe all of us should draw back somewhat from partisan temptations to draw this issue too narrowly. Canadians are not looking to Parliament today to be partisan about this issue. Canadians are looking to Parliament today to settle once and for all something that has profoundly disturbed men and women of good faith, men and women who believe that the laws of Canada have some meaning.

Those who obey the laws of Canada, people who worry about getting their tax returns in on time, people who obey speed limits, people who are law abiding, look somewhat askance and, if we are not careful, will soon look with cynicism upon a system that cannot differentiate between those who willingly, knowingly abuse our system and are not being apprehended and dealt with in the way that they should and those who are not. That is why this legislation is before the House. The Government is seeking to respond to this concern.

I believe that the size of this problem should not be underestimated. Just this last week, someone asked me what difference 174 people would make in a country as large as Canada. Quite apart from the legal process and the manipulation of our refugee determination system which is involved in that particular episode, let me address that question.

We are not talking about 174 people. The fact is that so far, this year alone, 16,500 people came to Canada claiming refugee status. While every now and then there may be a bus entering Montreal or a boat landing off the shores of Nova Scotia, the daily reality is the touching down at international

airports of aeroplanes bearing up to 16,500 such people as of August of 1987. There were 18,000 such people last year. We are addressing a situation that is more serious than those numbers would suggest.

I support the Bill because the legislation will protect the genuine refugee. The process will see claims dealt with fairly and quickly. It will prevent abuses.

Some of the features that I find attractive in this legislation include the existence of the independent refugee board, the quality oral hearings, the simplified process and the appeal to the Federal Court. I also welcome the fact that persons who will be excluded from that process under the new legislation will be those who have received refugee status elsewhere, those who may be returned to a safe country, those whose claims are clearly unfounded, those who have previously been rejected by Canada and those who are subject to removal orders.

• (1710)

I am also supporting this Bill because of the safeguards it contains. They include the agreement of a refugee board member, leave to appeal to the Federal Court, and provision of legal counsel. All those requirements of this Bill speak eloquently about the traditions of this country in dealing with refugees in a fair-minded and humanitarian fashion. I do not think any Government has to apologize at any time for trying to ensure that tradition continues.

I was attracted to the suggestion by the Right Hon. Leader of the Opposition when he spoke of this as a global phenomenon and called for a Commonwealth conference on the issue. That idea should be looked at beyond the passage of this Bill because we are dealing with a long-term world-wide situation. The world has definitely changed in many respects since the UN convention on refugees was signed. Since World War II, Canada has welcomed 500,000 refugees. We have a pre-eminent leadership role to play and we can do it by taking up that larger and longer-term question.

Let us return to another element of Bill C-55 which is of concern to some people. With this legislation in place, we will be able to deal swiftly and fairly with those seeking refugee status. They will not be able to stay here for two or three years, during which of course a child might be born or other things happen so that by the time the case is finally heard it is practically impossible to deport them even if the case warrants it. However, the concern is that the invoking of the Charter of Rights by those who have come here seeking refugee status may cause a confounding of the will of Parliament.

As a former chairman of the parliamentary committee on equality rights and having worked closely with the Charter and its provisions, I recognize that it is a safeguard for the rights and freedoms of Canadians in times like this when the winds of passion and political turmoil blow. What concerns Canadians is the consequences of the Supreme Court decision in the Singh case where it was held that any person physically present in this country had access to all the rights and remedies of the Charter. Of course, the wording of the Charter is not that these rights are accorded only to Canadian citizens or landed immigrants. It says they accrue to any individual, to a person. The Supreme Court took an understandable, legally correct, and in fact very broad interpretation of that clause. Yet to see someone come here intending to manipulate fraudulently our refugee determination process and then take full advantage of those guarantees, seems to be more than most Canadians ever bargained for.

I know the Bill does not contain wording that would qualify the Singh decision. That is perhaps a broader issue. However, as parliamentarians we must examine it in that context and it may be appropriate for the Government to refer the question of status and standing under the Charter, and specifically the Singh decision, to the Supreme Court of Canada. It may well be that our Supreme Court justices will welcome the opportunity to clarify the circumstances under which access to the Charter can be had by those who are neither citizens nor landed immigrants. The issue could be given a more complete examination than was possible in the specific fact situation of the Singh case.

I have always summed up my political credo in a very simple way: Fair shares to all, special privileges for none. In that way I try to convey my strong feelings that a double standard is something Canadians do not want, should not tolerate, and must be ever vigilant in fighting against. I have tried in my remarks today to avoid a narrow, partisan approach. I have drawn attention to positive suggestions from both sides of the House. I am here to be the mouthpiece for the men and women of Etobicoke—Lakeshore and also to express my own conscience as someone who is determined to see that refugee determination in Canada continues to meet adequately the needs of those who come to Canada as a homeland for freedom. Those groups who are too quickly critical of this Government's response to the difficultie must sincerely re-examine their positions to see if they are not trying to maintain a system which will sooner rather than later come crashing down.

Such a refugee determination system must, first, last and always, have at its core public support. Once the refugees are in this country, they must be and will be welcomed as Canadians when they are bona fide refugees who have complied with our very generous requirements. To safeguard a bona fide system we must pass legislation such as Bill C-55. We must see that legislation such as its counterpart introduced in this House earlier today is also passed so that we can ensure that the future of this country follows in the tradition which all of us feel is fundamental to what Canada is all about.

The Acting Speaker (Mr. Paproski): Questions and comments.

Mr. Epp (Thunder Bay—Nipigon): Mr. Speaker, I realize there is a great desire to ask questions of my friend from Etobicoke—Lakeshore so I shall be brief. He has endeavoured to suggest there should be careful consideration of certain

matters. He suggested that the Supreme Court of Canada might be asked to reconsider the Singh decision. In his concluding comments he suggested on the other hand, that it is just as well to have a generous attitude and allowing the Charter to apply to all is not such a bad thing, and that we may want to back the suggestion of asking our Supreme Court justices to rethink the question. He also suggested that he was not endeavouring to be too partisan this afternoon and wanted careful consideration of the issue.

Has he given any thought to the possibility of Bill C-55 being given lengthy and very careful consideration by the standing committee under the able direction of his colleague from La Prairie, who I know will not be partisan about this Bill in giving it critical consideration? The committee, which was under the chairmanship of his colleague from Calgary, has done very good and careful work and it might well be trusted to do exactly that with Bill C-55 when the House has concluded second reading consideration.

Mr. Boyer: Mr. Speaker, there were two questions. Regarding the first, I will not change what I said with respect to a further examination of the Singh decision. The time to re-examine that is at hand. I can assure the Hon. Member that my remarks today were well thought through and well considered. I fundamentally believe that, although the legislation before the House does not in any way directly raise Charter questions, that is very much in the mind of Canadians as they view this. They wonder how far, to what extent, and under what circumstances the Charter of Rights applies to people who come to this country. That is why I submitted that one suggestion. It is only one idea.

• (1720)

With regard to the Member's second question, I feel very strongly that both Bills should be considered promptly right here in Committee of the Whole. We have all heard from our constituents on this issue, perhaps more than on any other issue.

The Hon. Member for Vancouver—Kingsway, formerly of the Lakeshore, referred to Edmund Burke and the obligation of Members to use their best judgment for the benefit of their constituents. Each of us had heard loudly and clearly from our constituents and we are quite capable of representing those views here in Parliament. The distilled wisdom of the collective people of the country can be brought to bear here. I do not think we need protracted hearings. I believe Members of Parliament can deal with this. My own personal view is that both Bills should be dealt with right here in Committee of the Whole.

Mr. Berger: Mr. Speaker, I would like to address a comment and perhaps a question to the Hon. Member. He stated that he supports the exclusion of certain refugees from the refugee determination process, namely those who come from safe third countries and those with unfounded claims. He is, therefore, against the idea of universal access to the refugee determination system which was supportd by Rabbi Plaut and the standing committee. Both those reports were in favour of universal access.

Rabbi Plaut's report reflects the broadly established consensus in the community of people who are knowledgeable about refugee law that if we have a process which turns claimants around within three or four months, abusers will not come. It would not be worth their while. The cost to come to Canada would be prohibitive if they knew that three or four months after arrival they will be sent back home.

Rabbi Plaut recommended that we ensure that everybody have access to the system and that there be procedural safeguards to ensure that cases are properly understood and that claimants have the opportunity to prepare their case adequately.

Does the Member think it is fair that Bill C-55, which he states he supports, would require refugee claimants to establish a credible basis for their claim within 72 hours of their arrival in Canada? They are in a new country, the language of which they may not speak and the laws and procedures of which they may be unfamiliar with.

I remind the Hon. Member that Rabbi Plaut studied the question of manifestly unfounded claims and rejected that concept. He said that we should not be screening people out on the basis of the fact that they cannot establish a credible basis for their claim, if you will, within a short period after their arrival but that they should have full access to the refugee determination system. Why does he not support that proper and appropriate principle?

Mr. Boyer: Mr. Speaker, first, I do not believe that one element alone makes a good response to this problem. It may be, as the Member says, that Rabbi Gunther Plaut, representing a consensus on that one issue, felt that determination within a three-month period would largley deter others from coming here and abusing the system. That is not my view.

My view is that that is one element, combined with several others, such as features in this Bill and the counterpart legislation introduced earlier today dealing with detention, determination penalties, and so on, which together provide a package of responses which over-all will have the desired result which we both want, which is that the system not be abused.

On the point that the Hon. Member raised, I have no hesitation whatsoever in recognizing the appropriateness of the safe third country approach. That will be decided by Cabinet. Cabinet will look at such matters as the human rights record of those countries involved and the records of those countries in protecting refugees. These matters are well documented by independent sources such as Amnesty International to which the Cabinet will have access. Indeed, the Cabinet would be receiving advice on these matters from a credible source. That is another reason why I am fully supportive of this.

In addition to that, the screening process about which the Member is concerned will prevent repetive claims. It will ensure that claims from persons who have had an opportunity to obtain the protection of the convention in other countries are not being brought up in this forum yet again.

Although the Hon. Member asked the question, I see that he is now busily engaged in discourse. It may be that on this matter, unlike most others, the Liberals already know what they think and are not interested in listening.

The adjudicator and the refugee division member may also reject a claim where both determine that there is no credible basis for it. This, by any standard, is a relatively low standard. Any arguable claim will be afforded a further hearing before the refugee division.

Those are but a few of the reasons which the Hon. Member, in his quest for further intellectual understanding of this matter, may want to consider further. These have been thought about and are being responded to in the two Bills which are before Parliament and deserve passage now rather than the six-month hoist proposed by the Hon. Member's Party.

Mr. Lewis: Mr. Speaker, the House will know, and I want everyone to know, that we are presently debating an amendment moved by the Member for York West (Mr. Marchi) which reads as follows:

> Bill C-55, an Act to amend the Immigration Act, 1976, and to amend other Acts in consequence thereof, be not now read a second time but that it be read a second time this day six months hence.

I have a very short, precise question for my colleague. How do the people of his riding react to the Liberal motion, supported by the NDP, not even to discuss this Bill until 1988? How do the people of Etobicoke—Lakeshore react to that firm position of the Liberal and New Democratic Parties not even to discuss this Bill until 1988?

Mr. Boyer: Mr. Speaker, this question has not completely caught me by surprise because I have heard the point raised earlier in debate today. In Etobicoke—Lakeshore people are generally very concerned about this and want to see some action. They are not concerned about paliamentary niceties.

I have stressed two things concerning Parliament. I say that the Opposition has filibustered, that the Hon. Members for York West (Mr. Marchi) and Spadina (Mr. Heap) have been filibustering. I assist my constituents by providing the phone numbers of those two Toronto Members so they can phone directly and register their feelings there.

• (1730)

Furthermore, I believe that many of these people in my riding and elsewhere are those who wanted very much to see Parliament address the capital punishment issue. When I am asked why, in view of our majority in Parliament, we do not use closure even if the Liberals are so out of touch that they introduce a six-month hoist and the NDP blindly support that, I say that there is only so much that can go through Parliament at one time, even with closure.

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Ottawa-Vanier (Mr. Gauthier) for a short question or comment.

Mr. Gauthier: Mr. Speaker, when I hear the definition of a filibuster as three hours of debate, I thank you especially for the chance to reply. First, the Bill was introduced on May 3 at first reading and, on June 18, there were three hours of debate. The amendment was moved on June 18.

The Sikhs came in mid-July and we are now in August. What is the Hon. Member talking about? He is trying to be what I would call dishonest with the Canadian public. I suggest that he stick to the facts. The motion was made in good faith on June 18, one month before the Sikhs came to this country. Those Members are exaggerating beyond all belief and scaremongering as they usually do. They are telling us that we should believe what they say. There is no way we can do that.

The Hon. Member did make a positive comment about my Leader's speech when he said that we should ask the United Nations or Commonwealth group to sit down and talk about the international problem of refugee movement across this great planet of ours.

If the Hon. Member supports that view, will he tell us how soon he could convince his Leader, the Prime Minister (Mr. Mulroney), to convene that Commonwealth conference and get on with this very acute world problem of migrants and to discuss with our friends how we will come to an agreeable solution to settle the issue?

Mr. Boyer: Mr. Speaker, in the brief bi-partisan moment of this debate, I would suggest to the Hon. Member that I believe the earliest opportunity would be this fall in Vancouver when the Commonwealth leaders gather there.

I never repeat what goes on in the Conservative caucus meetings because we are not supposed to do so. I always tell my wife that I cannot tell her what goes on in caucus, but she says she does not have to ask because she can read about it the next day in the newspaper. However, without telling the Hon. Member what was said by our Leader in caucus, I can tell him that there is enough on the public record that must clearly make it evident to any discerning Canadian that, above all, the attribute that singles out the Prime Minister is a sense of tolerance and concern for the wellbeing of people. I make that not as a partisan comment but as a very sincere observation of the man.

I believe the suggestion raised on the floor of the House late this afternoon is one that he would find most attractive, most commending and compelling. If he does not read about that suggestion in *Hansard*, I will personally bring it to his attention as an item that might well be on the agenda. It is another issue on which our country is uniquely situated to play

a leadership role. It is a role that must be played because the problem we are facing with these two small pieces of legislation are but the tip of a very significant global iceberg.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, what is so remarkable about questions being asked today by members of the Progressive Conservative Party is that they seem to be labouring under the impression that Canada has a minority Government that is in the hands of the Opposition or, alternatively, they seem to be labouring under the impression that only a few months have passed since they took office. These two strange notions must be put to rest.

Canadians know that there is a majority Government which is not in the hands of 73 members of the Opposition. The Government has the power to act and has exercised that political will on a few occasions. I suggest that 208 Progressive Conservative Members certainly have a strong weight when it comes to a vote against 73 opposition Members.

Second, when one considers almost three years of inactivity, it is peculiar to hear questions raised about the need for action. After all, it was not September, 1986 or September, 1985, but September, 1984 when Canadians gave a majority mandate to the Government. It has had the time to develop its measures and move them through Parliament.

One finds it very peculiar, to say the least, to hear the line of questions by Conservative Members who seem to be oblivious of these two major factors.

It is exactly one year today, on August 11, 1986, when 155 Tamils landed in Newfoundland. It is a very strange coincidence that this debate is taking place today. I find it very interesting and educational to see two pages in today's *Toronto Star* devoted to biographies of some 65 of those Tamils. I will read only the first biographical sketch accompanying the picture of Annamalai Kamaleswaran. It states that Annamalai Kamaleswaran had to leave his family to save it. In Sri Lanka, the 23-year-old Tamil refugee was preparing to study commerce in university but he said that the civil war forced his family to depend on relatives for support. Now Kamaleswaran operates a dyeing machine in a Montreal textile factory 12 hours a day, 72 hours a week, and sends about $500 a month to feed four brothers and sisters, parents and grandparents.

Page after page and picture after picture provide a very interesting human story about the sublime and the difficulty that a newly arrived person goes through when settling in this very hospitable and generous country of ours.

Against this context, it is difficult to understand why the Government would like Canadians to believe that until June, 1987, Bill C-55 was to be the answer to a problem and, second, that the Government would like Canadians to believe that we have a crisis on hand.

I will briefly try to deal with both assumptions by the Government and prove that both claims are inspired by incompetence, confusion, and by near panic.

• (1740)

Let me first deal with the Bill before us today for debate. Between September, 1984 and May, 1985 the Government did nothing. As other speakers have indicated, the Government came to power with the benefit of a number of reports on the question of how to handle the flow of refugees. Individuals and institutions have produced documentation and studies for the benefit of Government, but not until May 5 of this year did the Government bring in a piece of legislation and not until June 18 of this year, if I remember correctly, did the Government decide to put forward for discussion in this House this measure, a measure which certainly raises a lot of questions. We received cables, letters and telephone calls. We made appointments on weekends in our constituency offices to speak to people who expressed their opposition or at least their concerns about Bill C-55. I am sure Members on the Conservative side have received the same kind of signals.

Why did that happen? It happened because in the Bill as drafted certain international obligations of Canada were denied, overlooked or ignored. The appeal procedure was faulty. It was an initiative which really upset and frustrated a lot of people in this field, including church organizations and volunteer organizations which help immigrants and refugees. They all said they did not approve of the notion that Canada should return a person who claims the status of refugee in Canada, after having visited for a while in another country, to a country which is not his or her own and where that person has no hope whatsoever of starting a new life. Therefore this procedure was not acceptable. It was on these three important grounds that our immigration critic asked questions and fought the measure, and then, in understandable frustration, put forward a motion for a six month hoist. That was very understandable.

We have here a credibility gap. It is a gap which reinforces the notion among Canadians that this Government cannot be trusted in what it says. It cannot be trusted when it claims it cannot pass legislation. It cannot be trusted when it tries to make Canadians believe that the Opposition can stop the legislation it puts forward. That is the substance of this credibility gap. There is a credibility gap both in the process and in the content of the measure this Government has attempted to put forward.

The Government has been in power for almost three years and, as I said, the measure it is proposing is being objected to by church organizations and voluntary groups, and it flies in the face of international commitments that Canada has made over decades to other countries.

It was not for nothing that the Governor General of Canada on November 13, 1986, received on behalf of Canadians from the United Nations High Commissioner for Refugees the Nansen Medal in recognition of what Canadians have done to help refugees in previous years. Under the Tory administration I doubt very much we will ever qualify again to receive such an

honour. Her Excellency, on accepting the medal, said, and I quote:

> In accepting the Nansen Medal on behalf of all Canadians, I would like to thank those who made the decision to honour an entire nation for its openness, tolerance and generosity—I must praise the governments, charitable organizations, groups and individuals who have demonstrated the value of sharing and international solidarity . . . Each Canadian taxpayer has had a stake in this process and might view their contribution towards the re-establishment of refugees as an investment in the welfare of humanity.

These are the words of Her Excellency the Right Hon. Jeanne Sauvé, Governor General of Canada. We certainly would not have received that kind of recognition had the Tories been in power in the preceding years, of that I am quite sure.

Let me refer to this notion of a crisis which compels this Government to call Parliament together. The Leader of the Official Opposition (Mr. Turner) earlier punched that inflated balloon down to its real dimensions. In my opinion, if there is a crisis, it is a crisis because of the Government's mismanagement, delays, ineptitude and indecision over almost three years. The Government delayed because it could not act upon three reports and because it yielded to the exploitation of fears in and outside of its own ranks. It is very interesting to learn today about the conflict within the Tory ranks of two Members, the Hon. Member for Etobicoke North (Mr. Pennock) and the Chairman of the Standing Committee on Labour, Employment and Immigration. On the one hand, the Hon. Member for Etobicoke North sent out a letter to his constituents informing them he is angry because he feels that his Government acted responsibly to change the law and, on the other hand—and listen to this, Mr. Speaker, because this is extremely revealing—the Progressive Conservative Chairman of the Standing Committee on Labour, Employment and Immigration in a press release yesterday is quoted as saying, and I quote:

> In May 1987, the Government tabled Bill C-55, a Bill to amend the Immigration Act. It proposes a series of changes to the refugee determination process which would make it almost impossible for many genuine refugees to make a claim, and is in probable violation of both the U.N. convention on refugees (which we have signed and ratified) as well as our own Charter of Rights and Freedoms—

This is not an opposition Member saying this. It is the Progressive Conservative Chairman of the Standing Committee on Labour, Employment and Immigration commenting on Bill C-55. How do you like that, Mr. Speaker? In a press release issued by the Chairman of that committee, a member of the Conservative caucus, he shows he has seen through the smoke and has at least called it the way it is. That is quite an indictment. It points to quite a sham. I congratulate the Chairman of the Standing Committee on Labour, Employment and Immigration for his courage. He unmasked the real substance of Bill C-55. He took seriously his own task and his own commitment as Chairman of that committee.

• (1750)

The crisis is not one engendered by 73 Members of Parliament. It is caused by the measure itself. It is built into it. It has not been criticized by us; it has been criticized by the Chairman of the committee who happens to be a member of the government Party. How do you like that, Mr. Speaker?

I ask myself what the Government's reaction would have been if the boat had been full of Europeans. Have you asked yourself that question, Mr. Speaker? Suppose that boat had been full of people coming from any European country, white people without turbans, without daggers, and without anything with which we are not familiar. Would there have been such a panic? Would there have been such a crisis? Let us be honest. Let us try to ask ourselves that question. Let us try to face that type of intellectual and necessary exercise. If instead that pathetic boat had been a liner full of people with $1 million each applying to be accepted into Canada, what would have been our reaction? Just let us ask ourselves that question. Would there have been a sense of crisis? Would there have been a recall of Parliament to deal with 177 millionaires, white, asking to be admitted?

Mr. Lewis: What was the Liberal reaction in 1943?

Mr. Caccia: Come on, Mr. Parliamentary Secretary, be honest. Ask yourself what your reaction would have been. Get up and speak in this debate. It would be interesting to hear what the answer of the Parliamentary Secretary would be.

I submit to Hon. Members that Canadians should not be misled. It is a valuable service that *The Toronto Star* is playing by informing and educating the public as it does today with respect to what happened exactly one year ago.

Mr. Attewell: Did anyone telephone your office?

Mr. Caccia: Of course I received telephone calls. We all received telephone calls. We received telephone calls with respect to Bill C-55, something that the Hon. Member would have heard me state when I first started my intervention if he had been here. Of course we did.

All Hon. Members will remember how successful the Ugandans were, how successful the Vietnamese people were and how successful the Tibetans were. We all know how successful subsequent waves of refugees will be if admitted to our country. But we cannot prejudge them. We cannot prejudge people before they have had the opportunity to make their cases. Their cases must be made.

In informing Canadians and in ensuring that they are not misled the Government has failed on a very important front. That is to say that it has not made sure that Canadians know and understand that the flow of immigrants is one flow and that the flow of refugees is another. When one refugee is admitted, we are not denying one immigrant entry. That is the task, the duty and the obligation of the Minister of Immigration. He must ensure that this is fully understood. He must diffuse public opinion in this regard in order to remove the fears and to ensure that refugees are not perceived as being competitors to the normal flow of immigrants.

The solution is there, as all Hon. Members know. There is the Plaut report which has been around since the winter of 1984-85, if the Government had had the political will to deal with it. In its recommendations the Plaut report takes into account Canada's international obligations. It emphasizes the importance of a speedy process. It also emphasizes the importance of remembering that in this game there has to be fairness.

I will now conclude my remarks. It was very popular to imprison Japanese Canadians at one time. We do not want to make a similar mistake with the type of legislation that the Government is proposing for speedy adoption at this time. That applies both to Bill C-55 as well as to Bill C-84.

The Acting Speaker (Mr. Paproski): I regret to interrupt the Hon. Member. I have given him an extra two minutes, but his time has now expired. The Chair recognizes the Hon. Member for Windsor—Walkerville (Mr. McCurdy) on a question or comment.

Mr. McCurdy: Mr. Speaker, I have to say that I was in my office when I heard the hon. gentleman making his intervention. I hastened down to the Chamber to identify myself with every word that he has uttered.

Some Hon. Members: Hear, hear!

Mr. McCurdy: Mr. Speaker, my great-great-grandfather on my father's side was one of those who brought not shiploads but row-boats full of refugees from the United States. Among them were my maternal great-great-grandmother and grandfather. When I look at Bill C-84 it is perfectly clear that I would not be standing here before Hon. Members today if this Government had been in power at that time.

Mr. Lewis: That is nonsense!

Mr. McCurdy: It is also clear that in its haste to correct its public image the Government has hastened to identify itself with those who have not given very much thought to the issue of immigration or of refugees as they affect the country. They have deliberately attempted to confuse the two for no other reason than political opportunism.

I listened to the Hon. Member for Etobicoke—Lakeshore (Mr. Boyer). I was amazed at the intellectual contortions that he went through in order to justify the absolutely unjustifiable. How can the Government ignore everyone in the country who has been involved with the question of refugees? There has been report after report. A parliamentary committee has studied the matter. Does the Government do this for no other reason than political opportunism?

I stood in this House and congratulated my country with pride because it won the Nansen Medal. I am ashamed of what the Government is attempting to do. Canadians have legitimate concerns about the abuse of the refugee process. But that is an abuse, as the Hon. Member indicated, that could have been corrected a long time ago without having premised its action on political opportunism and panic.

My question to the Hon. Member is very simple. Can he see any reasonable basis, apart from political opportunism and panic, which would justify, give any intellectual basis or any principled basis to what the Government will do by the introduction and passage of Bill C-55 and Bill C-84?

The Acting Speaker (Mr. Paproski): The Hon. Member for Davenport (Mr. Caccia) can either answer tomorrow or take 60 seconds in which to answer now.

Mr. Hnatyshyn: I can't wait to hear it, Mr. Speaker.

Mr. Berger: If you can't wait, then stick around, Ray.

Mr. Caccia: I can understand why the Minister of Justice (Mr. Hnatyshyn) feels compelled to leave the Chamber. Evidentally, it is getting too hot in the kitchen for him.

There is no reasonable basis, no reasonable argument, that can be made for Bill C-55. That is the reason why, after questioning and after the three-hour debate, our immigration critic put forward his motion with respect to hoisting the Bill for six months. That represents our position. It represents a well thought out position, a position which the Hon. Member for York West (Mr. Marchi) arrived at slowly and gradually in a reasoned and patient manner after having exhausted all the alternatives. At that time that seemed to be the only possible solution to a situation in which a majority Government would not listen to our pleas to make at least two changes. If I remember correctly, two changes would have permitted the passage of the Bill very speedily. But we were faced with a stone wall. That is the reality.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

PHARMACEUTICAL INDUSTRY—COMMITTEE PROCEEDINGS—HEARING OF WITNESSES. (B) MINISTER'S POSITION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I am happy to rise today and address an issue which I had previously pointed out to the Minister of Consumer and Corporate Affairs (Mr. Andre) concerning the effects of Bill C-22 on Canadians from coast to coast. At that time in February of 1987, I brought to the attention of the House the fact that there was a decision reached by members of the legislative committee reviewing Bill C-22, that it was my understanding and belief that the Minister had given a directive to those members of that particular committee in order to prohibit and to prevent the committee from examining

testimony of witnesses from other countries, namely, the United States.

The rationale for seeking the testimony of individuals in the United States has been very clear as a result of the Government's stated intentions with regard to trade and a number of other matters. It ought to be remembered that, with regard to Bill C-22 and the amendments thereto, the Government in the pharmaceutical Act itself is trying to change the Canadian system to make it more in line with that of the United States. Therefore, members of my Party as well as the New Democratic Party supported the motion to seek out the views of individuals in the United States who are familiar with that system, because those of us in Canada, namely, the Government of the day, were trying to move toward that system.

Unfortunately, the government members on that committee refused to hear individuals such as the chairman of the generic pharmaceutical industry in the United States in the person of Mr. William Haddad, a former special adviser to the former President of the United States, John F. Kennedy. They refused to hear the testimony of senior citizens' groups and organizations in the United States who have been fighting and waging a battle to change the American law and to adopt the Canadian law. They believe this law to be in the best interests not only of consumers, but indeed of all people in the United States.

The system that we have here in Canada we, in the Liberal Party, believe very strongly is in the best interest of all Canadians. It underlines the concerns that I have had for quite some time with regard to Bill C-22. The effects of Bill C-22 have been demonstrated by numerous witnesses. To highlight a few, they are: the Royal Canadian Legion; the United Church of Canada; Provincial Nurses' Association of Prince Edward Island; the Health Coalition in my own constituency of Cape Breton—East Richmond; and provincial Governments in Ontario, Manitoba, Alberta, and other provinces. They have all expressed real concerns about the devastating effects that could arise as a result of Bill C-22 passing this House without amendments as put forward by myself, or indeed by the Senate of Canada.

In this short intervention that I make I must remind Hon. Members that prices to Canadian consumers for pharmaceutical drugs will rise dramatically. The Government contends that the Prices Review Board will be of some assistance in controlling those prices. It is not set up to control prices. It is only set up to review something after it takes place. Its authority, both in terms of statute and in terms of precedent under the law, is, to say the least, extremely weak. In fact, constitutional experts have suggested in writing and in public that the Bill itself as it relates to the Prices Review Board is unconstitutional.

• (1805)

The contention made by government Members, particularly the Minister, that the passage of Bill C-22 without amendment will create thousands of new jobs and increased expenditures in research and development has not been proven. Nor have the arguments been sustained by concrete and specific evidence; quite the contrary. I hope the Government will respond in a much more positive and much more reasonable and objective manner.

The New Democratic Party opposed outright any amendment to Bill C-22. We, as the Liberal Party, have stated very clearly that the pharmaceutical Act needs reform. I moved some 40-odd amendments to that Bill, much in line with the recommendations of Dr. Eastman, an authority recognized by the three political Parties in this Chamber.

Those recommendations were supported, I believe as early as a couple of weeks ago, in the form of a signed petition asking the Prime Minister (Mr. Mulroney) to reform the pharmaceutical Act in line with the recommendations of Dr. Eastman, which have been the recommendations of the Liberal Party since day one.

I hope I will hear from the very distinguished Parliamentary Secretary to the Minister of Consumer and Corporate Affairs (Mrs. Bertrand) some positive news from the Government on a very important subject matter.

[*Translation*]

Mrs. Gabrielle Bertrand (Parliamentary Secretary to Minister of Consumer and Corporate Affairs): Mr. Speaker, Bill C-22 was designed by Canadians for Canadians. This legislation will result in tremendous benefits for all Canadians, such as improved health care, heightened research and development activity and greater employment opportunities, to name but a few.

All this will be achieved with the guarantee of reasonably priced drugs for Canadian consumers. Nothing in this Bill runs counter to the interests of Canadians.

A Bill that so closely impacts on the most elemental aspects of the lives of Canadians must be discussed and weighed by those concerned, that is, all the representatives of Canada's various interested sectors.

The reasons, Mr. Speaker, that we are insisting that this issue be debated by Canadians are numerous, and all are legitimate. First, the list of witnesses who appeared before the legislative committee is extensive and impressive. Many of these witnesses are considered leaders in their field. They represent all sectors of the Canadian economy and the opinions they put forward, whether they were for or against the Bill, covered all sides of the question.

In addition, we received numerous highly detailed submissions reiterating the arguments raised by the witnesses, and these submissions were subjected to close scrutiny by Committee members, including the Hon. Member.

As a result, Mr. Speaker, we did not consider it appropriate to hear representatives of other countries discussing what is best for Canada. We have the expertise right here at home to do that. We are firmly convinced that foreign representatives

could not be acting solely in the interests of Canadians. What advantages would they derive from such a gesture? It would also seem odd, Mr. Speaker, to hear representatives of other countries discussing matters connected with our internal policy.

I would like to point out that we are aware of the situation in other countries, particularly in the United States, because of the many studies that have been published on the subject. For example, one such study, the report of the Commission of Inquiry on the Pharmaceutical Industry prepared by Professor Eastman, makes repeated comparisons between Canada and other countries. Furthermore, our health care system and the legislation associated with it are very different from those in other countries. Our own experts are best qualified to discuss these matters.

I find it particularly surprising that Members of the Opposition are pressing to hear representatives of American interests, in view of the fact that, since the Bill was first tabled, they have been accusing us of bending to American pressure. Let me once again stress the need to ensure that this issue of such vital importance to Canadians results in a consensus among Canadians.

• (1810)

[*English*]

HARBOURFRONT—MORATORIUM ON TORONTO WATERFRONT CONSTRUCTION PROJECTS

Mr. Alan Redway (York East): Mr. Speaker, have you ever had an opportunity to visit Harbourfront in Toronto? Now I do not mean the lakefront or the waterfront, I mean Harbourfront.

Harbourfront in Toronto is, as I hope you are aware, Mr. Speaker, a portion of the Toronto lakefront. It totals some 100 acres in size and strtches from York Street on the east to Stadium Road on the west. It is owned by us, by the federal Government. This is federal land right in the heart of Metropolitan Toronto, situated on prime waterfront territory. It is right next to the water as would be connoted by its name, and it is a wonderful place. In fact, it is a magic place.

I can tell by the twinkle in your eye, Mr. Speaker, that you were just kidding me. You really have been there and you think it is a wonderful place as well.

A number of members of the greater Metropolitan Toronto PC caucus and I had an opportunity to tour Harbourfront last Thursday. We were struck by some amazing sights. We saw the playgrounds, the craft programs, the day camps, the art galleries, the theatres, the outdoor restaurants, the shops, the boat charters, the antique market and the gondola rides.

Have you ever had a gondola ride, Mr. Speaker? Perhaps you have had one in Venice, Italy, but I bet you have never had a gondola ride here in Canada. You could have one at Harbourfront, Mr. Speaker.

Over 4,000 different cultural programs go on at Harbourfront every year. I can see that the Parliamentary Secretary is impressed by this as well. You name it, Harbourfront has it. However, it also has something else. It has a lot of development. While we were there, we heard from the residents of the area about this development.

There is every sort of development at Harbourfront. There are old warehouses that have been turned into retail shops and theatres. There are new and old office buildings, there are co-op apartments, condominiums, hotels and every sort of conceivable public and private building. It is that development that has put Harbourfront into a swirl of controversy in my community of Metropolitan Toronto.

It is that development that caused the City of Toronto to put a freeze on development at Harbourfront in the spring of this year and to institute a development review. It was that same controversy that caused our own Government to put its own freeze on development in the spring of this year and to institute a review as well.

When that freeze went on, six particular buildings had already been approved for construction. Those buildings were described by some as being in the pipeline, and now they are referred to as pipeline buildings. They are in the process of going ahead.

Those buildings include a co-op building at 633 Lakeshore Boulevard West, the Konvey condominium at 650 Lakeshore Boulevard West, the Konvey condominium at 11 Stadium Road, the Rampart condominium at 441 Queen's Quay West, the Huang and Danczkay condominium at 385 Queen's Quay West and the Huang and Danczkay link building at 350 Queen's Quay West. All of those buildings are pipeline buildings that were approved, ready to go ahead but caught in the freeze.

The City of Toronto has recently completed its review of the development on the site but it has come out with some interesting findings. In fact, the city Planning Commissioner said the city should allow those buildings to go ahead but only if the federal Government conveys to the City of Toronto 40 of the 100 acres for parkland. It should also at the same time agree to down-zoning future development. In contrast, the city Parks and Recreation Commissioner, disagreeing with his colleague, says they should stop development altogether on 441 and 385 Queens Quay West because they are between the south side of Queens Quay West and the lakefront. They would block the view of the people of Toronto to the lakefront. The city solicitor says that will cost not only the city but the federal Government tens of millions of dollars.

• (1815)

Last night the City of Toronto council looked at all these reports and made a decision. It said all six buildings in the pipeline should go ahead regardless of whether or not they block the view. However, it said 6.5 acres of the parkland should be transferred to the city and we should tighten up the

density requirements there. All of these things were decided last night.

The big question is, what is the federal Government going to do about it? It has had its own review. The Government has always deferred to the city on planning matters. When the city refused something, the Government agreed, or agreed to go ahead when the city approved it. Are we going to lift our freeze now that the city has said we should? Are we going to downgrade the height of those buildings to eight storeys? Are we going to preserve Harbourfront for the people of Toronto, or are we going to see what has been described as a ceramic wall erected between the lake and the people of the City of Toronto? I would like to hear the answers to those questions from the Parliamentary Secretary tonight.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, the Government of Canada is proceeding with a full policy review of the role and mandate of the Harbourfront Corporation in Toronto.

[*English*]

The policy review of the role and mandate is well under way. It will be concluded in September, at which point Ministers will decide what if any changes should be made to the mandate and what if any changes should be made to the existing development plans of the corporation. I ask Members to note that the existing plans were approved in 1981 by all levels of Government, including the City of Toronto, the Metropolitan Toronto Council, the Province of Ontario, as well as the Government of Canada.

Harbourfront has had many successes to its credit. However, in spite of that, public and civic concern has risen in recent months over specific issues, most notably over the seemingly sudden appearance of high-rise residential blocks in an area which people thought would have only medium-height development, as well as the apprehension that promised parkland will not be delivered. Indeed, these concerns were raised here in the House, for example by my colleague, the Hon. Member for York East (Mr. Redway), who presented a petition in the spring identifying concerns of the petitioners regarding the height, density, recreation space and parking requirements of Harbourfront.

To support the federal policy review and the city's land use review, the Government, Harbourfront and the city placed a hold on projects on the drawing boards. I understand the process has now reached the stage where last night city council considered and took decisions on a report from the Commissioner of Planning and that the mayor will shortly be communicating the city's decision to my Minister. I further understand that city council has approved a motion that the six projects affected by the hold on development should be allowed to proceed subject to certain conditions and passage through the city's normal planning and development approval process.

• (1820)

My Minister, in consultation with other Ministers representing Toronto area constituencies and with Hon. Members of this House from Toronto, will want to sit down and consider carefully the city's views, including any possible financial implications of changing the existing plan or modifying Habourfront's role and mandate.

Finally, Mr. Speaker, I wish to say that in my view, while the policy review, the city's land use review, and the hold on developments have created some uncertainties and difficulties, they are basically sound actions on the part of the Government of Canada and the City of Toronto to take the breathing space which has been created and make doubly sure that the Harbourfront vision corresponds to the wishes and needs of the people of Toronto and the millions of other Canadians who will be attracted to visit there.

REGIONAL DEVELOPMENT—NORTHERN ONTARIO—ALLEGED TRANSFERS OF PUBLIC SERVICE JOBS. (B) REQUEST FOR FREEZE ON JOB TRANSFERS

Mr. John Parry (Kenora—Rainy River): Mr. Speaker, my question on the "Late Show" today arises from my question on March 31 which was one of a number of such questions posed by myself and the Hon. Members for Thunder Bay—Nipigon (Mr. Epp), Thunder Bay—Atikokan (Mr. Angus), and Nickel Belt (Mr. Rodriguez) in the period from November, 1986, through June, 1987. We encountered what could politely be termed a lengthy saga of obfuscation, delay and non-information on the part of the Government.

Over the period of seven months during which we were asking about the proposed Northern Ontario Redevelopment Program, we received answers to our questions couched in such terms as "in a few weeks", "shortly", "soon", and "in due course" with regard to when the answers would be available. It was not until July 13 that, in response to months of pressure, the Government finally announced the Northern Ontario Redevelopment Program.

Unfortunately, the announcement was not worth the seven and a half months of wait. The program as announced could only be described as niggardly. Naturally, we in northern Ontario are grateful for any assistance we get and we can promise that it will all be put to good use. However, when we compare the assistance which has been promised in the Northern Ontario Redevelopment Fund, namely, a nominal figure of $55 million over five years, to that which has been promised to other parts of the country, we can see that northern Ontario is again getting short shrift from the Conservative Government.

The program in fact consists of approximately $40 million available for loans, grants, top-ups, et cetra, and $60 million worth of loan guarantees which is equated to $15 million. That works out to a loan loss provision of 25 per cent, which is in itself unrealistic and discriminatory.

Eleven million dollars for a five-year period, $55 million if such is eventually the size of the Northern Ontario Redevelopment Fund, is less than the five months' budget of the provincial Ministry of Northern Affairs. When we compare, on a per capita basis of residents, or on a per capita basis of those who are actually unemployed and to whom obviously the fund is directed in terms of creating employment for them, we see that northern Ontario is receiving significantly less than the other areas of the country which have recently received announcements.

It is not that we begrudge anything going to the Atlantic or the western provinces, but Atlantic Canada, with four times the unemployment of northern Ontario, depending on the method of calculation, will receive between 18 and 25 times the assistance provided for in the Northern Ontario Redevelopment Fund. Western Canada, with approximately ten times as many residents and unemployed, will receive approximately 30 times the assistance. Yet, the geography and the economy of northern Ontario, particularly my own part of northwestern Ontario, is so much closer to that of the Maritimes and that of western Canada as to resemble either of them far more than the economy of southern Ontario. For example, parts of my riding are farther away from Toronto than any capital of a maritime province. There are parts of my riding that are much closer to Calgary, indeed closer to Cranbrook, British Columbia, than they are to the booming economy of the golden horseshoe.

• (1825)

The difficulties which northern Ontario has had to face were aggravated and indeed consisted mainly of the loss of jobs and government jobs in particular. While the Government was answering in the House that jobs were not being transferred out of northwestern and northern Ontario, Departments were cutting employment. These included the Wheat Board, the Department of National Defence, the Canada Employment and Immigration Commission, Indian and Northern Affairs Canada, and also the Crown corporations of CN Rail and Canada Post which have been cutting jobs in northern Ontario.

Yet there are very significant opportunities which this fund must take advantage of in order to build up the employment base that the Government has so far eroded. They lie in gold mining and in construction for the service industry and for the modernization of our great pulp and paper mills. They lie in the infilling of the service sector with particular reference to tying in the economy of native communities with the economies of cities and towns.

Another disappointment is that nothing has happened in the four weeks since the announcement was made. The Solicitor General (Mr. Kelleher), who is the Minister nominally responsible, has not even replied to correspondence concerning proposed nominations to the board, and no civil servant has been named to the staff of the new fund.

The remedies are clear. The budget must be at least doubled. The $15 million budgetary charge against the potential loan losses should be converted to a real allocation against future loan losses, a true loss provision for these loan guarantees. Only by that sort of measure could the Government convince the people of northern Ontario that it is serious about the economic redevelopment of our region.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am pleased to have an opportunity to reply. I want to assure my hon. colleague that the Government is very serious about addressing the concerns of northern Ontario.

Before I give my formal reply, I want to say that I am disappointed that my hon. friend does not appreciate and in fact criticizes the efforts we have made to assist the Atlantic provinces and the West. I want to point out that he does not speak for Ontario when he says that.

Mr. Parry: I did not say that.

Mr. Lewis: All Members from Ontario want to assist the other parts of the country which are economically disadvantaged. We are proud of what we are trying to do for other parts of the country. It is very distressing to hear my friend criticize what is being done for the Atlantic provinces and the West.

The Hon. Member has referred to what we are doing. Let me point out again that we announced on July 13, 1987, a new economic development program for northern Ontario. It is focused on the creation of a special northern Ontario development fund of $55 million and, which my friend conveniently left out, the use of loan guarantees, loans and grants, which has a potential to provide a value of $100 million through the private sector, which, of course, the NDP does not like.

Let us consider the program. It is resourceful, imaginative, original, and flexible. It is not completely government and bureaucrat driven, which I know bothers my hon. friend from the interventionist socialist Party.

We have an advisory board of some 12 private sector leaders who are resident in northern Ontario, not in Ottawa. They will all be from northern Ontario and will provide important local advice on the planning and the programming in order to get northern Ontario directly involved.

It will be of particular benefit to medium and small businesses. We all realize that that is the backbone of the economy and we want to attempt to get away from the one-industry town stigma which too long has hampered development in northern Ontario.

We have established a DRIE office. We will have a local senior official who will have secretarial assistance to the advisory board.

We will make the announcement about the advisory board very shortly. I am pleased that my colleague has offered some

ideas as to who might serve on the board. The fact that he wants to see people appointed to this local board is, in itself, an admission that we are on the right track. While he did not exactly compliment us on it, I am sure that is what he meant when he talked about suggesting names for members of the board.

• (1830)

We think it makes unique use of the entrepreneurs and business people in Northern Ontario. We are going to attach significant importance to the advice we receive from the advisory board. We want this board to advise the Minister of Regional Industrial Expansion (Mr. CÛté) on specific program elements which will include the topping off or enriching of existing government programs so we specifically meet the problems and particular needs of Northern Ontario, which we all realize has been ignored by the previous Liberal Government. I am sure my colleague would join me in those sentiments.

There is a great deal more I could say. I have as much time as you have, Mr. Speaker. I know you would like to hear all of this.

The Acting Speaker (Mr. Paproski): I would appreciate hearing about it but I think we will try it again another time.

[*Translation*]

The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.31 p.m.

HOUSE OF COMMONS

Wednesday, August 12, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

THE CONSTITUTION

OPPORTUNITY TO AMEND MEECH LAKE ACCORD

Mrs. Lucie Pépin (Outremont): Mr. Speaker, in answer to a question I directed to the Minister of Justice (Mr. Hnatyshyn) yesterday concerning the equality of women and minorities in this country with respect to the Constitution and the Meech Lake Accord, the Minister of Justice responded by urging me to consider my position and added that, according to Government legal advisors, the rights of women are not in any way diminished by the Meech Lake Accord provisions. Allow me to differ, and I am not the only one because a number of constitutional lawyers share my view.

Again I want to ask the Government to bring in an amendment to clarify this text. Naturally I am somewhat surprised that the Government would not take appropriate action because one must remember the saying: Where there is a will, there is a way. I think this is a very important question about which the Government should do something.

I would simply point out that if women are left to take this matter into their own hands the Government might very well have a surprise, as was the case in 1981.

* * *

[*English*]

WAR CRIMINALS

SUGGESTED REFERRAL OF BILL C-71 TO COMMITTEE

Mr. Alex Kindy (Calgary East): Mr. Speaker, I hope that the Government will be courageous and just and use due parliamentary procedure to send Bill C-71 to a legislative committee after second reading, and at the same time follow the recommendations of the Deschênes Commission.

Our majority Government should show Canadians that we are not only interested in dealing with past war crimes from the Second World War but also with those current ones being committed in Afghanistan, the Middle East, Cambodia, and Central America, as well as crimes against humanity which might occur in the future.

Twenty years from today we would not want hindsight to show Canadians that our motives for bringing in this legislation were wrong.

* * *

• (1405)

EXTERNAL AFFAIRS

CENTRAL AMERICA—SUPPORT URGED FOR PEACE PLAN

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, in a remarkable achievement the Presidents of the five Central American republics have agreed to a broad peace plan for their tragically troubled region. This plan, introduced by the President of Costa Rica and within the context of Contadora, should be enthusiastically endorsed by Canada.

Canada has long supported Contadora and Latin American solutions to the crisis in Central America. Canada should offer verification resources, funding, and other support for the implementation of the plan and any cease-fire and military disengagement.

Canada should offer to observe any cease-fire, as well as any future elections, if invited to do so. Canada could also offer to host the urgently needed resumption of bilateral talks between the United States and Nicaragua. The Prime Minister (Mr. Mulroney) has clearly stated that Canada opposes the supply of arms to any faction in the region. Canada should continue to make this clear, and in particular should object to any renewed U.S. funding for the Contras.

* * *

HISTORIC EVENTS

ANNIVERSARY OF BATTLE OF DIEPPE

Mr. Lee Clark (Brandon—Souris): Mr. Speaker, although for many people August is traditionally a holiday time when public issues are often ignored, I sincerely trust that Canadians will pause for a moment to remember that August 19, 1987,

marks the forty-fifth anniversary of the Battle of Dieppe, an event that should never be forgotten.

Although as a young historian I stood on the beaches of Dieppe, we who were not there at the time will never be able to fully appreciate what was asked of those 5,000 members of the 2nd Canadian Division who went ashore despite the fact that all of the advantages were enjoyed by the enemy.

While military historians continue to argue about the merits of the Dieppe raid, the harsh fact remains that only 2,200, including 600 wounded, of the 5,000 returned to England. Over 900 were dead, the rest were prisoners of war.

Therefore, Canadians of all generations should remember and acknowledge those who, 45 years ago, were prepared to sacrifice all so that we today could enjoy the many privileges and freedoms which we all too often take for granted.

* * *

[*Translation*]

NATIONAL CAPITAL COMMISSION

TRAGIC DEATH OF PUBLIC SERVANTS—GOOD WISHES FOR ACCIDENT SURVIVORS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, a week ago today, this country lost four of its dedicated public servants.

I am referring to François Gascon, Robert Paradis, Richard Lemay and Jennifer Morden, all employees of the National Capital Commission, who lost their lives in a tragic accident on a highway in New York State while working on a campaign to promote this country.

Sadly, we are powerless to soften the impact of this painful loss on the fathers, mothers, husbands and wives, children, brothers and sisters, friends and colleagues of those who died. On behalf of all my colleagues and of the entire country, I can do no more than extend our sincere condolences and express our feelings of deepest sympathy.

As for Anne-Marie Leclerc, who was seriously hurt, we hope that the prayers of her family will give her the strength needed for a prompt recovery. And of course I must not forget Nathalie Charron, who, although she was physically unharmed, will always carry the memory of this tragic accident that stunned people across Canada.

I want to invite the people of Ottawa—Vanier and Ottawa—Carleton to attend the funeral service at Ottawa's Notre-Dame Cathedral, to honour the memory of these upstanding public servants.

POLITICAL PARTIES

ATTITUDE OF LIBERALS

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, unless they can be persuaded to change their minds, the appointed members of the Senate will refuse to pass Bill C-22, the legislation on drug patents.

The Senate's attitude is due to the firm grasp on that body exercised by an influential Liberal, a former member of the Liberal Cabinet and one of the prominent party members who are challenging the leadership of their present Leader.

May I suggest that if their party is to survive, Liberal Senators should have the political sense to respect the mandate of the elected Members of this House. Otherwise, in the next election, Canadians will eliminate what Liberals there are left.

And if the Liberal Senators insist on committing political suicide, the unfortunate result would be that the Socialists would form the Official Opposition in this House, unless the old Liberal clique decides to lean to the left as well.

Great Britain buried its Liberals. I don't think Canadians should do that.

* * *

[*English*]

CHILD CARE

ADOPTION OF NATIONAL STANDARDS ADVOCATED

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, yesterday the Government's long awaited response to the Special Committee on Child Care was due. It is an innocuous two-page document which was not even tabled, and it states nothing of substance. It alludes to a national strategy on child care, but it gives no clue to what this strategy will be. There is no statement of federal objectives for a national child care program which is essential for negotiations with the provinces.

• (1410)

Surely, after two years of unnecessary delay, the Minister by now could have at least established national objectives for a child care program that is accessible in all regions of Canada and to families of all incomes, that is comprehensive, with a range of flexible child care services, and provides guidelines so that federal funding will go only to licensed, quality child care services.

Another broken promise from a Government that cannot be trusted.

IMMIGRATION

ABUSE OF ENTRY REQUIREMENTS CONDEMNED

Mr. Gordon Taylor (Bow River): Mr. Speaker, Canadians are angry. Canadian sovereignty has been abused and the Canadian nation literally raped by foreigners arriving in our land, unannounced, and immediately demanding the rights accorded to Canadian citizens.

The laws and treaties that permit this abuse do not represent the thinking of the vast majority of Canadians. If any of these are genuine refugees, they should know enough to seek proper admittance, and not sneak into the country. The so-called refugees who destroy their documents and lie about their status and pay large sums of money to smugglers should be shipped back to whence they came. To give them any consideration at all is an affront to Canadians and to the people who seek entry legally.

I commend the Hon. Ministers of Immigration for introducing Bill C-84, for it reflects the thinking of the vast majority of Canadians. The bleeding hearts may howl, but the vast majority of Canadian people will applaud. "Bravo", I say. "Now we are seeing democracy at work."

* * *

[*Translation*]

TRADE

NEGOTIATIONS WITH UNITED STATES—DEMAND THAT AGRICULTURAL QUOTA SYSTEM BE RETAINED

Mr. Don Boudria (Glengarry—Prescott—Russell): On August 4, 1987, Mr. Speaker, the Canadian Federation of Milk Producers sent a letter to the Minister for International Trade (Miss Carney) in which they stated:

> Milk producers the world over are extremely concerned about the deteriorating situation of worldwide trade in dairy products. World supply exceeds demand.

Further I read:

> World leaders in the dairy production sector advocate that production cutting mechanisms be maintained and strengthened, including quotas, early retirement programs as well as herd buy-back and price adjustment programs, so that world market prices may again become profitable.

Mr. Speaker, it is therefore important that the Minister for International Trade should clearly indicate to the House that the existing quota system will not be put on the block in the trade negotiations with the United States of America. Canadian dairy producers need that assurance now, Mr. Speaker.

S. O. 21

[*English*]

IMMIGRATION

SUPPORT FOR AMENDING LEGISLATION

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, it would be difficult to overestimate the amount of frustration that exists in my riding of Niagara Falls, and I believe across Canada, on the subject of Canada's refugee determination laws.

Canadians have felt abused and frustrated that people are systematically taking advantage of Canada. Therefore, I strongly support Bill C-84, a Bill which will bring some common sense and reasonableness back into the system.

The new measures, combined with Bill C-55, send a clear message to the world that Canada will not be taken advantage of.

At the same time I am disappointed and dismayed to see once again that the opposition Parties will be opposing the Government in its attempt to move this quickly through the legislative process. That is unfortunate for them, because all Canada is watching this debate.

* * *

STATISTICS CANADA

INCREASED CHARGE FOR COMPUTER READABLE DATA

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I wish to draw attention to the Government's policy on reducing access to computer readable products from Statistics Canada.

The cost of 1986 computer readable census products which are still available has increased between 1,567 per cent and 9,900 per cent in three years. Canadian census products at some small area levels will cost $2,500 per file; comparable U.S. census data costs $175.

The cost of doing business in Canada will be severely affected by this increased cost of vital information. However, probably even more important, academic research and teaching will no longer be able to afford to use current Canadian data for the study of Canadian society but will be forced to use old data or U.S. data. It will be impossible to subject government studies to peer review for lack of affordable data.

The principle of government collected information as a public good is explicitly stated in federal legislation and policy statements. Even the Nielsen task force did not go this far in cost recovery. The Government has gone too far in restricting this information.

Oral Questions

LABOUR RELATIONS

POSSIBLE RAILWAY STRIKE—EFFECT ON EDMONTON

Mr. William G. Lesick (Edmonton East): Mr. Speaker, if there is one thing that Canadians, especially Edmontonians, do not need it is a strike by railway workers. Edmonton is experiencing high unemployment. A very large financial institution has declared bankruptcy, affecting some 100,000 or more Albertans with a potential loss of their savings. A tornado that went through Edmonton caused loss of life, loss of approximately 1,000 jobs and almost a quarter billion dollars in damages. A railway strike will seriously and adversely affect Edmonton's many businesses and their employees.

• (1415)

Surely there is a better method of dealing with labour disputes than strikes or lock-outs. In the past, all railway strikes have always been settled so why not settle the dispute before a strike? It makes common sense to Edmontonians and to Canadians to settle now.

On behalf of Edmontonians and the people of Canada, I urge Canada's two major railways and the affected unions to arrange a settlement immediately and peacefully.

* * *

ROAD SAFETY

INSTALLATION OF AUTOMOBILE LAP-SHOULDER BELT SYSTEMS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, the Canada Safety Council met in Toronto in late June for its 19th annual conference. The following motion was adopted:

> That the Canada Safety Council urge Transport Canada to make adjustable lap-shoulder belt systems in rear outboard seating positions available as standard equipment in passenger vehicles by no later than model year 1990.

The Safety Council is also asking the Government to require car makers to produce lap-shoulder kits to install in older cars.

These recommendations demonstrate once again the need for better protection for car passengers and reinforce the Government's mandate to see that all Canadians, be they front-seat or rear-seat passengers, benefit from maximum protection.

The Canadian Safety Council is to be commended for its foresight in this security matter.

PROVINCIAL AFFAIRS

NORTHERN ONTARIO—CRITICISM OF PROVINCIAL GOVERNMENT POLICIES

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, after 27 months of Liberal-NDP rule in the Province of Ontario, we can see firsthand the havoc northern Ontarians have suffered. The communities of Temagami, Latchford, Elk Lake and River Valley have had their fill of the Premier's politics.

Recent decisions by Queen's Park to limit new wood supplies in the southern Timiskaming region are irresponsible to the businesses and the people of the area. They are about to cause great hardship, especially the decision to halt the construction of the Red Squirrel access road extension.

Almost 15,000 direct and indirect jobs are in jeopardy due to the insensitivity to northern Ontarian concerns of the Premier and the Minister of Natural Resources. In fact, next month 180 workers at Temagami's William Milne and Sons sawmill could be on the unemployment lines. This is not acceptable. I call on the Premier to respond to the needs of the southern Timiskaming residents and to listen to the people whose livelihoods he is playing with.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—OFFER OF BRIEFINGS—GOVERNMENT PRIORITIES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, last week the NDP asked for some secret, private, cosy briefing from the Minister for International Trade on free trade and the Minister has leaped at that opportunity and has now given that offer back to the NDP. However, we understand that that corner of the House has some trouble in making up its mind.

I believe that all Canadians have a right to know what is on the Government's mind. All Canadians have a right to know what is at stake in these free trade negotiations, including brewery workers whose jobs are on the line, farmers who feel threatened by these negotiations, and yes, automobile workers who get a different answer every time the Minister speaks. In light of this, when will the Minister for International Trade release those secret studies that indicate which industries will be harmed by these negotiations?

When will the Minister for International Trade set out in detail what exactly are the priorities of the Government in its negotiations with the United States?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Right Hon. Member points out that I did write to

the Leaders of both opposition Parties to offer them a briefing as we enter the crucial last stage of the negotiations. They are both Privy Councillors. We have offered similar briefings to the Premiers and to the 300 members of our sectoral advisory groups. They have always respected the confidentiality of those briefings. We expect no less from the Leaders of the opposition Parties. The Right Hon. Member has rejected that, and it is under consideration by the Hon. Member for Oshawa.

• (1420)

As to the agenda of the talks, I again refer the Hon. Member to the debate we held in this House on Monday, March 16, 1987, when I and other members of this Government set out in great detail the agenda of the talks and the Canadian objectives. I recommend he go back and read the *Hansard* report of that debate.

Mr. Turner (Vancouver Quadra): I reread the Minister's speech and there is nothing in there to guide Members of this House or the Canadian people generally.

CANADIAN POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Conservative Government and the NDP may believe they can participate in a conspiracy of silence but we believe all Canadians have a right to know what is happening in these negotiations. We admit we know some things. We know the Government has given in to the Americans on foreign investment, lumber, pharmaceutical patents, and book publishing. What we would like to know from the Minister is when we are going to get something in return and what we are going to get?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, since the Right Hon. Member is not taking advantage of my offer for private briefings, I suggest he should wait until October 5 to find out the answers to his questions.

May I point out that in my speech of March 16 I said, to quote *Hansard*, "Let me deal with the agenda of the trade talks". I then dealt with it and referred to tariffs. I said non-tariff barriers are on the table, as well as Customs matters, subsidy-related measures, dispute settlement mechanisms, intellectual property and trade-related investment. I spelled it all out. I again suggest the Right Hon. Member read the *Debates* before he continues this frivolous line that we have not debated and discussed in public what we are dealing with in the free trade talks.

[*Translation*]

GOVERNMENT ATTITUDE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I repeat that the Minister was not clear at all in her speech, and I read it twice. At least the American Government was open and honest about its claims. It submitted in writing a list of what it expected of the Canadian Government. It was published in an official document that is before the U.S. Cabinet. It wants to see our breweries, the Canadian Wheat Board and our drug legislation disappear, it wants changes in the Bank Act, in our procurement policies, our postal rates and our social policies, to name only a few. The Americans are not afraid to reveal their priorities to their people. Why should our Government be different? Why isn't the Canadian Government open and honest with Canadians during these talks?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I suggest the Right Hon. Member go back and consider the motion we presented in this House and which we voted in favour of. That motion said:

> That this House supports the negotiation of a bilateral trading arrangement with the United States, as part of the government's multilateral trade policy, while protecting our political sovereignty, social programs, agricultural marketing systems, the auto industry, and our unique cultural identity.

We distributed copies of *Hansard* to the Hon. Member. Why does he not read the material presented to him?

* * *

REFUGEES

TERMS OF PROPOSED LEGISLATION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Minister of Immigration. For some two and a half years now our Party has been calling on the Government to stop the abusive and profitable scams of smugglers and consultants who continue to traffic in human beings.

Under the new refugee legislation just tabled the Government would have the power to fine or put in prison any individual Canadian, group, or church leader who simply assists refugees. How can the Minister justify making the actions of a priest, nun or layman who genuinely helps individuals in need, an act of civil disobedience? Will he not agree that he has gone far beyond what was required? Will he agree to amend the legislation so that it can target the real abusers and exploiters, not those who give of themselves for the betterment of their fellow human beings?

• (1425)

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, this is the first time the Hon. Member has spoken to the subject in the House of Commons.

An Hon. Member: Not true!

Mr. Bouchard: I am going to refer to what he said today, but if I look at the statements he has made for the last three weeks with the Leader of the Opposition, I think we are in for some surprises, because there are four, five or six different versions. However, I am not going to quote the Hon. Member but I want to ask him, before all Canadians, exactly where the

Liberal Party stands on the refugee question. No fence sitting, no statements about putting them out of the country, no statements about . . . I now ask publicly, in the presence of all Canadians that the Liberal Party tell us whether it is for or against the legislation aimed at returning phony refugees.

[*English*]

Mr. Marchi: Mr. Speaker, it is a sad day. I think Canadians are ashamed of having a response to a serious question—

Some Hon. Members: Oh, oh!

Some Hon. Members: Question!

Mr. Speaker: The Hon. Member for York West has the floor. I know he will be given the courtesy of having his question heard.

Mr. Marchi: Mr. Speaker, the Minister should ask for the response of the Right Hon. Prime Minister who has prejudiced the matter by calling these people illegal aliens before due process. The Minister should get his own responses before arrogantly asking the responses of others who have clearly put their position on the floor of the House of Commons.

Some Hon. Members: Hear, hear!

PUNITIVE MEASURES

Mr. Sergio Marchi (York West): With your indulgence, Mr. Speaker, I will return to the Minister. Does the Minister not realize that the legislation provides that a priest helping a group of ten refugees out of charity and compassion could be liable to the same $500,000 fine and the same ten-year prison term as would be applied to a consultant who charges $10,000 a head and dumps the people on our shores?

How can he possibly make these two radically different actions, one for immoral profit and one based on human compassion, the very same under the letter of his law introduced yesterday?

Some Hon. Members: Hear, hear!

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I will let Canadians answer my friend. On July 13, 1987, my friend said:

> We have to deal stringently with those culprits who are responsible. That's the frustration—a lot of Canadians had in terms of people like—who takes advantage of the system and gets away scot-free.

Some Hon. Members: Exactly.

Mr. Marchi: That's our position.

Mr. Bouchard: I want to tell my friend today that he will have—

Some Hon. Members: Hear, hear!

Mr. Speaker: Order. The Hon. Minister.

Mr. Bouchard: Mr. Speaker, I have another wonderful quote from my friend himself. He said:

> What about the most recent smugglers in Halifax who were sentenced to the maximum fine and a year in jail for bringing in the Sikhs? What if they are deemed legitimate refugees at a hearing? Should we have punished the captain who saved their lives by bringing them here?

That is what you are quoted as saying in *The Globe and Mail*. Where do you stand, please?

• (1430)

Some Hon. Members: Hear, hear!

Some Hon. Members: Shame!

Mr. Gauthier: You should be ashamed of yourself.

Mr. Speaker: The Hon. Member for Yorkton—Melville has the floor. I know that there are strong views on both sides of this issue, but I am sure that all Hon. Members will want to give each other a proper opportunity to ask questions and give a proper opportunity as well for Ministers to reply. I am sure that after Question Period those Members who wish to carry on a separate discussion with each other can take advantage of the appropriate rooms and places for that. The Hon. Member.

* * *

WESTERN DIVERSIFICATION FUND

USE OF MONEY FOR PROGRAMS AND PROJECTS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. It concerns the Western Diversification Fund recently announced by the Government. As the Prime Minister is aware, many western Canadians are suspicious that this might be a second curtain call of the empty Liberal Western Development Fund of Allan MacEachen in the early 1980s.

Some $79 million has been taken out of the fund for the South Moresby National Park and another $54 million for the Salmonid Enhancement Program. Western Canadians want to know what other previously announced or existing government programs, projects, or initiatives will be paid for out of the Western Diversification Fund? Just how much of that fund has already been committed to previous government programs and how much money will be left for small business and new projects?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I am surprised that the Hon. Member now takes the opportunity to criticize the Liberal initiative which he supported at the time it was announced. The initiative that was announced by the Right Hon. Prime Minister is different in several ways. First, the initiative has the support of a Prime Minister who cares about western Canada.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh!

Mr. McKnight: Second, it has the support of ten Cabinet Ministers from western Canada as well as the western caucus.

I would also point out to the Hon. Member for Yorkton—Melville that it was endorsed by four Premiers representing three political Parties in western Canada. The establishment of the initiative in western Canada, with a well respected Deputy Prime Minister to put forward the views of western Canadians, to be responsible for the diversification and the strengthening of the western economy, is something that I thought the Hon. Member would have supported.

Mr. Nystrom: Just like Allan MacEachen, he is dodging the question.

SOURCE OF FUNDING FOR PROJECTS

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, western Canadians want an answer. On CTV's *Question Period* on Sunday, the Minister said: "If the program and the project would fit within an existing government department or existing government program, then they will be guided to that particular program". In light of that, will the Minister explain now to western Canadians why the money for the Salmonid Enhancement Program did not come from the Department of Fisheries and Oceans and why the money for a national park did not come from the social policy reserve fund? Why did the money for both these projects come from the Western Diversification Fund?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, the Hon. Member is quite correct. The $1.2 billion is new money. That means that for expenditures on the A basis, the budgets of those existing Departments, would be used first, naturally. Is the Hon. Member suggesting that the $1.2 billion should substitute for the billions of dollars that already go to western Canada in energy, transportation, and CEIC? Is that the stand of the New Democratic Party?

Mr. Nystrom: We are asking for new money, not money that has been previously committed from other government Departments. The Minister knows that and is afraid to answer the question.

ALLOCATION OF FUNDS TO PROVINCES

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, I will try again. The Minister said recently that the money would not be allocated on a per capita basis in western Canada. How much money will be allocated to the Province of Manitoba, how much money will be allocated to Saskatchewan, how much money to the Province of Alberta and how much money to British Columbia? Western Canadians want to know.

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, I am not sure, but maybe the Hon. Member would like it by municipality, too.

Some Hon. Members: Oh, oh!

Mr. McKnight: My colleague comes from the same province as I. He must recognize that there are initiatives that can be taken in Manitoba that strengthen Saskatchewan, Alberta and British Columbia. There are initiatives taken in British Columbia that can strengthen the other three provinces.

To devide the fund and make it on a per capita basis goes against what the region of western Canada expressed through its Premiers. The Premiers wish to have the opportunity to build on the strengths of their provinces. The men and women wish to have that opportunity.

The Member criticized the Salmonid Enhancement Program.

An Hon. Member: Rubbish. That is not true.

Mr. McKnight: That is not what the critic for his Party said. He encouraged my colleague, the Minister of Fisheries and Oceans, to provide more money. Naturally, that will build on the strengths of the fishery industry in British Columbia and we intend to continue to do that.

* * *

FINANCIAL INSTITUTIONS

PRINCIPAL SAVINGS AND TRUST BANKRUPTCY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Minister of State for Finance. As a result of First Investors and Associated Investors going bankrupt, and now the difficulty with Principal Savings and Trust, and the effects those companies have on some 60,000 Canadians, there are major questions concerning the integrity and incompetence of the management and directors of those companies, as well as the role that Governments have played or have failed to play in this entire exercise.

When did CDIC first become aware of the difficulties in which Principal Savings and Trust is now involved? What was the extent of the investigation that was subsequently launched? What does he intend to do with those individuals who may have been in breach of the law? Finally, will the Minister not now table for the benefit of all Canadians the report that he has in his possession from officials of CDIC regarding this most important financial matter?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am glad the Hon. Member has been a little more careful than yesterday in asking his questions. The effect of what he was asking yesterday was really to mislead the Canadian people. Essentially, he said that the Canada Deposit

Insurance Corporation was not applying a stamp indicating that these investment contracts were not insured. In fact, those stamps were on those contracts. The Hon. Member should know that and not give an impression otherwise.

In response to today's question, the Principal Group is made up of 30 companies. One of them is federally insured by the Canada Deposit Insurance Corporation. There were two investment contract companies which began to bring the whole group down when they fell into trouble.

Beginning in 1983, Canada Deposit Insurance Corporation closely monitored the one institution for which it was responsible, the trust company. It did so to such an extent that the assets of that company were forced to be in a very liquid position. As a result, that particular company will find that CDIC will be able to cover almost all of the losses, and the liquidity of that particular trust company can be traced back directly to the close monitoring of the CDIC month by month.

• (1440)

REPORTED TRANSFER OF FUNDS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, what I said yesterday and what I say again today is there are obvious and apparent linkages between the four companies which have been named in the House of Commons. With regard to Principal Savings and Trust, is the Minister aware it has transferred funds to First Investors Corp. Ltd. which, by the way, had no business address, no letterhead of its own until 1986, operating under the auspices of Principal Savings and Trust? Was he aware of that? And would the Minister not admit he was informed of that information by registered mail on July 16, 1987, to officials of CDIC?

I ask the Minister, for the confidence of those investors and all those Canadians, will he not now tell us the full extent of the investigation? And will he not now make it public so we can all see whether integrity and competence are with the management and directors of those companies involved? Or are you going to continue to mislead Canadians in this regard?

Mr. Speaker: I am sure the Hon. Member feels very strongly that this matter should receive the attention of the Minister and the Minister should respond fully, but I ask all Hon. Members to be careful of how they express those wishes in a preamble.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the communications of the Canadian Deposit Insurance Corporation with its member institutions are, of course, confidential. They are like medical records. The whole system of insurance would not work in any other way. The Hon. Member knows that.

In terms of the future, I direct the Hon. Member once again to the policy of December 18 which will put in place a new corporate governance scheme, independent directors, and new committees which will monitor these events, preventing in large measure the very problem we are talking about today. In addition to corporate governance, we have a policy of prudential investment rules which will prevent the kinds of investments which I think largely contributed to the problems this group faced.

PRINCIPAL GROUP—INVESTIGATION QUERY

Mr. Simon de Jong (Regina East): Mr. Speaker, my question is also directed to the Minister of State for Finance. In early July I attended a meeting of well over 1,000 angry Principal Group investors in Regina. Many of them believed they had invested with Principal Trust but later discovered the money had in fact been channelled into the two other uninsured subsidiaries of the Principal Group, First Investors Corporation and Associated Investors.

Is the Minister or the Department of Consumer and Corporate Affairs investigating possible fraudulent representation made by Principle Group? If so, are they prepared to lay criminal charges?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I thank the Hon. Member for his question. There have been allegations of misrepresentation and I am looking into them. I am also informed that the British Columbia Government has issued a writ under the B.C. Trade Practices Act against the two investors groups, the Principal Group and the Principal Trust Company, relating to possible misrepresentation.

I can tell the Hon. Member that the contracts the customers eventually did sign were clearly marked that they were not covered by CDIC insurance, in letters which were five times the size of the rest of the contracts. Whether there was misrepresentation leading up to the signing of contracts, I am inquiring into that. As I said, there are also other actions under way asking the same question.

REVIEW OF DOCUMENTATION

Mr. Simon de Jong (Regina East): Mr. Speaker, my supplementary question is directed to the same Minister. At that Regina meeting there was a representative of the Department of Consumer and Corporate Affairs who invited the people attending that rally, the investors who had lost money, to send in their own personal experiences, the documentation they had received from sales persons from the group. Surely the Minister must have these by now. Surely he is in communication with his colleague, the Minister of Consumer and Corporate Affairs. They must now be in a position to have reviewed those documents and those allegations.

I, too, have received letters full of allegations. Surely the Minister must now be in a position to state whether there was in fact criminal wrong-doing and whether the Government is ready to act to ensure that what occurred will never again—

Mr. Speaker: Order. I think the Minister could probably find a question in that preamble.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Minister of Consumer and Corporate Affairs and I will be meeting on this matter this week. Our response will be made known to the House very shortly.

* * *

THE ADMINISTRATION

PARKER COMMISSION REPORT

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Minister of Justice. I would like to ask the Minister to confirm that the Government has received in at least a preliminary version the report of Mr. Justice Parker into the investigation of conflict of interest involving the former Minister of Regional Industrial Expansion.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I cannot confirm that because I am not aware of the fact we have received it.

REQUEST FOR PUBLICATION OF REPORT

Hon. Bob Kaplan (York Centre): Mr. Speaker, will the Minister check to see whether a copy has been received? And will he undertake that the report he receives from Justice Parker will be made public in its original version without editing or censorship?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I take it the Hon. Member asks his question as the expert of the Liberal Party on censorship so I will only receive the question on the basis that I will make inquiries. These matters are under the aegis of the Privy Council office, being under the Public Inquiries Act. I am sure that if the preliminary report is to be received, I will be apprised of that fact and I will make the Hon. Member aware of the result of my investigation.

* * *

AGRICULTURE

SITUATION OF WESTERN GRAIN FARMERS

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. Whatever the strengths and weaknesses of the Western Diversification Initiative are, the plan in no way deals with the immediate crisis in Canadian agriculture, particularly western agriculture. The Prime Minister has been in the west, he knows the plight the farmers face. Will the Prime Minister, now that he has called Parliament into emergency session, deal with a real emergency, the crisis facing grain farmers in the west? Will he announce to the farmers what kind of action his Government will take regarding emergency support for grain farmers in the 1987-88 crop year?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, the Hon. Member should know, and if he does not know I am sure he will be interested in knowing, that we continue our series of meetings with the farm leaders. My colleague, the Minister in charge of the Canadian Wheat Board, and the Prime Minister, have already met with farm leaders. We continue that series of meetings. In fact our next meeting will be held in Winnipeg on August 27.

GOVERNMENT POSITION

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, the Government has announced another 18 per cent reduction in grain prices and that takes effect immediately. Is it not time the Government made some commitment so that the farmers know what the Government intends to do and so they know they are not in the position where they are not going to survive this next year?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, the Hon. Member knows we have just completed the mailing of the Special Canadian Grains Program cheques, the largest single payment ever made by any Government in the history of the country, $1 billion.

I think the very fact that we signalled the continuing commitment of this Government and the fact that we are continuing the series of meetings—we have had three meetings now and the next meeting, as I indicated in my response to your question, will be in Winnipeg later this month, August 27,—are a clear indication that this Government, because of the priority it places on agriculture and because of the fact we recognize that Canadian grain and oil seeds farmers are facing very difficult times, will continue that commitment.

We are going to continue to work with farm leaders because we find we will come up with a far better program working with farm leaders and letting them put the final details on the program together rather than acting unilaterally on behalf of the Government.

* * *

[*Translation*]

SCIENCE AND TECHNOLOGY

NEW SPACE AGENCY—GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology. I would remind him that Canadians, Montrealers particularly, are very impatiently waiting to know the final decision concerning the space agency which has been announced by this Government on a number of occasions. First it was to be announced last February then June, and now we learn that the decision has been again postponed.

I should like to ask the Minister if the Government will soon stop dragging its feet and unveil the policy for which we have now been waiting for months.

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): As my colleague announced earlier, Mr. Speaker, the Government is now considering various alternatives before making a decision and an announcement in the best interest of Canadians. Once the decision has been made it will be duly announced.

REQUEST THAT MINISTER MAKE COMMITMENT

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, the Government has been studying for months on end. The Government appointed the Picard Commission to study the economic and employment situation in Montreal. The Picard Commission reported several months ago already and its first recommendation was to set up the space agency in Montreal.

I ask the Minister whether he might not take the bull by the horns and say that Montreal will be the site of the space agency which has been announced so many times by this Government.

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): I repeat, Mr. Speaker, the decision will first be considered by Cabinet and announced in due time.

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IMMIGRATION

CONFIDENTIALITY OF REFUGEE APPLICATION TRANSCRIPTS

Mr. Dan Heap (Spadina): Mr. Speaker, my question is for the Minister of Employment and Immigration. This morning the CBC said that it had obtained confidential copies of refugee application transcripts. Apparently these transcripts had been translated by free-lancers working at home without security measures having been taken to guarantee the confidentiality of the transcripts.

Can the Minister explain this serious breach of secrecy, this breach of confidentiality and security?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I have also been made aware of the matter raised by my colleague. I think this is a very particular case. Generally speaking, the existing measures to ensure the confidentiality of refugee hearings are safe, but as I say there may be a particular case and we are treating it as such. The Solicitor General has agreed to my request to have the RCMP launch an investigation.

• (1450)

[*English*]

CONFIDENTIALITY OF TRANSCRIPTS—MINISTER'S POSITION

Mr. Dan Heap (Spadina): Mr. Speaker, this is not an isolated case. Earlier this year immigration files and microfiche were found in garbage dumps in British Columbia. We have now found out from lawyers that transcripts of statements given under oath by people fleeing the repression of other regimes because they oppose them are being obtained easily by the media. One of them was published in *The Globe and Mail* last month.

Can the Minister tell the House what action he has taken to protect the lives of these refugees and their families or associates back home from the irresponsible action of the members of his Department who are not taking care of these confidential transcripts?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I think I answered that question previously. I said that when there is a particular case we give a particular answer. I have requested an inquiry by the RCMP. As soon as we have the answer I will communicate that answer to my colleague.

* * *

[*Translation*]

REGIONAL INDUSTRIAL EXPANSION

AVAILABILITY OF FUNDS—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is directed to the Minister responsible for the now defunct DRIE.

Yesterday, the Minister was very confident when he told the press that the IRDP program would continue and that there were enough funds to help Quebec businesses. Mr. Speaker, our Standing Orders prevent me from calling the Minister a liar in this House, so instead, I am sure you will not mind if I ask him whether he can explain that at this very moment, his department's offices in Montreal, Val d'Or, Sherbrooke and Drummondville have been advised to hold up new applications because no more funds are available. How can the Minister tell his employees to hold up new applications and then tell the press there are sufficient funds?

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): Mr. Speaker, the Hon. Member obviously missed the point entirely yesterday, and he will probably go on doing so.

As I have said previously, we must remember that the government has spent more this year than ever before. We have already spent $850 million. We have added another $200 million since June 1987, which the Hon. Member knows perfectly well.

Yesterday, Mr. Speaker, we announced four projects that will create 150 jobs in the Hon. Member's own riding.

GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, some people say the Minister does not know what is happening in his own department, and I think he should realize that yesterday, he announced projects that had been announced previously. It was just a rehash of what we already knew, and *La Voix de L'Est* said as much this morning. I would like to ask the Minister why, when he knows there is not a cent left in his department's coffers, he keeps telling business people that there is money when his employees say there is not. Why does the Minister not admit to his failure, why does he not admit that he has lost control over his department and why does he not resign?

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): Mr. Speaker, what the Hon. Member just said is patently false, and I emphatically deny what he said. I simply want to remind Hon. Members that we examine projects as they are submitted, but because of the improved economic situation due to the new-found confidence of Canadian business people and especially Quebecers, we are now faced with increased demand, for the simple reason that we have introduced programs that respond to the expectations of Quebec and Canadian entrepreneurs. And that is why we have been able to create 860,000 jobs since January 1984.

* * *

[*English*]

FARM CREDIT CORPORATION

INITIATION OF FORECLOSURES

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, my question is for the Minister of Agriculture. I have had several cases drawn to my attention regarding individuals in negotiations on mortgage arrears with the Farm Credit Corporation. Since the moratorium was lifted these ongoing negotiations have been stopped by officials of the Farm Credit Corporation and letters have gone out initiating foreclosures under Section 22. Is the Minister aware of this? Keeping in mind that individual cases must still be reviewed by a farm debt review board, is he aware of the aggressive attitude now being shown by field and office staff of the Farm Credit Corporation?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, the fact of the matter is that, no, I have not heard of the so-called aggressive attitude in the Farm Credit Corporation. If that is the case it would certainly be a very sharp departure from the normal humanitarian and compassionate approaches that have been used by the Farm Credit Corporation in the past.

I take the Hon. Member's representations very seriously and I want to have a meeting with him after Question Period to discuss this very matter.

Mr. Speaker: The Hon. Member for Yukon.

Some Hon. Members: Hear, hear!

* * *

FISHERIES

YUKON SALMON FISHERY

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my question is for the Minister of Fisheries and Oceans. As the Minister knows Yukoners are being ripped off by the Canada-U.S. Pacific Salmon Treaty. Some 50 per cent of chinook salmon are spawned in the Yukon but 93 per cent are taken by Alaskans and only 7 per cent by Canadians, in this case Yukoners.

Despite ongoing talks between Canada and the United States, Yukon continues to be sold up the river. On Friday last the Minister closed the fishery in Yukon without notice. Does the Minister not think that it is high time to pursue aggressively our rightful ownership of this resource?

Some Hon. Members: Hear, hear!

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I compliment the Hon. Member for Yukon on her first and, I think, very thoughtfully put question in the House this afternoon.

Some Hon. Members: Hear, hear!

Mr. Siddon: It is true that since the successful conclusion of the Pacific Salmon Treaty—and I do not know if I am permitted to acknowledge that it was in your time of office, Mr. Speaker—

Some Hon. Members: Hear, hear!

• (1500)

Mr. Siddon: —we have been attempting to negotiate a successful annex to the Pacific Salmon Treaty which would account for the fact that the majority of the Yukon River chinook stocks which are harvested by Alaskan based fishermen are born in Canadian waters.

We are very disturbed that in the present year the American fishery within Alaska is severely overtaxing this resource and fishing far in excess of the normal quotas set within the Alaskan fishery. For that reason I intend to be in consultation with my colleague, the Secretary of State for External Affairs, to seek a way of making a strong, formal statement of our concerns to the U.S. Government.

Mr. Speaker: Despite the subject matter of the question, the Speaker is prepared to invite the Hon. Member for Yukon to ask a supplementary question.

Some Hon. Members: Oh, oh!

NEGOTIATIONS WITH UNITED STATES

Ms. Audrey McLaughlin (Yukon): Thank you, Mr. Speaker. I am glad to hear the Minister say that he is going to do something about it. We will be anxiously waiting to hear. We have already lost one season. I hope we can take this as an assurance to Yukoners, and to all Canadians, that we can trust the negotiating ability of the Government to give Yukoners a fair allocation of our rightful resource.

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Indeed, I will repeat the assurance I have given. It appears that the Alaskan based fishery is exceeding the Alaskan quota guidelines by up to 50 per cent. That additional harvest is five times as large as the harvest by our own fishermen in Yukon. That discrepancy must be addressed, and I intend to address it immediately.

* * *

WESTERN DIVERSIFICATION FUND

PROVISION OF NEW FINANCING

Mrs. Mary Collins (Capilano): My question is directed to the Minister responsible for western diversification. First, I wish to congratulate him on his new appointment, and both the Minister and his colleagues on the announcement last week of the $1.2 billion western diversification fund.

Mr. Speaker: Congratulations are always in order, but keeping in mind the hour I would ask that the Hon. Member put her question succinctly.

Mrs. Collins: There has been some confusion, or perhaps misunderstanding in British Columbia concerning the funding. Under existing DRIE programs, British Columbia receives approximately $50 million a year. Dividing the $1.2 billion by four provinces in five years that works out to be approximately the same. Some people are concerned that the money is the same.

Can the Minister clarify and confirm that the $1.2 billion is new money, and does not in any way preclude funds from ongoing programs of DRIE and other Departments?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): I thank the Hon. Member for the question because it does allow this clarification.

The fund is $1.2 billion of new money. On top of that, there will be $200 million transferred to the Office of Western Diversification for IRDP, WTID, and ERDAs that fall within the jurisdiction.

In economic development across Canada this year the Government has spent over a billion dollars, over $1 billion this year in industry, science and technology, $1.2 billion for western diversification has been identified, $55 million has been identified for northern development, and $1.5 million has been identified for Atlantic Canada. The Government, the Prime Minister and Cabinet have made a commitment to the regions of Canada.

Some Hon. Members: Hear, hear!

* * *

INDUSTRY

FIRESTONE PLANT IN HAMILTON—DISPOSAL OF EQUIPMENT

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. Less than one month ago the Minister told the workers of Firestone, the people of Hamilton, and all Canadians that if any equipment was moved out of the Firestone plant he would immediately ask for repayment of the $13.5 million that the federal Government gave to Firestone. That was on July 15. Now the Minister is in the process of negotiating an agreement with Firestone that will permit that company to strip its Canadian machinery and equipment and take it down to the United States and leave a barren shell of a company.

What happened between July 15 and today to cause the Minister to have this complete about-face after he gave his word to the people of Canada?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): Mr. Speaker, the Hon. Member knows perfectly well that what we have here is a very difficult and very complex situation. We have looked at various alternatives with Firestone. We have identified respective buyers, and we have asked the company to put $13.5 million, the amount referred to by the Hon. Member, in trust in order to keep all options open and find a positive solution that would keep this plant open, which would be in the best interests of the workers in her riding.

[*English*]

REPORTED EXPORT TO UNITED STATES

Ms. Sheila Copps (Hamilton East): Less than an hour ago I spoke to one of the officials in his Ministry. There is not a single thing in writing between the Government and Firestone to guarantee any of those jobs or that equipment.

Some Hon. Members: Louder!

Ms. Copps: I will be louder, Mr. Speaker. If the government Members do not wish to hear a voice from Hamilton in

opposition they will be sorry because I will continue to speak out.

In my hands I have documents which show that a few days before Firestone made its announcement through the night it surreptitiously sent out half a million dollars in equipment to plants in the United States. That is half a million dollars of Canadian taxpayers' money which has been spirited out of the plant. This Minister has done nothing. He has not even met with me. The Minister owes the people of Hamilton and Firestone an explanation and a resignation.

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister responsible for Industry, Science and Technology): Mr. Speaker, for the benefit of my colleague I repeat that we have negotiated with the company and it has agreed to put in escrow the sum of $13.5 million in order to allow us to find a potential buyer. We have identified a buyer, and we hope to have a positive conclusion very shortly. In the meantime, we agreed that the company could move some of its equipment—

Ms. Copps: You do not have a thing in writing.

Mr. Côté (Langelier): —that would not prevent the running of the operation if there is a new buyer. That is how we are working for the benefit of the company and the workers of the region.

* * *

POINT OF ORDER

ALLEGED FAILURE TO COMPLY WITH S. O. 99(2)

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I rise on a point of order relating to the Government's supposed policy on day care. I seek the guidance of the Speaker, but he will be aware that under the new Standing Orders, Standing Order 99(2) requires that a government must file a comprehensive response to a standing committee report within 150 days. The Speaker will also be aware that a few days ago this farce of a response was tabled, a copy of which was delivered to my office today, and in it the Minister admits that he has no comprehensive response, that in fact he is violating the Standing Orders. He is asking the people of Canada to wait until some vague later date.

Given the seriousness of the Government's alleged commitment to day care, and the Prime Minister's (Mr. Mulroney) promise in the House and outside over the last couple of years, I would ask the Speaker to rule on what I consider to be a blatant and gross violation of the Standing Orders and, more importantly, a gross violation of the spirit of the Government's commitment to respond to the standing committee on day care which was examining the question.

In Standing Order 99(2) there is specification that it be a comprehensive report and not simply an interim notice. I have

in my hand the so-called response which was tabled on July 28 in which the Minister states that he will be introducing a comprehensive announcement. He states, "However a comprehensive announcement is expected early in the fall." The Standing Orders do not permit the Minister to respond whenever he feels like responding. The Standing Orders require him to respond within 150 days.

• (1510)

Given the Government's alleged commitment to day care, I cannot understand why it came out with this flimflam, sham document today and tried to sneak it through the House when everybody was on holidays. The Minister did not even have the guts to stand up and make a statement in the House, to table the document.

Is this a reflection of the Government's real response to the report of the day care committee? I think it is a farce, and I would like to get a ruling from the Speaker on this violation of the Standing Orders.

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I think a number of comments must be made with respect to the response of the Special Committee on Child Care.

I think as Your Honour studies the rules you will know that within a certain period of time the Government, and specifically the Minister, is responsible for the tabling of "a report" in response to a committee. That is exactly what we have done.

In the letter addressed to the chairperson of the Special Committee on Child Care, the Hon. Member for Lincoln (Mrs. Martin), a letter which was delivered to the Table prior to the number of days required by the Standing Orders—and I think the first paragraph is very clear and within the rules—I stated:

> As Minister of National Health and Welfare, I am pleased to present an interim response, on behalf of the federal Government, to the Report of the Special Committee on Child Care which was tabled on March 30, 1987.

That is within the rules of the House. I went on in that response to the Hon. Member who served as chairperson of the committee to say that the Government would be coming in with a further report or a further response on child care. The reasons for it are stated in the response, and the reasons are quite straightforward.

I think it has to be understood by the Chair why the approach was taken. First, the Prime Minister (Mr. Mulroney) and the Government—especially he on behalf of the Government—have very clearly stated the Government's commitment to the child care proposals to which he committed the Government as early as the campaign in September, 1984.

Following those statements at that time, and when the Prime Minister was sworn in as Prime Minister, he gave various cabinet Ministers responsibility for various portfolios. One was the child care issue for which I was given responsibility.

I think Hon. Members know—at least, they should know because the special committee recognized it—that any child care response would also have to take into consideration provincial jurisdiction, and that is important. That being the case, provincial jurisdiction requires us to negotiate with the provinces the kind of response that would be best in terms of a child care program for the country, and specifically for families in need of child care.

I have said as well, in the response to the chairperson of the special committee, that I was negotiating with the provinces—and I have been talking with a number of provinces during the summer as well—on the kind of approach which would be acceptable to them in view of two things; first, in view of provincial jurisdiction relative to child care and, second, in view of the spirit that I think should now prevail in terms of federal-provincial relations, namely, the Meech Lake Accord which the Prime Minister was able to conclude with 10 Premiers and which I think all of us are now instructed both morally and tactically to follow. That is the procedure I have taken.

The response is quite straightforward. I have responded within the period of time. I have identified it as an interim response. I have, therefore, fulfilled the requirements of the Standing Orders.

Additionally, I have indicated to the House and to the public generally the process the Government is taking with the provinces and that the debate is continuing within Cabinet.

I think the points I have made are not only in keeping with the new rules of the House but also are within the spirit of those rules.

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I rise on the same point of order. I concur completely with the Hon. Member for Hamilton East (Ms. Copps).

I received this very inadequate letter yesterday with great difficulty. It was not tabled in the House, as we understood it should have been. With great difficulty I got it from the Clerk's Office. It was addressed to "Mrs. Shirley Martin, Chairperson of the Special Committee on Child Care". There was no attempt by the Minister to provide copies to the opposition critics.

As we understand it, according to the rules it should have been a comprehensive response. In no way is this a comprehensive response.

I should like to ask the Minister, if he would be so kind as to give me his attention for a moment, why, for example, in this response there was no statement of national objectives for a national child care program.

He referred to the Meech Lake Accord. This is basic to the requirements under the Meech Lake Accord. How can he go into negotiations with the provinces when he does not have a federal position on which to negotiate? Surely, any federal position outlining national objectives should be developed with Members of Parliament and should have been presented to the House.

We are very, very concerned about it. There have been long delays. A response was promised for June, and it was delayed again for the summer. This is completely inadequate. Now, of course, it is implied very vaguely that sometime in the fall there might be further information.

We concur completely with the criticism of this process and this Minister.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I think the question is an important one, and I may remind the Hon. Member that according to the Votes and Proceedings of Tuesday, August 11, 1987, the Government actually did table a report yesterday, August 11. At page 1317, the document tabled by the Minister of National Health and Welfare (Mr. Epp) is described as follows, and I quote:

> Interim Response of the Government of Canada, pursuant to Standing Order 99(2), to the Final Report of the Special Committee on Child Care (Sessional Paper No. 332-8/31), presented to the House on Monday March 30, 1987.

It is therefore false to claim the Government failed to table an answer. The point being made here, and it is a serious one, is that the so-called report tabled yesterday was not a comprehensive report on the subject. It was not a comprehensive report by the Government in response to the Committee's report. It was an interim report. There is nothing in the Standing Orders that provides that the Government shall or may table an interim report, according to Standing Order 99(2), which reads as follows:

> Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the Committee, table a comprehensive response thereto.

The Committee asked for a comprehensive report. It did not receive a comprehensive report but an interim report, and the Minister himself admitted as much, which is entirely unsatisfactory and irregular.

Mr. Speaker, I realize that the House has no recourse against a Government that is negligent and perhaps irresponsible. However, the question is an important one, it is a topical issue, and it is a subject on which the Government should respond. I ask the Government—since the Chair is not in a position to do so, it is up to them to make the decision—to respond as soon as possible to this important report on child care.

Mr. Speaker: I would like to put a question to the Hon. Member for Ottawa—Vanier (Mr. Gauthier). Could the Hon. Member possibly give me a copy of the report?

An Hon. Member: Yes, there is one right here.

[*English*]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I want to make a few brief comments on this very

important topic which my colleague has brought to the attention of the House.

Very clearly Standing Order 99(2) reads as follows:

> Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto.

I repeat: "table a comprehensive response thereto". Clearly there was such a request filed by the committee with the Government through this House upon the tabling of that report in the House. Therefore, it is the duty of the Minister of National Health and Welfare (Mr. Epp) to report in this House in a comprehensive manner.

• (1520)

I draw to your attention, Mr. Speaker, the letter the Minister sent to the Chairperson of the committee on July 28. The Minister said in part, and I quote:

> —I am pleased to present an interim response,—

Very clearly if this is an interim response one can assume it is not comprehensive, otherwise it would not be called "interim". The Minister closed his letter by stating in part:

> —and to establishing a comprehensive, quality child-care program for our children.

In other words, the Minister plans to take that initiative at some point in the future, which again I would suggest to you, Mr. Speaker, appears to be in conflict or in breach of Standing Order 99(2) of the House of Commons.

Citation 8 in Beauchesne's Fifth Edition states:

> A standing order has a continuing effect until changed or repealed.

In view of the fact that the rule we now have before us is applicable, has not been changed or been repealed, that rule is in order and should be followed by the Minister and any other Hon. Member of this House.

Citation 9 of Beauchesne's Fifth Edition states:

> By custom, changes in the Standing Orders are generally made after study and a recommendation by the Standing Committee on Procedure and Organization.

Very clearly the committee has not formulated a wish to change that rule of the House. This further adds to what I said previously, that the rule is still in effect and must be followed by the Minister and, for that matter, by any other Hon. Member.

Finally, Citation 384 of Beauchesne's Fifth Edition, states:

> Papers which must be laid before the House in pursuance of any Standing Order of the House are usually brought down without any formality by being deposited with the Clerk of the House as if they had been laid on the Table.

This rule very clearly states that the usual procedure is for the Minister to table whatever response he has to give pursuant to our Standing Orders without any formality and to do so according to the rule. There is no exception indicated in Citation 384. One has to further assume it was the duty of the Minister to comply with the rules which were in effect at that particular time.

For these reasons, I would ask that the Chair verify the excellent point brought to the attention of the House by the Hon. Member for Hamilton East (Ms. Copps) and give a response to the House that the Minister must comply, pursuant to our Standing Orders, with a request which was made by a parliamentary committee.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, although I appreciate the point that is being made by my colleague, it seems to me we are here debating the word "comprehensive". It also seems to me that we should be moving on with the business of the House. I submit that this entire exercise is to allow the immigration critic of the Liberal Party to be outside doing scrums and I think that is an abuse of this House.

Some Hon. Members: Oh, oh!

Mr. Speaker: Perhaps I can assist Hon. Members.

[*Translation*]

The question is an important one. It arises from the interpretation of a certain term in our Standing Orders.

[*English*]

Naturally, that is a matter which the Speaker takes seriously. I know there are some other interventions to be made, but I think all Hon. Members could assist the Speaker in keeping their remarks exactly on the point I have to decide. Hon. Members will know that I have already had to comment on a similar situation, although I am not prepared to say until I have heard all the interventions that it is exactly the same. However, I am aware of the importance of the issue being raised.

I am also aware, and I might indicate this to the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) who has indicated his intention to speak on this matter, that the Minister has given at least some explanation, as I read the letter. The Minister wants to come back later with "a comprehensive report". Those reasons may be very valid, although they may not completely answer the procedural difficulty which has been brought to the attention of the Chair.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I hope I can make a comment on this parliamentary reform without being accused by the Deputy House Leader of being a party to some strategy which has nothing to do with the matter.

I only want to say that what we are debating here, if we are debating anything, is whether or not this particular reform, which was instituted as a result of recommendations of the committee on which I sat—for example, the idea that the Government would somehow be accountable to committees and would have to respond to recommendations of committees

in a way it did not have to previously—is going to be respected, not only in terms of the technical definition of what constitutes a comprehensive response but in the spirit of reform.

The spirit of the reform is that the Government would make its position clear at a predetermined time with respect to the recommendations of a particular committee. In this case, I do not think anyone can argue this has been done.

The problem is that this is not the first time the Government has chosen this particular way of not responding to a committee's recommendation. My concern, for the record, is that over time this will become the habit, and the intention of that reform, which was to make Governments more accountable to the recommendations of committees—even if it disagrees with those recommendations—in the sense that it would be required to give a comprehensive response, will be lost by virtue of the practice now developing as a result of decisions being taken by the Government to not respond in the way that was intended by the reform committee when it made this recommendation.

Therefore, I simply say to you, Mr. Speaker, that you have a responsibility, as well as the Government, as do we all whenever the onus falls on us, to live up to not only the letter but to the spirit of those reforms. In this case, I think there is a strong case to argue that that has not been done.

[*Translation*]

Mrs. Lucie Pépin (Outremont): Mr. Speaker, I am somewhat surprised by the remark of the Hon. Member for Simcoe North (Mr. Lewis) who is saying that one of the reasons why we object to the explanation as to why the report has not been tabled is that we seek to delay the debate on immigration. When we see that the Minister to whom the reprimand is directed is not even in the House, that he has left, I wonder if this is not simply a slap in the face and whether he reflects the attitude of the Government—

Mr. Speaker: Please! The Hon. Member will appreciate that it is not appropriate to refer to the presence or absence of a Minister or of an Hon. Member.

Mrs. Pépin: I simply want to draw the attention of the House to the fact that it is one of the most important reports, that the report on day care centres is urgent. We have been waiting for it, and people have been telling us that for months. The Government also seemed to realize the importance of day care centres. But as it happens it is one of the very few reports to which the response was not produced in due time. So we do have serious reservations. I can understand that federal-provincial relations must be protected and respected, but as a rule when the federal Government wants something it shows leadership. One of the things for which the Conservative Government has been censured in this instance is its lack of leadership with respect to day care centres.

So allow me to repeat the question: Is this not a demonstration of the Government's lack of leadership in the case of day care centres? We are told a more comprehensive response will be forthcoming this fall. I would not even call this an interim report, it is a letter, barely two-page long, addressed to the chairperson of the committee. So I am surprised, I am astonished, and I am very anxious to see where the priorities of the Government are and when it will take action concerning day care centres.

• (1530)

[*English*]

Mr. John Nunziata (York South—Weston): Mr. Speaker, I appreciate the opportunity to make some very brief submissions on the point of order raised by my colleague the Hon. Member for Hamilton East (Ms. Copps). It seems to me that the issue before you, Mr. Speaker, is whether or not the Government was in breach of Standing Order 99(2). If you come to the conclusion that the Government has in fact breached that particular Standing Order, the question then becomes what the sanction ought to be.

The facts are as follows. The Special Committee on Child Care of the House of Commons undertook a comprehensive look at the day-care system in Canada in order to make recommendations to the Government. On March 30, 1987, that Special Committee tabled in the House its report.

Under Standing Order 99(2), the Government is required to table a comprehensive reply to a report from a Standing Committee or a Special Committee within 150 days. For the record, Standing Order 99(2) reads as follows:

> Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto.

We must ask ourselves why Parliament in its wisdom decided to enact Standing Order 99(2). I think the reasons are obvious.

Parliament does not want to see the work of its Standing or Special Committees simply gather dust on some Minister's shelf as has happened in the past. In order to validate the work of a Special Committee such as the Special Committee on day care, Parliament decided to enact this particular Standing Order. I should remind you, Mr. Speaker, that the language of the Standing Order is mandatory. The word "shall" is used. It is not permissive. It is not up to the Government to decide whether or not it should file a comprehensive response within 150 days.

It is obvious why Parliament in its wisdom chose 150 days. It wanted to ensure that the Government had sufficient time to respond to such reports. I think that 150 days or five months is in this particular case sufficient time for the Government to respond to each and every recommendation of this Special Committee.

This afternoon, some Hon. Members have tried to determine whether or not the reply of the Minister dated July 28 was comprehensive. I think it is obvious for a number of reasons that this "Dear Shirley" letter to the chairperson of the

Special Committee on child care is not a comprehensive response as envisioned by Standing Order 99(2).

In order to assist, we would have to refer to a dictionary to determine what the word "comprehensive" means. I am sure most Hon. Members have a pretty good understanding of what it means. It is obvious as well that the Minister has some difficulties with regard to the definition of "comprehensive". Therefore, I would like to recommend to him a current edition of *The Concise Oxford Dictionary*, without suggesting for a moment that an older edition might have a different definition of the word "comprehensive".

Nonetheless, this particular edition of *The Concise Oxford Dictionary* which comes from the Journals Branch and was published not long ago gives the following definition for the word "comprehensive":

—including much or all *(comprehensive term; comprehensive grasp,—*

The definition of a comprehensive school is a large secondary school providing courses for children of all abilities. I could go on describing the definition of the word "comprehensive" but it is obvious that this two-page reply from the Minister is not comprehensive.

In fact, the Minister admits as much in the letter when he says that it is an interim response. I suppose one could argue both sides of whether or not an interim response could be considered comprehensive. If in fact it was a comprehensive response, why would it have to be called an interim response? Then again, one could have a comprehensive interim response as opposed to a brief interim response.

In any event, to conclude, the issue before you is whether or not there has been a breach of Standing Order 99(2). I think the evidence is clear, unequivocal and uncontradicted that in fact there has been a breach of this particular Standing Order.

The question becomes what the sanction ought to be. Can we prosecute the Government and the Minister in a court of law for breaching this particular Standing Order? The answer, of course, is no, we cannot. Are there sanctions in the standing rules? The answer, of course, is no.

It is obvious that the Government has shown contempt for Parliament by providing a "Dear Shirley" letter when it should have provided a comprehensive response. I do not mean to lecture the Government or the Minister, but recognizing that Standing Order 99(2) exists, the Government ought to have come to the House at the earliest opportunity to seek—if I could have the Minister's attention?

Mr. Lewis: It's your Member.

Mr. Nunziata: If I could just make one final point without the constant interruptions I have encountered from across the floor, the proper course for the Government to have taken would have been to come to the House to seek the unanimous consent of Parliament to provide an interim response and to extend the time period provided by Standing Order 99(2). Of course, some Hon. Members might have denied that unanimous consent but rather than taking that course, the Government chose to show contempt for the rules, for the Chair, for the House and for every Member in it by providing this "Dear Shirley" letter. I would urge you, Mr. Speaker, to first conclude that there has been a breach and second to severely reprimand the Government for its irresponsible act, its incompetence and its contempt for this House.

Mr. Speaker: I want to thank all Hon. Members for their interventions. As I said, the matter is an important one and it is a somewhat difficult one.

The Chair is aware that the rule which has been quoted in English also exists in French and the word in French is *"globale"* and it is "comprehensive" in English. There may be some difficulties with that.

I know Hon. Members would understand why the Chair would want to defer any immediate judgment on the matter, particularly taking into account the fact that I have already had to comment on this particular sort of complaint, although I am not saying the other complaint was absolutely identical. However, I think it is also fair to comment that as the Minister has explained, whether it is procedurally excusable or not is something I have to decide.

The Government did seem to have some problems in being as comprehensive as it would later wish to be and I am sure Hon. Members would not want, at least at this point, to assume that there was any bad motivation on the Government's part. However, the procedural rules are there to be followed.

In this case, I think the matter is a serious one and I will give it careful consideration. I thank the Hon. Member for Hamilton East (Ms. Copps) for bringing the matter to my attention and I thank the Minister for being here and for responding as fully as he did.

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to the 170 petitions Nos. 332-2782 and 332-2784 to 332-2952 inclusive.

Order Paper Questions

• (1540)

[*English*]

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from a number of residents of the City of Toronto who are concerned that Bill C-55 threatens Canada's traditional commitment to assist refugees and sets out measures designed to keep most refugee claimants out of the country as opposed to ensuring that genuine refugee claimants are given protection.

Not to go into full detail, they go on to mention the problem of the safe third country part of the legislation, the lack of appropriate appeal or review procedures, and the fact that the standing committee recommended almost two years ago a far more just and speedy system for sorting out real refugees from false ones. They also point out that this has widespread support from the churches and labour movement.

Therefore, the undersigned your petitioners humbly pray and call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the immigration commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I have the distinct honour of tabling in this House a petition signed by a number of residents of Windsor and Edmonton who avail themselves of their ancient and undoubted right thus to present a grievance common to your petitioners in the certain assurance that your honourable House will therefore provide a remedy. These Canadian citizens, sharing a sensitivity and awareness of the real issues involved in refugee determination, in contrast to the Government, humbly pray and call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute—

The Acting Speaker (Mr. Paproski): Order, please. I hope the Hon. Member will summarize the petition and tell me where it is from so we can carry on.

Mr. McCurdy: Mr. Speaker, I think I am in accordance with the regulations in reading what they are petitioning. They humbly pray and call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the immigration commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact. In duty-bound, your petitioners will ever pray.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 161 and 163.

[*Text*]

PUBLIC LENDING RIGHTS PROGRAM

Question No. 161—**Ms. McDonald:**

1. Between (*a*) September 1, 1986, and December 22, 1986, (*b*) December 22, 1986, and June 29, 1987, were any applications received for payments under the Public Lending Rights program by the Public Lending Rights Commission which were for payment in the fiscal year 1986-87 and, if so, how many?

2. In the fall of 1986, were attempts made to update the mailing lists used by the Commission and, if so, what were they?

3. In 1986-87, what was the average payment received under the Program?

4. Were attempts made to ensure that fewer late applications will be received for payments in the 1987-88 period and, if so, what were they?

Hon. Flora MacDonald (Minister of Communications): I am informed by the Canada Council that the reply to the above question is as follows:

1. The Public Lending Right Commission received 4,743 requests for payment during the fiscal year 1986/87 between September 1 and December 22, 1986. Of this number, 4,553 applications met the eligibility criteria while 190 did not. Between December 22, 1986, and June 29, 1987, 183 claims were received for fiscal year 1986/87 and, because these were received after the registration deadline, they have been carried over to the 1987/88 year.

2. The mailing list which the Commission used in the autumn of 1986 consisted of the approximately 5,000 names and addresses of those who participated in a Canada Council test registration in 1981, plus the names gathered by phone between November and December, 1986 (a telephone answering service was set up to take calls 24 hours a day). In total, 7,860 registration forms were sent out. Even though the PLR program had just six months instead of 12 to be set in motion, time was found to update mailing lists, sometimes by telephone (when the address had changed but the phone number remained the same), and with the help of various sections of the Canada Council who had many of the current addresses (most often the Writing and Publication Section). In some cases it was necessary to contact the writing associations directly.

3. In 1986-87 the average payment (arrived at by dividing the number of authors into the available funds) was $619.49.

4. The number of late registrations in the upcoming year should be considerably diminished since we will be able to send out our registration forms two months earlier than last year (they will be sent out in August at the latest), and participants

will have until October 15, 1987 to apply. In bringing forward the deadline, we will also avoid the inevitable delays in the postal service that result during the Christmas season. We will, once again, send information to the authors' associations so that, through their newsletters, they can inform their members of how to register for the 1987/88 program.

ALEXANDER PROUDFOOT COMPANY OF CANADA

Question No. 163—**Mr. Murphy:**

To date, has any money been paid to the Alexander Proudfoot Company of Canada for work done for Air Canada during the months of April and May, 1987 and, if so, in what amount?

Hon. John C. Crosbie (Minister of Transport): The management of Air Canada advises that payments have been made to the Alexander Proudfoot Company of Canada for work done during the months of April and May, 1987, in accordance with the terms of the current contract with the company. Informations regarding the amounts involved is of a proprietary nature and cannot be released for contractual reasons.

[*Translation*]

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

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

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

Hon. Benoît Bouchard (Minister of Employment and Immigration) moved that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee

He said: Mr. Speaker, Hon. Members have been recalled during what is usually the summer recess so that the House may take immediate measures to eliminate abuses against our refugee policies and then consider without delay a new refugee status determination process.

I should think that most Canadians now agree that the process has given rise to a shady and despicable trade, namely trafficking in human lives. In our opinion, we must take immediate action to dissuade those who abuse the generosity of Canada by illicitly bringing people into this country.

Mr. Speaker, I think urgent action is required, a fact which cannot be denied. Witout delay our legislation must echo our feeling of exasperation and frustration at abuses against our generosity and our feeling of disgust for unscrupulous profiteers.

[*English*]

We must immediately declare through this legislation that Canada will no longer tolerate the willful and flagrant violation of our traditions, laws and borders. There is a sense of urgency for this is not yet a crisis. It is, however, a grave situation which, if left unaddressed, would grow worse. Those who say let us wait are merely asking that the problems grow worse and the solutions more distant and hence more difficult.

• (1550)

Today we address a Bill which we believe all Members of this House will agree deserves urgent attention and rapid passage. Let us consider the major features of this Bill. It increases penalties for smugglers and their accomplices with prison terms of up to 10 years and maximum fines of $.5 million. Penalties under the current Act do not recognize the recent phenomenon of organized smuggling of groups of individuals. These measures penalize those seeking to profit by preying on the hopes and circumstances of those wanting to come to Canada.

This Bill imposes penalties for the specific offence of disembarkation of passengers at sea for the purpose of illegal entry into Canada. The maximum penalties for this offence are $500,000 and prison terms of up to 10 years.

This Bill provides specific legislative powers to direct vessels suspected of carrying persons who are attempting to enter Canada in contravention of immigration law not to enter or to leave Canadian waters. This power is necessary for deterrence. It is likewise necessary for the apprehension of vessels and, where appropriate, to turn vessels back. The Government will consider all relevant factors in dealing with individual vessels and their occupants; the ships' locations, both in terms of international law and our capacity to intercept it; the ship's flag and the possible need to seek another country's co-operation; the ship's seaworthiness, the safety of our crews and the safety of the ship and its passengers; the condition of the passengers and the availability of food, water and fuel; and what we can physically do given the weather conditions.

Above all, Mr. Speaker, whatever actions may be deemed appropriate, given the specific circumstances involved, we will not do anything to risk the health or personal security of any person.

The Bill provides powers of search and seizure in respect of smuggling activities and it provides for the forfeit and sale of vehicles used by smugglers.

I should note, Mr. Speaker, that the several clauses dealing with search and seizure are, in essence, the same as those which exist under the current Customs Act.

[*Translation*]

According to the proposed legislation, heavier fines would be imposed on transportation companies carrying people who are not in possession of the required documents. The illegal entry of aliens in highly irregular situations is the main and most obvious source of abuse. However, the vast majority of people who do not have the required documents and arriving at points of entry into Canada use regular means of transportation such as aircraft, trains and buses.

In the past, some transportation companies have been unwilling to check whether their passengers have the required travel documents or were apparently not in a position to do so. The new provisions are aimed at encouraging carriers to be far more vigilant.

Of course, the best solution would be to prevent people not in possession of travel documents from boarding. The Government will now have the power to require any carrier to deposit a security for unpaid fines. Vehicles may be seized if these provisions are not observed.

Recent events have clearly shown we must have broader powers to detain claimants who do not have the required documents until their identity has been established, which is necessary both for security reasons and so that we can return immediately those who do not require Canada's protection.

According to the proposed amendments, a claimant may be detained as long as necessary, provided that after twenty-eight days, the Immigration Adjudicator is satisfied that the Government has made every possible effort to establish the claimant's identity. The reasons for detention will be subject to review every seven days after the first twenty-eight-day period.

Mr. Speaker, I realize that this legislation will increase the Government's powers with respect to detention. However, I may remind Hon. Members that both Bill C-55 and this legislation concerning deterrence and detention are subject to the Canadian Charter of Rights and Freedoms, which grants everyone the right to fundamental justice and the usual legal recourse.

Both Bills take into consideration our obligations under the Geneva Convention on the Status of Refugees, Canada's traditionally humanitarian approach to the refugee question, and the rules established as a result of the Supreme Court decision in the Singh case.

Mr. Speaker, this brings me to the last and, I must say, more radical aspect of this legislation, namely, returning individuals who constitute a threat to the security of the State. Under these amendments, there will be no hesitation in dealing with such persons.

[*English*]

The process assures that we can act with the rapidity appropriate when we face security threats. Equally, it assures due process under the Charter of Rights. I would like to outline briefly the steps of the process so that Members are assured as to both of these elements.

When the Government has information showing that a person may be a security threat to Canada, that person may be detained for a period of up to 28 days to allow for the issuance of a certificate by the Minister and the Solicitor General certifying that the person named is prohibited from entering and staying in Canada. The Minister's certificate will constitute grounds to keep the person in detention and bar him from the refugee determination system.

The evidence in support of the certificate will be reviewed by a judge of the Federal Court of Canada and the person affected will be given an opportunity to be heard. If the Federal Court Justice is satisfied that the claimant poses a security threat, the person will be removed from Canada without recourse to the refugee determination system.

The last thing Canadians want is for their refugee determination system to be misused by terrorists and criminals. I would remind the House that there are persons who, under international law, are excluded from the benefits of the Geneva Convention relating to the status of refugees.

These then are the new features introduced by this Bill. A whole new refugee determination system for Canada is embodied in Bill C-55. It is a comprehensive attempt to deal with an extremely complex and difficult challenge.

[*Translation*]

We expect these measures will deter individuals who do not need our protection from coming to Canada by illegal means. These persons are free to apply for landed immigrant status. If they are accepted, they, as so many hundreds of thousands before them, will enter Canada, their heads held high.

Mr. Speaker, the legislation introduced by the Government today is only one of a series of initiatives taken by this Government to make its immigration and refugee policies more consistent. The Government has increased immigration levels. It has emphasized assistance to refugees abroad and provided a safe haven for the legitimate refugees who have come to Canada. In other words, we welcome those who come here openly and we shall continue to do so.

Unfortunately, the inappropriate and ill-assorted policies of the past are encouraging an increasing number of people to use a side door.

In the final analysis, the solution is to implement a refugee determination process which will achieve a balance between speed and equity. Such a process is provided in Bill C-55.

It will take some time before the provisions of this Bill can be implemented. This legislation deserves the consideration not only of Members of both Houses of Parliament, but also of all Canadians, men and women alike.

In closing, Mr. Speaker, I would like to comment on an especially sensitive part of Bill C-84 which concerns the penalties imposed, especially on those who abet the illegal entry of people into Canada. There are already penalties attached to non-compliance with Section 95.1, and this has never given rise to any criticism or complaint.

Provisions relating to the abusive entry of people without the proper travel documents are already contained in the legislation passed under the Liberal government in 1976. Nothing has been changed. We are simply maintaining this part of the Act. What we are doing is to extend this provision to those who abet the transport or entry of people, especially in groups of more than ten, and I believe that Canadians understand quite well whom this is meant to cover. I do not believe that I have the power to determine who is guilty and who is not; that is up to the courts, and the Minister has no intention of appropriating that right. However, I believe that the law must be obeyed, and no Canadian will be exempt from its application, whoever he may be. This is the framework in which our courts will have to interpret the legislation, and in this regard, we are remaining within the traditions of Canadian law while keeping an open mind, as we have always done, and maintaining the Canadian tradition of welcoming authentic refugees.

• (1600)

[*English*]

Mr. Sergio Marchi (York West): Mr. Speaker, I am pleased to respond on behalf of my leader and my colleagues in the Liberal caucus at the second reading of Bill C-84. Perhaps I have an obligation as well, because I believe we are entering into a very sensitive and important debate which the country is watching. It is a country that is opinionated and wishes its government, its Parliament and elected officials to show moral leadership and do what is right under the circumstances, not for today, or for this summer, but for the long-term viability of the characteristic that enables us all to call ourselves Canadians.

It should be put very clearly on the record of the House of Commons that no Member of Parliament, regardless of the Party to which he or she belongs, favours abuse, whether it is in our immigration and refugee policy, in our workers' compensation claims, whether that abuse is in our Canada Pension Plans or in our unemployment insurance programs. No Canadian, no parliamentarian, and no political party favours abuse. No one encourages fraudulent claims and no one rewards those who persist in circumventing the regulations and laws of this country. Otherwise, it would jeopardize the very integrity of the system of government.

The Liberal Party is at the forefront of ensuring the integrity of the refugee determination system and of protecting the claim for the legitimate refugee who is escaping torture, persecution and death in all parts of the world in which there are countries facing internal and external upheaval. It is a question of war and peace that is at the source of the refugee movement. They do not wish to live in a country other than the one in which they were born. Everyone, whether an immigrant or refugee, would rather remain in their homeland and place of their birth, but because of circumstances affecting their existence as a human beings, they are forced to flee. They are not only going to Canada, but to countries all over the world.

In this global village, Canada is a recipient, with other countries in the world, of individuals who, in this international year of the homeless as designated by the United Nations, are seeking homes. Therefore, in order to protect the legitimacy of the individual claims that merit our consideration and support, we need to rid our system of abuse. We have repeated that assertion not only this summer, not only for the purposes of this emergency debate as defined by the Prime Minister (Mr. Mulroney), but clearly in the last two and one-half years of this Parliament.

We have repeatedly called for the Government to clamp down on the so-called immigration consultants and smugglers who are making thousands and thousands of dollars in trafficking on the desperation of human beings throughout the world. There were schemes and scams in Portugal on which we asked the Government to clamp down. There were scams in other parts of the world, such as in Turkey and then Brazil.

The cancer began to spread, but what did we have from the Government? There was laughter during Question Period, and there was ridicule during second reading of Bill C-55. The Minister did not respond to our questions and those from our colleagues in the New Democratic Party and certain Members on the Government side. We saw inaction, ridicule and laughter. The Government told us that we were exaggerating the circumstances of that abuse.

The system, this Parliament and Canadians are paying the price for that inaction. We are paying the price for a government that did not have the priority to try to address the refugee determination system in the proper context. Instead, the Government preferred to wait until May, clearly almost three years later, after the Plaut Report commissioned by the former Government, after the report of the standing committee led ably by the Conservative Member for Calgary West (Mr. Hawkes), after a report by our Liberal Party. There were reports from NGOs, reports from leading church authorities who came to Ottawa and suggested very specific solutions for giving our system a chance to work expeditiously and properly for Canadians, and fairly for those who wish to access the system. The Government did it only in May. Only in the dying days of June before we all left for our ridings for the summer

did it choose to bring the matter forward for second reading. For how long? For three hours. So we have a Government which, after only three years, allowed Parliament but three hours to debate its reformed refugee legislation.

• (1610)

Then members of the Government had the temerity to go across the country and say, all of a sudden, we have an emergency. It is as if they discovered the problem for the very first time when the Prime Minister and members of his Party visited their ridings in July. That is intellectual dishonesty. It is dishonest because it runs counter to the reports and the many hours of work that Members and Canadians from all walks of life invested, trying to assist their Government in putting into place a system that would work. But the Prime Minister, together with four different Ministers of Immigration, did not heed that advice. And now those same people, as well as the Prime Minister, suggest that it is an emergency. That is fine. We are here. We did not boycott the House of Commons. We came back to Ottawa to work.

Not only did the Government wait three years to introduce a solution to a problem that was discovered many years ago but it took 10 days from the time it declared an emergency to tell Canadians and parliamentarians when we would be coming back. It did not even allow the Chairman of the Standing Committee on Labour, Employment and Immigration, a government Member, to see the legislation until late last evening.

If an emergency is declared in a business then would one not want the board of directors of that business to meet quickly, to have the necessary information at their fingertips to encourage an enlightened resolution to the emergency at hand? I think most competent business managers would agree with that principle. It is no different in government. The 282 Members of Parliament constitute the board of directors of Canada, at least on a temporary basis. We are the custodians of the nation's authority.

I do not think the process has allowed or facilitated a mature and enlightened debate to address the frustrations that Canadians have with a Government which is unable or unprepared to come to grips with the situation. It is synonymous with trying to hide the deficiencies and the embarrassments of inaction. The Government is trying to mobilize a public relations campaign that is intended to send a message to Canadians that the Conservative Government is in control when the very opposite is true. More important, the Government has presented a piece of legislation that goes far beyond the parameters of the situation.

After having only between 24 and 32 hours to look at the legislation I feel that the proposals in it trample violently over the spirit of Canadian justice and civil liberties which were fought for heartily and finally attained. This Bill is an inflamed piece of legislation. It is a reactionary piece of legislation and it is an over-kill. It misuses the moment in which there has been created a great deal of legitimate frustration across the country. But it is over-kill in terms of what the initial intentions of Government and Parliament should be.

We all agree that the abuses should be cleaned up and that the system should be tightened up. But does that mean that the legislation that is drafted—and the Department probably raced through it as fast as parliamentarians had to race through it—should offend and trample our Charter of Rights, our international obligations, the traditions of nation building which exist in Canada as well as the traditions of past immigration policy that are the centre-piece of our history and which, hopefully, will be the centre-piece of our future? This legislation offends our sense of fairness. It offends the civil rights and liberties that all Canadians and all individuals on its soil enjoy through our Charter. It creates civil disobedience in terms of those who are engaged in assisting refugees.

This legislation does more than just try to cut out abuse. It does more than try to get at the exploiters and the abusers of human misery. In fact, when one looks at the cumulative effects of this legislation one will see that it changes the character and the temperament which defines Canadian society. It is our character which quite proudly distinguishes us from other countries and other societies in the world.

We do not condone abuse. We do not encourage it, and we do not like it. But our Party is not prepared to stand idly by and accept a piece of legislation that goes far beyond the stated intentions and which plays to the worst fears. It promotes an exaggerated remedy that does not respect the precedents of a policy and battles that were fought by parliamentarians and Canadians prior to 1987.

It is for that reason that our Party, in the hopes of curbing abuse and protecting the integrity and the viability of the system and the rights of Canadians and those who wish to come here, asks and invites the Government to join us in amending this legislation in order to do what the Prime Minister, the Government and all parliamentarians want it to do. That is to say we want to try to clamp down on abuse. We want to allow a system which is fair, a system which will allow Canadians their civil liberties. We want a system which will allow individuals due process, a system which will allow them to enjoy the work this Parliament performed some years ago in terms of establishing a Charter of Rights and Freedoms, as well as patriating the Constitution, something which made us the masters of our own destiny. We can now change the Constitution when we see fit.

If those struggles, those hours and those energies of symbolic movement, maturity and of greatness as a country mean anything at all, then I think these elements need to prevail in this piece of legislation.

Let us look carefully at the legislation for it contains a great many proposals. One of the aspects of the legislation gives greater powers of deportation to the Minister of Immigration. While the existing law allows the Minister to sign a Section 39

certificate deeming a person to be a security threat, the power is used very infrequently. It is reserved for cases in which it would be injurious to national security to disclose the evidence in an oral hearing. Otherwise an oral hearing is always held to determine if a claimant is admissible or not. Under Bill C-84 it will be possible to use Section 39 certificates in lieu of oral inquiries, not just for those who wish to disclose information injurious to the national interest but to all cases.

Furthermore, an individual who has a certificate 39 presented against him will not be able to go through the refugee system. If in fact that person is to be deported then it will be necessary through that process to establish the country to which he or she cannot be deported for fear of persecution.

• (1620)

Other changes would put that individual before a Federal Court judge rather than the existing Security and Intelligence Review Committee. For speed and fairness, the Government should allow that person the right to go before the review committee. The Federal Court will take more time. Obviously, the Federal Court has a legal expertise rather than a security expertise. If fairness and expeditious processing are at the heart of these concerns, then those movements run counter to what we have heard from the Government.

Amendments are needed with respect to the creation of deportation certificates. Within our present laws there is the power to deport individuals proven beyond a shadow of a doubt to be inadmissible or who pose a security threat to the country. Those laws are established.

We have not been living in a vacuum until this year when the Minister of Employment and Immigration (Mr. Bouchard) told us that we have to do something about deportation. Those laws are presently in place, but with the protection of the rights of individuals and the rights of Canadians. That met with the approval of Canadians while we were drafting the legislation presently on the books. So before the legislation is changed, the Government ought to return to Canadians who approved the present measures. Yes, let us protect our shores. Of course, we always will. But let us have a sensitivity to the justice and the rights upon which this country has been built and forged and hopefully upon which it will continue to be built.

There is another provision in this Bill that the Minister may use force in directing any vehicle that has entered Canadian waters to leave. This power raises several interesting questions. How can the Minister know if everyone aboard is an illegal immigrant without due process? How can the boat be turned around without each person being interviewed? Will the interviews take place on the boat at sea? Will we send the Minister with his immigration officials to execute a policy of the seas? Most Canadians would expect that if there is a boat coming to our shores, ignorance does not help. We need to escort that boat into our port and find out who is on the boat, where they came from, what are their intentions. If we simply turn boats around, whether they are refugees or anyone else, we are acting without any information. We are not dealing with a situation that would allow the process of determination that this country has agreed to and has signed under international obligations.

Also, that would set up two different classes of refugees. If the person arrives by boat, that individual has no due process according to this legislation. If the person arrives at Pearson International Airport and states he would like to declare the status of refugee, he has due process. We cannot afford to have one system with two classes of refugees, because in that manner it is the mode of transportation that dictates the decision and not the circumstances.

What happens if no one wishes to come by boat any more and they come to our airports by charter planes? Will the Minister of Immigration order his CF-18s to protect our airspace? That is the logical conclusion if those steps are followed through when this legislation on turning boats back is highlighted. Therefore, amendments are needed to that section.

Another section that proves to be very difficult is the definition of smugglers. Do we mean consultants who are making a profit of $8,000 to $10,000 a head, who are forging documents for those individuals and dumping them on our shores? Of course, those individuals should be fined, penalized, and, if need be, put in prison. No one agrees with that corrupt, illegal scheme of making profits from human desperation. The time has not been taken to define smugglers. It has not been stated that it is in a transfer of money that the smuggler aspects would apply to those individuals.

In Section 95.1 of the legislation any individual, any Canadian, any church, any priest, any sister who helps a group of more than 10 refugees face the same penalties possible under the law as the phoney immigration consultants who are making profits. Canadians would not want a priest locked up for 10 years for trying to help an El Salvadorean who is hiding in the basement of a church in the United States to come to our border and try to salvage that person's life in the same way that they would want to lock up an individual con artist. Of course not, Mr. Speaker, but that legislation insults the integrity of Canadians. It does not challenge the exploiters and the abusers. It throws a net around everyone who is moved from the heart and the gut to try to do something for their fellow human beings.

Amendments are needed to that clause. Surely, the Minister will acknowledge that there needs to be a tightening up, otherwise we will be saying to churches and individuals, if they aid refugees they will be committing civil disobedience. Think about the type of country we wish to become. What type of a country would we be if the Opposition lies low because they wish to return to their summer holiday and allow that legislation to change the very temperament of this country? That needs to be amended.

Some Hon. Members: Hear, hear!

Mr. Marchi: There is another section which states that an immigration officer will be able to break open doors, windows, ceilings, plumbing without a search warrant to look for evidence of those who may be in violation of our Immigration Act. No one has any concern for trying to rid Canada of those who possess a threat to our safety and well-being. But do we have to trample over the rights of human rights organizations or churches because someone may have a suspicion, or the Minister or his deputy may have a suspicion? That, too, has to be amended and mollified with the characteristics of Canadians and not some banana republic that allows its police and officials to run rampant because they may have an interest or a political motive in allowing that type of trampling of rights.

There are also special detention certificates. Presently the law provides that if the Government or the Minister feels there is either lack of identification or a possibility of a security threat the person can be detained for 48 hours. After 48 hours there has to be a request to a special immigration adjudicator for permission for a further seven day period of detainment. Fair enough, if there is a suspicion and to make sure that the suspicion is false a detainment is requested. That was done with the recent immigrants, and it has been done for years. It has worked well.

The Government wishes to move from 48 hours to seven days without any questions. After the seven days, and after a special detention certificate, it would permit a Minister to ask for the person to be detained for 21 days. The adjudicator has no discretion whatsoever to overrule that request. Once again the power has shifted from Canadians and their laws into the hands of one single Minister who is calling the shots. That is dangerous. Today it may be the 174 immigrants who came off a boat; tomorrow we don't know.

• (1630)

Therefore, we must look at the matter in the larger perspective because some of these moves are un-Canadian. They have not been approved in the past and I do not think they would be approved today.

Another question was documentation. If a person persists once he is here in Canada in pushing in the face of our immigration officials fraudulent information, misleading information, or information which might incriminate someone else, of course that would not be right. However, that is very different from saying and trying to suggest that any immigrant or refugee who does not come with a document should be tabbed a cheater.

Why? If the Minister of Employment and Immigration (Mr. Bouchard) knows the reality faced by many refugees, he will know that they may not have the luxury of being able to wait the six months needed to obtain a visa. Persons in Latin America may not have the luxury of going to our Canadian Consulate. I have written to the Minister about three or four specific cases of people who were afraid to go to the embassies because the Chilean police knew their movements and had stake-outs at various foreign embassies. In those circumstances they do not have the luxury of getting documents.

What do they do? They get on a plane, they come to Canada, and they do not have documents. Let us afford the individual the time and flexibility to explain why he does not have a document, not prejudice the case and instantly suggest in the legislation that that individual has to be a cheater, there must be something wrong, let us put him in detention, get a certificate of detention, then get a certificate of deportation, and send him back.

In the very few minutes that I have, I suggest that amendments are needed in these three, four or five key areas because we need to protect our rights as Canadians which we have developed in a mature and thoughtful way through the years evolving to this date. We cannot allow one week in the summer of 1987 somehow to turn back the clock of development and progressive legislation.

We all have our differences—the Liberals, the Conservatives, and the New Democrats. By and large, hopefully, our ends are noble. Hopefully we are all here—and I truthfully believe this—to serve the common good. This is why we stood for office. This is why we were elected. The ends must be noble.

Another aspect to which the Minister should pay attention is that if the piece of legislation is enacted there will be a lengthy list of court and Charter challenges. There is no question. The legal profession, Canadians themselves, and human rights organizations have said that there will be court and Charter challenges. I ask the Minister what that will do to our system. What will happen six months or twelve months hence when there will be Charter challenges left, right, and centre?

I will tell the House what will happen. It will render our system even more chaotic than the present one. If that happens, we will be testing the patience and trust of Canadians once again. Canadians deeply desire their Government and Parliament to get it right this time. If it takes additional time to ensure proper legislation, let us take that time. If it takes a committee to listen to some experts and to include Canadians in the public discussions, let us include them now. For the sake of God, let us have a piece of legislation which is foolproof from legal and human rights challenges. Otherwise, 12 months down the road Canadians will lose patience again. I fear, as a Member of Parliament, that if Canadians lose patience with a Government incapable of coming to grips with the situation, those sentiments and frustrations may turn, perhaps irreversibly, on a progressive policy.

Therefore, there is a responsibility on the part of the Minister. He goes across the country saying that they will raise immigration levels next year, which is fine and dandy. However, how do we expect Canadians to buy that policy if they are to be simply dragged through government inaction and incompetence and a system which has failed to be

improved despite the urgings and proposals offered by our Party?

The real solution is in the refugee determination system. We have suggested a proposal which is basically comprised by the following steps: an inquiry, an oral hearing before an independent refugee board distinct from the immigration flow, because that is a distinct entity unto itself, a review, and and appeal to the Federal Court.

It would go from months and years to weeks and months. It would provide fair and quick processing, which is the real solution facing us as parliamentarians. If we really want to do our homework this summer, let us overhaul the refugee determination system rather than move on a piece of legislation which insults the integrity of Canadians *vis-à-vis* human rights, civil rights, and civil liberties developed by those same Canadians through their Parliaments across the country.

Some Hon. Members: Hear, hear!

Mr. Marchi: What about the message we would be sending out to the world? On listening to the Government we would think that Canada lives in isolation, in a vacuum, and that somehow Canada is the only country receiving refugees. That is false. There are 10 million to 15 million refugees searching for a home. There are countries receiving refugees every day of the week. There are new wars and strife which are literally producing thousands of refugees.

What does this say? It says that it is an international phenomenon, an international problem, which means that we require an international solution.

Some years ago we signed the Geneva Convention which said that we as a country and as a people would participate with other western countries in trying to come to grips with the challenge of trying to house and feed people of the world. We have accepted that responsibility, but we cannot afford to encourage other countries to enact a similar type of regressive and restrictive legislation, because that would hurt the domestic nature of countries even further.

When we place a padlock on the international corridor and we have an international corridor of locked doors, where will people go and how will they do it? If we send out a message that the front door is closed, do you not think, Mr. Speaker, that in order to survive and carry on they will seek the back door? Do you not think that there will be consultants who will continue to abuse those desperate human beings and will always find clients to put on boats, trains, planes, and cars to get them in somehow and make a profitable buck at it? There will always be those low lifes in our society, and we should curb them. We should not produce clients for them who have no alternative but to try to seek a safe haven rather than face torture, imprisonment, or death. That is at the heart of human existence, and the human spirit never gives up.

Therefore, rather than running away and allowing other countries to do the same, Canada should be calling for an international summit of countries, a Commonwealth conference, to suggest to the world that we must re-evaluate the situation, regroup, and have a shared and co-operative type of resolve to try to come to grips with the situation. Otherwise, every individual country will be at risk of further abuse. It is a catch-22 situation which the Government cannot or perhaps refuses to understand.

• (1640)

The Government is not doing Canada any favours by allowing people to become more frustrated and desperate in searching for those back doors. I would rather have a front door policy which says: "If you have a legitimate claim, if you are really trying to remove yourself from torture and death, then you have a chance to receive justice in this country". But we should not send out a message that the front door is locked so that people continuously try to come through the back door. That is not the solution.

I believe Canadians take pride in the way of life which is Canada. They take pride in our justice system, in our Constitution and in our Charter of Rights. When we have people visiting us in this country, we find they are literally amazed at the progressive nature, the democratic and moderate attitudes that influence Canadian society in everyday life. I believe it is those qualities which distinguish Canada from the United States. As great, as powerful, as rich and as resourceful as the United States is, I do not believe any one Canadian living in Canada today would be prepared to trade his or her lot in Canadian society for that of the United States of America. There is sometimes a difficult definition to attach to why that is so, but we all feel it and we all live it. That has characterized our policy towards those who are old, those who are hungry, poor, and sick and those who are essentially less well off than ourselves. The Canadian way has always been to say: "You are also human beings and you, too, have rights the same as we".

Immigrants to Canada, are the centre-piece of our Canadian history, and they number in the millions, and I include myself in that category. When they arrive they have a new lease on life because of what Canada is and what it means. We cannot permit ourselves to lock the door now because the reasons we had for coming here are still valid for those people who wish to have the opportunity as well.

The first reaction of Canadians when they witnessed the arrival of the immigrants was to offer assistance. They offered them tea and coffee and cookies. I think that symbolizes the first reactionary Canadian-style attitude towards those who seek our help. Then the Government and the pollsters moved in. But do you know who are the best pollsters, Mr. Speaker? They are the 25 million Canadians who are watching this Parliament. They are watching their elected leaders and are expecting a moral leadership.

In the history of every nation, including ours, many actions have been popular at particular times in particular circumstances. However, with time and with reflection, many of those

actions have become a shame or a dark mark on that country's history. Leadership means staying the course. It means opting to do always what is morally and ethically correct. It means avoiding the lure of quick political fixes because of the attitudes and perceptions of some pollsters or the attitudes of any other nationality.

I hope that we in this Parliament—the class of 84 and others—will exhibit the moral leadership which has come to mean not only refugee policy but Canadian lifestyle in general.

I conclude by asking my colleagues opposite, members of the Government, to show that we too are against abuse, that we, too, wish to protect the system from those who wish to destroy it. We invite the Government and our colleagues from the New Democratic Party to join with us in amending a legislation which can, which should and which must be made better for all Canadians if we are to expect to continue the tolerant and judicious way of proceeding not only for this group of individuals but for anyone else, for our children and for future generations.

Let us not have a situation where parliamentarians in 20 years will stand here in this House of Commons and ask how we could have approved Bill C-84 in 1987. We have a chance because we are still in the present, and I look forward to working with members of the Government in trying to amend this legislation which needs to be amended in order to give Canadians a piece of legislation which will cut out abuse and protect the system and will also make Canadians proud that we stood up in this House of Commons this summer and voted for the correct and appropriate procedure and avoided the quick political fix.

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Paproski): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed the following Bills, with amendments, to which the concurrence of this House is desired: Bill C-18, an Act respecting national transportation, and Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

Hon. Edward Broadbent (Oshawa): Mr. Speaker, unlike the large majority of nations in the world, modern Canada in fact is a nation which has been created by immigrants and refugees. Therefore, when we are discussing the future of policy in this area inevitably we are talking about our past as a people. It is a past, I would argue, that principally if not exclusively—because we have been a nation created on top of the foundations of the Inuit and Indian peoples who were here first—has been created by men and women from around the globe who chose to come to this country of ours.

We have created a nation that I think, frankly stated, is unsurpassed in its particular mixture of equality, liberty, compassion and tolerance if one makes a systematic comparison with all the countries around the globe today. I think that is a generally accurate description of modern Canada. Canada is a country which consists of people of all races and religions, people of a wide range of political persuasions, the vast majority of whom, of course, are within the democratic framework. Canada is a country which is rich and diverse. We should keep in mind, therefore, our historical origins that have created what we are today when we talk about the kinds of matters that have been introduced by the Government in its Bill today.

We are a divergent people. People have come here for divergent reasons. It is worth recalling that among those who have come here are black Canadians who fled the United States at a time in its history when it accepted slavery and Canada did not. We had Irish immigrants who fled the famine of their native country in the 1840s. Just previous to and after World War I, on top of the French and the English, the original European peoples, eastern and central Europeans, came and, to a considerable extent, filled up the prairie regions and made those parts of Canada the productive and decent places they are.

[*Translation*]

And since World War II Canada has gained international recognition for welcoming people whose lives were threatened and whose future prospects were practically destroyed as a result of the war, poverty or political repression in their country.

Throughout the '50s and '60s Canada sprang to the assistance of hundreds of thousands of people fleeing from European and eastern countries because of the totalitarian régime. In 1973 we opened our arms to people seeking shelter after the brutal military takeover in Chile. In 1978 we helped the 100,000-odd boat people and provided a haven for thousands of others who were trying to get away from dangerous conditions in their country.

As recognition for the generosity of the Canadian people the United Nations awarded Canada the Nansen Medal for exceptional service to the refugee cause. Canada did show leadership in the past and, as a result, our policies are acknowledged the world over as being fair. If we want to maintain our reputation, Mr. Speaker, it is imperative that in

future we follow the same guidelines that guided us in the past. In the past Canada successfully paved the way for hundreds of thousands of immigrants and refugees coming to this country. Unfortunately it was during the mandate of this Government that we detected shortcomings in our policies, inefficient administration and needless recourse to drama. What is needed is a clear-cut and fair policy which comes to grips with the problem, not the hysteria and panic so patently demonstrated by the Conservative Government.

• (1650)

[*English*]

For the New Democratic Party, as for the people of Canada, Bill C-84 is unacceptable, either because it does not deal with the refugee problems that are of concern to Canadians or because it violates the spirit and perhaps the letter of our own Charter of Rights. We in this Party want the problems that are felt seriously and are real, to be dealt with but we want these problems dealt with clearly within the principles of law and totally consistent with our own Charter of Rights and Freedoms.

I would like to talk about three crucial areas. Canadians have been legitimately concerned about the abuse of our very civilized refugee law and of our very civilized, tolerant and humane implementation of that refugee law. Canadians do not want that law abused and abuses there have been.

From my conversations with men and women of my constituency and from what I have heard from others by correspondence, as have all Members, I find that Canadians who themselves are recent immigrants and had to wait often for many years to become immigrants or who have relatives back in their countries of origin whom they want one day to be settled as Canadian citizens are the ones who are particularly sensitive to the reality and find offensive those people who have abused our immigration and refugee laws. We in this Party totally sympathize with those Canadians who find these practices offensive and we want to do everything we can to put an end to those violations.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Canadians know that there are people who, through a variety of schemes, have got in by claiming, on highly bogus grounds, to be refugees. They have then managed to stay in Canada for a number of years and then, once again through a variety of stratagems, have gained the right to stay here permanently. That is not a fair process. It is not just and it is not what we in Parliament who created the present law had in mind.

There have been abuses with which we as parliamentarians have to deal. In our view, there have been many suggestions for dealing with these abuses. We have received a variety of reports including that of the Robinson task force and the admirable, lucid, humane and efficacious report made by Gunther Plaut. More recently, suggestions have been made by the Hon. Member for La Prairie (Mr. Jourdenais), the Chairperson of the employment and immigration committee of the House.

On behalf of my own Party, I wrote to the Minister last February to suggest some very concrete measures the Government could have acted upon if it wanted to deal with this abuse in an effective and humane way. Speaking on behalf of my caucus at that time, I relied almost entirely on what had been proposed by the Canadian Council of Churches. A thoughtful study was done by church leaders from across Canada, church leaders who are concerned about the twin goals of having a fair and humane refugee policy on the one hand and curbing abuses on the other.

What did the Canadian Council of Churches recommend that I passed on to the Minister in writing and to which I have not yet received a reply? It recommended a process that would have reduced the time required to consider the application for refugee status and finally to reach a determination. I will not go into all the details of the proposals now, but I would like to mention some of the key elements of them.

The council proposed a process that was fair and accessible and included hearings and appeals. It is a process which would have reduced the timeframe from the three or four years it is now to a matter of months.

In our view, if these proposals had been acted upon or indeed if they were acted upon now, the process would work. The process would deal with abuse for the very good reason that there are people who use a variety of scams and gambles to get into the country. Indeed, if these people are here for two, three or four years, marry and establish some kind of roots, they rely on the good will of the Canadian Government to accept them as immigrants. Many have taken this gamble. They have gambled in coming in with a process that has gone on for that long. Yet the same people, it has been argued in report after report with cogency, I believe, would not so gamble if they knew they were going to reside just a few months in this country and if they were not bona fide refugees they would be kicked out. That is clearly the conclusion reached by a variety of sensible and practical people who have looked at this matter, and that is the precise recommendation we in the NDP made to the Minister. It is one that we think he should be acting upon today.

• (1700)

Instead of responding to what its own Members have said, instead of responding to Gunther Plaut or the NDP or church leaders, what is the Government doing? It is turning quite upside down the promise made by the Prime Minister (Mr Mulroney) almost one year ago to the day. When the Tamils arrived off our shores about a year ago, the Prime Minister said people who arrive in lifeboats off our shores are not going to be turned away. "We are not", he said, "in the business of turning away refugees and", he added, "we never will under this Government". That promise was kept for all of one year.

Mr. Siddon: He said the same thing yesterday.

Mr. Broadbent: He said one thing a year ago and his Government is doing just the opposite today. I will tell the Minister why I say the Prime Minister is turning his own promise upside down.

He said he would not turn them away if they got to shore, so what is he going to do now? He is going to send Canadian ships out to stop them before they get to shore. That is playing with words. The Minister knows it, the Prime Minister knows it, and the people of Canada are tired of this kind of hypocrisy. It is not merely an absence of justice, it is a travesty of justice.

The Minister, who is not in the House now, knows full well—I do not say that critically. I respect your visual admonition, Mr. Speaker, about referring to the presence or absence of a Member. I apologize. I assume he is not here for good reason and I am not being glib on the point. I am just saying that the Government knows full well that this provision is playing with words. It is in effect a turning away of the ships before they get here. More than that, the kind of process the Government is using compounds the unfairness, from our perspective. It says that a representative of the Coast Guard is going to make the decision. He or she is going to be boarding the ship and ultimately deciding whether the people concerned are in a condition to be turned away. What that means in effect is that these people will have no chance for any kind of hearing on whether or not they are bona fide refugees. That is very clearly what we are saying. Up until now these people have gone through a process to decide whether or not they are bona fide refugees. This recommendation of the Government, if it becomes law, will give not to an immigration official but to a Coast Guard employee with no training, and of course there is no appeal process, the right to decide whether this boatload of people is or is not a boatload of legitimate refugees.

We have a couple of quite disreputable incidents like that in our history. In 1914 we turned away a boatload of Sikhs with quite fatal consequences for some of them. In 1939, not so long ago, a boatload of Jews were denied access. It is easy for us, I know, to make nice moral distinctions about what happened in the past. We do not know what we would have done had we been there. What we know is that we as a nation have grown in our sensitivity and commitment to human liberty and human rights for those who do not yet reside within our borders. We in this Party are not going to accept a clause in a Bill which will leave open the possibility of a repetition of what happened in 1914 and 1939.

A second concern of Canadians, and a deeply felt and legitimate concern, is about the profiteering which has been going on. People want to exploit the desires of others to come to our land. They have made money based upon the suffering of these people and their desire to come to this country. Well, we in this Party favour an intensification of the punishment of fines and imprisonment for those who profiteer in this way to get around or break Canadian law. If the goal is or ought to be the putting to an end of that kind of profiteering and the effective curbing of some of the abuses, one would have hoped that the Bill we have before us would deal effectively with that. It does not deal with profiteering as such at all. It contains a provision which could lead to the imprisonment or imposition of serious fines on church people, representatives of Amnesty International, or other totally sincere and empathic human beings who are devoting a good part of their lives to try to facilitate the entry into Canada of legitimate refugees.

I do not say that lightly and I want to read into the record Clause 95.1 of the Bill which clearly makes this possible. It says this:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offence and is liable—

It goes on to talk about prison sentences and fines up to the multi-thousand dollar level. I want to make a couple of points about that. First, most legitimate refugees who came to this country in recent years from Central America had no documents and could not get them. If they went to get them in a number of countries in Central America they would be put in jail or worse, so they arrive without them. They are arriving, perhaps even as we are debating now, with the aid of tremendously concerned church people.

• (1710)

According to my reading of this provision, the church people are subject to the penalties under the law. That is totally unacceptable to the members of my Party.

Some Hon. Members: Hear, hear!

Mr. Broadbent: There is now an agreement for this measure to be in committee by Friday of this week. We will move a number of very specific amendments there. However, I will make a suggestion now which I hope the Government will begin considering. I assume the Government had good motives in terms of getting at the abuse associated with profiteering and wrong-doing of that kind, and that there was bad drafting of the legislation. I will put it that way. If that is the case, in my judgment there should be no reference at all to documentation being required for these refugees and we should get to the real problem. I suggest that instead of Clause 95(1) we ought to be considering in principle wording such as the following:

> Every person who knowingly organizes, induces, aids or abets, or attempts to organize, induce, aid or abet a person to come into Canada in a clandestine manner, or to make a false refugee claim, is guilty of an offence.

If a person commits an offence fitting within this category, he or she should be liable to the punishments included in other sections of the Bill. That would mean that the church person, who is acting in good faith, or refugees who have no documents, would not be punished by the laws of Canada. We do not want to punish refugees. We want genuine refugees to be acceptable to this country.

Some Hon. Members: Hear, hear!

Mr. Broadbent: I now want to turn to a third area of concern which Canadians have had. Canadians are concerned about the admission of people who might indeed be a security risk in our country or people who have committed major crimes in their land of origin. I would like to make a couple of points on this issue.

First, I understand international reality reasonably well on the point of serious security risk type of people. They are not the type of people who come as refugees. As the Member for Spadina (Mr. Heap) said the other day, it is much more likely that such terrorists, such evil people, if I can put it that way, will come in with all the documents, wearing expensive suits and, quite conceivably, flying first class in an airplane. They will come in well organized, not as refugees.

Second, I did some checking and I believe I am right that there is no record in Canadian history of the Government ever finding a person who is deemed to be a security risk who came into Canada and applied as a refugee. My understanding is that no person who turned out to be a terrorist or serious criminal has ever actually applied within Canada as a refugee.

That having been said, all members of all Parties of course want to do everything they can to ensure that no such people come into our country. My Party is as concerned about that as is the Government.

At present a refugee claimant who is detained because of suspicion that he or she would fit into this category is entitled to a hearing within 48 hours. Subsequently the Security Intelligence Review Committee would be asked to determine whether there is a valid reason for this detention. That is the existing law. On the whole, this process, in terms of this category of person, seems to be a good one. However, Bill C-84 proposes replacing the Security Intelligence Review Committee with the judgment of the Federal Court.

There are two serious things wrong with that. One, it is the Security Intelligence Review Committee which has some expertise in passing judgment about security risks. That is why we created the agency. That is why we are in the process of building up a cadre of people with some expertise in this field. They have the expertise and presently have the responsibility of making a recommendation. However, the Government does not want to use the people with expertise but wants to give the responsibility to the Federal Court, which has no expertise whatsoever in this area. I am sure that any judge would candidly admit that. We are going to turn it over to a federal judge who has no expertise.

The second point is that, as everyone knows, there is a backlog at the Federal Court level of many months. The Federal Courts are also overburdened. Therefore, it again seems to us that the legitimate goal of dealing with potential terrorists and taking steps to stop their entry has not been achieved in a sensible way by replacing the Security Intelligence Review Committee's work with that of the Federal Court. That is a recommendation which we in this Party find lacks any sense whatsoever and one we cannot support.

I want to conclude my brief observations on this Bill by saying that we want abuses in the refugee system of our country stopped. We want profiteers punished. We certainly want terrorists to be stopped from entering Canada. However, we want these problems dealt with in ways consistent with the rule of law, with our own Charter of Rights, and with the Canadian tradition which has shown an openness to refugees. We cannot support the present Bill precisely because it violates these requirements.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mr. Paproski): The Hon. Minister of State for Immigration (Mr. Weiner).

Mr. Broadbent: Mr. Speaker, I rise on a point of order before the Minister speaks. I mentioned that I sent a letter to the Minister last February and that I had not received a reply. I have just been informed that I did receive a detailed reply. I want to correct that.

• (1720)

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, I want to thank the Hon. Member for correcting what was obviously an oversight. I indeed appreciate some of his comments which were very helpful. Perhaps they have already listened to what they want to hear, but I would be happy to share a few remarks with them.

The Acting Speaker (Mr. Paproski): Order, please. If there are any further conversations, I wish Hon. Members would have them behind the curtain.

Mr. Weiner: Mr. Speaker, we are in the midst of a difficult and volatile situation. Recent occurrences compel the Government to enact legislation that will eliminate the abuse of our immigration laws.

What we have heard clearly is that queue jumping will not be tolerated. It is unfair that a claimant who is not a legitimate refugee can move to the head of a line. That undermines the system and it incites further abuse.

I can understand the frustration of many who have waited long periods of time, hoping that they can sponsor members of their family or others who do not meet the narrow constraints of our immigration policy. I understand those frustrations and, in fact, in his statement this week the Minister of Employment and Immigration (Mr. Bouchard) gave hope to those who have older non-dependent children that very soon they will be able to bring them in to join them. We know how important it is for them to be reunited with their families.

The current system of the refugee determination process is absurd. It is chaotic, it is unfair, and it just does not work. I hear some proposing a system that is even more complicated. We do not have an appeal process on merit now and some are

raising the possibility of a new system that establishes an appeal on merit. One wonders how that will function any better when we already have a system that does not function now.

Clearly we need a system that is firm, fair, just, and balances reason with compassion. It has to be able to identify and welcome real refugees. It must be able to provide protection to those who need protection.

There are others who have been making inappropriate refugee claims. There are illegal migrants—certainly good people—who are attempting to abuse our system.

Recently we have seen an increase in that abuse. Since May of last year only about 10 per cent of those claimants have been found to be legitimate refugees, according to the best advice of our refugee status advisory committee. In the previous year at least a third of the same claimants were deemed to be bona fide refugees. This indicates an increased abuse.

What does this mean to the real refugees of the world, and how are Canadians to perceive how their resources are being abused when they could be a benefit to real refugees?

This is a serious matter. We are sending out a strong message. It is that trafficking in human flesh cannot be accepted. It is deplorable, and that kind of smuggling, keeping people in sub-human conditions and forcing them to risk their lives, will be stopped. We will put those people who mass market in that way out of business.

It could be tragic if we allowed this to go on much longer. The tragedy would be that it could corrode the environment in which we must continue to operate a refugee policy. We need a more hospitable environment in order to build a more generous refugee policy and indeed bring an increasing number of immigrants to this country. As other Members have indicated, immigrants and refugees have made an enormous contribution to the wellbeing of this country. They create jobs, rather than remove them, and make an enormous contribution in terms of goods and services that they require.

Some Hon. Members have raised the security situation. I want to assure all Canadians that if there are reasonable grounds for believing that an individual is a danger to our society, or the person has committed a crime elsewhere, that person should not be permitted to make a refugee claim in this country. That position is supported by our international obligations and by our own Immigration Act.

We will continue to consider the reality. The fact that there are those who are not playing by the rules of the game has eroded public support. By welcoming and identifying real refugees, by removing unfounded claimants, by protecting legitimate refugees and deterring abusive claimants, we will send out a clear message to Canadians that in the summer of 1987 we heard their plea and that abuse will never be tolerated in this country.

I want to explain the details of the new Bill and emphasize a few points before I do so. This legislation will bring in tough controls and some severe penalties. I will not deny that they are indeed tough, but this toughness is tempered by fairness and concern for refugees that has won Canada an international humanitarian reputation.

These proposals address a problem that has been brewing for the last few years. The arrival of the Sikhs is only the latest manifestation of this issue.

The number of refugee claims made at Canadian border crossings has increased dramatically in the last several years. In 1981, 3,450 claims were made. By 1986, that number ballooned to 18,000. An estimated 30,000 claims will be made by the end of this year.

Many of these claims are false and are clogging our refugee determination system. These measures will deter people who make false claims for refugee status from entering Canada.

This Government believes that tough deterrents will bring results.

What are we trying to do? The answer is simple. We want to prevent abuse of the refugee determination system. This will help genuine refugees to get fast, efficient assistance from Canada. We will help those who need our protection, not those who do not.

Bill C-55, which provides permanent solutions, was introduced in the House last May. Given the urgent human dimension of its recommendations, I would hope that the Opposition will consider Bill C-55 more objectively than it did last spring. It is landmark legislation that will streamline the claims process, provide expanded refugee hearing resources, make the determination process more efficient from top to bottom, and give Government new clout to dispatch economic migrants to safe third countries.

[*Translation*]

As for our motivation, we are deeply concerned by the unscrupulous smugglers who help people come illegally into Canada. Their activity is unacceptable. Not only is it unfair to those who pay their money on the strength of false promises, but it also jeopardizes human lives.

This is not only unfair to the people directly involved, but odious for all Canadians. We have to put an end to this practice and we shall do so. Experience has shown that existing penalties are not sufficiently harsh to deter smugglers.

The Bill introduced today provides appropriate penalties. Anyone who organizes or abets the smuggling of people into Canada is liable to a maximum prison term of five years and a maximum fine of $500,000.

The new provisions will make the activities of smugglers and merciless advisors more risky. Harsh penalties will also apply to the illegal disembarking of passengers in Canadian territorial waters. Our purpose is simple: We shall attack the

problem by making lawbreakers lose the benefits they could reap from their activities.

• (1730)

[*English*]

Transportation companies also carry responsibility for allowing people to enter Canada illegally. Some individuals enter Canada clandestinely, but the vast majority of improperly documented arrivals come on scheduled carriers.

Some transportation companies have been unwilling or apparently unable to ensure that their passengers carry proper travel documents. The Bill promises heavier fines for companies transporting people who do not have proper documentation. A fine of $5,000 for each passenger without proper travel documents will be imposed. The Deputy Minister of Employment and Immigration will have the power to require any company to deposit a security for unpaid fines. Failure to comply may result in the seizure of the company's planes. Under this legislation airlines will be permitted to collect documents and return them to individuals upon arrival in Canada.

In addition, transportation companies will collect information to help identify passengers who conceal or destroy their documents. The Government recognizes that limitations must be placed on the liability of airlines and other transportation companies. We recognize that the Government is obliged to deal with inadmissible persons quickly. Transportation companies do have responsibilities and obligations—which I am confident they will meet.

As you know, Mr. Speaker, many of the recent illegal arrivals came without identification. We need to improve our ability to detain improperly documented claimants until their identities can be established. This is important for two reasons. We have to be careful not to admit anyone who poses a threat to Canada's security; and we must be able to identify people who really do not need our protection.

Under the new legislation people arriving at major ports of entry without proper documentation will be detained for a period of up to seven days. If, after seven days, the senior immigration officer can demonstrate that reasonable efforts are being made to establish the claimant's identity, there is an obligatory extension for a further 21 days. Extensions beyond this 28-day period can be made weekly.

This measure sounds quite tough. It is. If we do not know who a person is then we do not know if that person is or is not dangerous. Simply put, we must know whom we are allowing into the country.

The need to establish identity is an important security precaution. A firmer detention policy is essential in any serious attempt to deter large influxes of bogus claimants. Once again I must emphasize that our aim here is to deter people from coming to Canada illegally.

An important aspect of the legislation allows for the detention of security threats until they can be removed. In cases suggesting a criminal background based upon confidential information, a Minister's certificate describing this evidence will be presented to the immigration adjudicator. The inquiry will then be adjourned. The Minister's certificate will be presented to a justice of the Federal Court. The claimant will be given an opportunity to respond to the Minister's allegations. If the justice of the Federal Court rules that the claimant is a threat, then the person will be removed. That person will not have recourse to the refugee determination system.

[*Translation*]

Mr. Speaker, I have been outlining some of the punitive aspects of this Bill. I emphasize that these are deterrent provisions. The previous legislation left too much room for abuses. The entire world now knows that Canada will no longer tolerate such abuses.

The new legislation also provides other means of deterring fraudulent applicants. Naturally, many people want to take advantage of the economic opportunities offered by Canada, but we cannot allow them to cheat and to bypass regular immigration channels.

The government is now facing a difficult situation. The refugee determination process has bogged down. To date, five years are needed to establish whether a refugee claim is genuine. During that time, the claimant is entitled to work in Canada. If the tribunal rejects the claim, it is very difficult to send the individual back to his or her country of origin after all that time.

[*English*]

Over the last five years some 40,000 claimants came to our door and, as was their right, they made a refugee status claim. After the seven other levels of appeal and re-appeal, only some 650 were asked to leave the country. That is not a refugee determination process—it is a licence to abuse. It is a licence to come in by the back door. It is unfair. What all Canadians want is a system that is fair and just. If the criteria are well established, then let everyone have the same opportunity to meet them. Some people should not be able to jump into a third line which is totally unrelated to the immigration line, or to jump into a line that must always be there for true refugees, those people who need protection and who should always find a home here.

[*Translation*]

An individual may have a steady job, have started a family and have children who are Canadian citizens. This however does not legalize the way he or she entered Canada and is a breach by economic migrants of established immigration rules.

Mr. Speaker, the current process, if I may say so, is an invitation to abuse. It is therefore clear that we need a more effective and expeditious system. This legislation is a major

and necessary step in that direction. Expeditious treatment will deter illegitimate refugee claims.

[*English*]

There is no better deterrent than a much more expeditious determination process. Once those people who are known not to be refugees whose claims are either manifestly unfounded, who have refugee status and who have lived sufficient lengths of time elsewhere, who can be returned to those countries or who can seek the protection of those countries are removed from the system, then that will send the clearest message to people around the world that it does not pay to sell all of one's belongings and pick up and try to hit Canada as an illegal alien. Indeed, it may be more appropriate and beneficial to those people to try to apply under the regulation, under the immigration stream. Indeed, most of these people have not done that.

[*Translation*]

People are more reluctant to take fraudulent actions if they know they can be removed rapidly, and we already have evidence of that.

[*English*]

Canada is an open and caring country. All of us are very fortunate to live here. We are privileged to claim Canada as our home. This is no secret to the rest of the world. Our international reputation as a land of peace and opportunity is what impresses people and makes them want to live here. And we want them to come. We will be increasing immigration levels over the next three years. I take pride in the international reputation Canada enjoys as a safe haven for refugees. It is an honour that hard work and dedication have won.

We steadfastly maintain our commitment not only to immigrants but to refugees. At least 17,000 refugees will enter Canada by the end of this year. Obviously, the attraction of Canada has led some people to attempt to bypass regular immigration channels. This worsening situation has prompted the Government to introduce deterrent measures to prevent abuse now.

• (1740)

We want to ensure that there is time for a full and reasoned debate of Bill C-55 to chart the path for refugee determination for some years to come. This Bill is designed to address immediate and difficult circumstances to stop the most flagrant abuses. Bill C-55 seeks to address long-term issues which are facing us. The Government is faced with a difficult situation. Responsible action is needed now and will be needed again in order to pass Bill C-55.

The task before us is one which transcends partisanship. It concerns fundamental issues of fairness, justice, and the integrity of our laws. As such it is a task which deserves not only the attention of all Hon. Members, it demands action. It demands our collective resolve and determination to deal expeditiously with these deterrent and detention measures.

I urge all Hon. Members to accept this challenge, and in so doing to take a major step toward ensuring that Canada will have a refugee determination system that is truly effective, responsive and just.

The Acting Speaker (Mr. Paproski): On questions and comments, the Hon. Member for Vancouver—Kingsway (Mr. Waddell).

Mr. Waddell: The Hon. Member from Oshawa (Mr. Broadbent) made a strong case for the possibility that caring Canadians who are trying to help legitimate refugees could be charged and prosecuted under this Act. Is the Government prepared to look at that clause and to accept the appropriate amendment?

Mr. Weiner: I indicated that I appreciated many of the thoughtful remarks of the Leader of the New Democratic Party, the Hon. Member for Oshawa (Mr. Broadbent). I have not had a chance to study in great detail what he has asked, or what he is offering. Certainly, I accept and welcome the contribution from him and other Members of Parliament. That is what this process is all about. Nothing has been cast in stone. We are certainly most willing and interested. There is an urgency to the situation. We must send out a message that we will be passing this Bill as quickly as possible. This Bill is to deter, detain, and deport in certain instances, and I would be very pleased to be able to observe and bring it forward in the manner that is prescribed.

Mr. Caccia: It may help the Minister if I brought to his attention the point that has been raised, namely, that the Minister proposes in Section 95.1 to imprison a Canadian, a group, an organization, or a group within a church that engages in helping prospective refugees who may be without documents, and who may want to come into Canada. I am referring specifically to Section 95.1.

Would the Minister be more explicit and indicate to us whether he will accept an amendment that will take into account the number of organizations, churches, and individuals who seek, in the cause of helping potential refugees, a very legitimate activity under the Canadian system?

Mr. Weiner: For almost 10 years there has been a section in the Immigration Act, and I wish to quote Section 95(m). It states that the present Act includes the following offence:

> Every person who (m) knowingly induces, aids or abets or attempts to induce, aid or abet any person to contravene any provision of this Act or the regulations, is guilty of an offence and is liable

The provision was always there, but obviously this was not intended to affect church people and non-governmental organization workers, and we share with them their dedicated interest to help real refugees. What we are attempting to do by the specifics of this provision is to get at the organizers of clandestine movements, those that deal with the mass marketing of human misery. Those are the people we want to put out of business.

The specifics are such that we have taken three definitions from the original Act. We have combined them here. What there is in the specific definitions, 95.1 and 95.2 was already covered by the generalities of 95(m). In the past 10 years we have not prosecuted a single person who was a member of a church or non-governmental organization for his or her legitimate activity. But if it is illegitimate activity, and if they are contravening the Act and mass marketing this type of misery, obviously they too should pay the price.

Mr. McDermid: This afternoon we heard speeches from the Opposition which stated that the new laws proposed in both Bill C-55 and Bill C-84 were destroying the credibility of our immigration system. I wish to ask the Minister if he feels that this is true. Does he agree that the abuses which were increasing in alarming numbers over the last number of years were causing the credibility gap with our very generous and fair immigration system, and a very serious backlash was starting to develop here that could destroy what we have built up over the last number of years?

Mr. Weiner: In 1987 we will be welcoming 125,000 immigrants and refugees to Canada. These are people who will meet the criteria either under our independent immigrant class, business investors and entrepreneurs which are a small part of the program, family reunification, and 20,000 refugees and humanitarian cases.

When people who do not meet the criteria come anyway as they have been doing in increasing numbers, there have been over 16,000 this year, we know that over 90 per cent of them are non-legitimate refugees. They are people who should be applying in other streams. They should be applying as immigrants. This causes a frustration in communities with people who have been waiting to sponsor their relatives. I said that I understood that frustration and I understood why they are having difficulty waiting. The trouble it is causing in the community is that it is leading to a feeling that maybe accepting immigrants and refugees is not what we should be doing. I look out and say that there has to be a positive benefit to this. The positive benefit is to put your house in order, stop that abuse, stop illegal aliens. We say no to illegal aliens, and yes to real refugees.

At the same time let us give ourselves the opportunity to focus on the enormous contribution that immigrants and refugees make to this society. In 1986 alone, the 100,000 people who came here contributed over $2.25 billion to the economic development of this country. That is a gigantic contribution. All of them continue to make that contribution. They are not the ones who are out of work. They are the ones who are creating jobs, and by their purchases of goods and services they are helping to advance this society to allow us to continue to grow. I say that by being firm and fair and by creating this type of an environment, we can be assured that this hospitable environment—after I have cleared up the policy matter, created a better understanding of what refugees and immigrants are, and stopped illegal aliens—will allow a much broader growth of the immigration program, and will allow us to be more generous to real refugees. We are making a tremendous commitment to refugees. On a per capita basis, Canada does more for the real refugees of the world than any other country.

Mr. de Corneille: My question is directed to the Minister. Yesterday I received a telegram from within my riding from the Redemptionist Fathers. They were expressing understandable concern about the rather Draconian tone of the present Bill C-84. It seems to many that the Bill has already caused a lot of concern among groups. I know that the Minister would not wish to encourage concern if there is a way to deal with the matter. In trying to make Canadians feel that the Government at last is coming to grips with a subject on which it has perhaps delayed too long, perhaps it is now trying to come up with something that is so Draconian and so severe that it will satisfy everyone's concerns. That is not a very healthy way to proceed. I wonder whether the Minister is prepared to do something about Sections 95.1 and 95.2.

• (1750)

In terms of not only religious communities but all those concerned about fairness, as I think are all Canadians, what is the Minister doing to assure Canadians that steps will not be taken or laws will not be passed that can implicate people who are working for refugees in a positive way in a Bill which is supposed to be trying to deal with only those who are genuinely exploiting the refugee situation?

Mr. Weiner: Mr. Speaker, I hope everybody is clearly getting the message that we abhor the trafficking in human flesh. That process must stop. Very clearly our message of deterrence is being well received.

Perhaps the transportation companies will get the same message—$5,000 for every undocumented arrival. We want them to collect documents and we will authorize them to do it. We want to ensure that the people they bring here will be available to us in a way that we can get an understanding of where they come from and who they are.

We are not meaning to affect any individual who has dedicated his life and work to the real refugees of the world. However, we are going to stop this organized movement of clandestine groups who want to abuse us and take us for patsies. Canadians have said "no more", and we are speaking out loudly and clearly. Saying "no" to illegal aliens will still give us the right to say "yes" to real refugees and to do well.

The Acting Speaker (Mr. Paproski): The period for questions and comments has now terminated.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, thank you very much for recognizing me and for giving me the opportunity to follow the Minister of State for Immigration (Mr. Weiner) who, from the comments he has been making in the last 30 minutes, is obviously suffering from an acute case of schizophrenia.

On the one hand he says that Canadians are proud of the traditions and accomplishments in making this an open, tolerant, and generous country. Then he bangs his fist on the desk and says, "By God, we are going to stop all this kind of nonsense from coming forth", and begins waving the xenophobic flags and saying that we will not tolerate any more flagrant violations of the system.

Some Hon. Members: Right on!

Mr. Weiner: Exactly.

Mr. Rossi: Mr. Speaker, why don't you call them to order over there?

The Acting Speaker (Mr. Paproski): It has been a great debate this afternoon on this particular Bill. We still have about seven minutes remaining. I hope courtesy would be extended to the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy).

Mr. Axworthy: I think we should pose some questions to that Minister and his boss, the Minister of Employment and Immigration (Mr. Bouchard). If they truly believe that Canada has established leadership in this issue, why is it that they have introduced legislation which clearly contravenes all the international obligations we have signed since 1969? Why have they introduced legislation which caused the United Nations High Commission on Refugees to take the unprecedented step of sending an *aide-mémoire* to the Government saying, "What you are doing is wrong"?

Mr. Weiner: Did you see it and what it says?

Mr. Axworthy: Yes. That is exactly what it says. I have it right here.

Why is it that the United Nations High Commission said on the matter of transportation that to put the responsibility of determining who is a refugee on a private commercial airline which is untrained, as opposed to recognizing the responsibility of a country to determine the fundamental issue of who should be a member of its community, is against the convention on refugees? That is, again, from international authorities.

We could cite statement after statement, evidence after evidence, to show that the Government is flagrantly transgressing the commitment of our country to the international community. It is deliberately going against the steps we have taken as a country to support an international refugee system which tries to deal with one of the world's most serious and desperate problems.

There is no question that this is a problem which should occupy and demand the intelligence and response of all Canadians. We are a country which knows what it might be like to be homeless. Many of us come from families who were kicked out of their own countries. Many of our families fled from persecution, famine, and Governments which treated them in a tyrannical manner.

Put yourself in the following position, Mr. Speaker. We in the House can speak confidently, but think of yourself, your wife, and your family if you did not belong anywhere, if you had no rights anywhere, if you were kicked around from country to country.

I have met those kinds of people in the refugee camps of the world. I have talked with them. I know the desperation one can see in their eyes. It is no wonder they try to get here.

We have heard people talk about queue-jumpers and illegal aliens as if they were somehow criminally sponsored. They are people looking for a home, a place to belong, where they have some roots and some rights.

This country, to its credit and up to the last year, has led the world in trying to ensure that there was a fair system to deal with that problem. We undertook international negotiations beginning in 1983 with the Americans, the Europeans, and the Asians to try to find a way in which to share the burden. At that time we saw the beginning of Berlin walls for refugees around the world, the beginning of restrictive measures. We said to the international community: "This must stop. We must find a way of sharing the responsibility and a way of organizing ourselves as an international community to deal with this kind of problem". By the way, the present Government no longer follows that initiative. In fact it was dropped as part of its foreign policy agenda.

When they say, "Why didn't we find a solution", I say, "Why didn't the Minister and his predecessor follow that initiative to try to get international co-operation and fight against restrictive measures rather than go the opposite way and become a follower, following the worst examples rather than setting the best example."

Some Hon. Members: Hear, hear!

Mr. Axworthy: He says, "We appeal to find some solution to the problem in Canada". These solutions have been sitting on desks of the the Minister and his predecessor for over two years. The Plaut Commission, commissioned by the previous Government, was put forward as a way of clearly responding to a reform of the refugee determination system. It was then examined by a Commons committee with a majority of Conservative Members who came up with a unanimous report, which the Government ignored, as it ignored the Plaut Commission.

As if that were not enough, the former Chairman, the Hon. Member for Calgary West (Mr. Hawkes), called a meeting last December of NGOs, Amnesty International, UNHCR, and officials of the Department, and came up with a consensus decision.

Do we not hear from the Government all the time, "Let's find a consensus agreement, let's find a way of doing things that is commonly shared"? They had an arrangement to which the churches, refugee organizations, the UN, and Amnesty International agreed. Only one group did not agree; the

Minister and his officials did not agree. They were the only ones who stood against that consensus. They were the only ones who stood against the kind of solution which enjoys the total approbation of all interested parties in this country.

What was the problem? Why is it that only they are in step? Why is it that only they have the divine ordinance to tell who is a real refugee?

It is heresy for a Minister of Immigration to stand in the House and say, "I know who is a legitimate refugee, and we are going to keep the bad ones out". We have established in this country an independent process, a process immune from that kind of political influence, to ensure that refugees would have a fair, impartial, and independent hearing. Now we have Ministers of Immigration who are saying that they want to take it back unto their fold. They want to decide who are refugees. They want to decide whether it is the colour of their skin or their hair or their religion which determines whether they are bona fide refugees. They are corrupting that system, and they are going to hear more from me tomorrow morning on that. That is what they are engaged in—corruption of the system, and they know it.

One of the real responsibilities of the Minister of Immigration, rather than inflaming public opinion and rather than generating the kind of response we have seen, is to try to educate and to make Canadians understand the problems they face. It is a sensitive, delicate responsibility. It is a responsibility which has been kicked in the teeth by the present Minister of Employment and Immigration and his assistant. They do not recognize the responsibility to ensure that there is a balance between the system of proper recognition of civil liberties of Canadians and of refugees and making sure that the system works efficiently.

You will hear more about that tomorrow morning, Mr. Speaker.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mr. Paproski): The Hon. Member for Winnipeg—Fort Garry will have 12 minutes remaining in his speech, plus 10 minutes for questions and comments.

[*Translation*]

It being 6.00 p.m., this House stands adjourned until 11.00 a.m. tomorrow, pursuant to Section 3(2).

The House adjourned at 6.00 p.m.

HOUSE OF COMMONS

Thursday, August 13, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petition No. 332-2601.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Rod Murphy (Churchill): Mr. Speaker, I have the honour to present two petitions signed by residents of Canada in which they express their concern about the Government's Bill C-55. The petitioners believe that it threatens legitimate refugees. They call upon Parliament to ensure that the Government and Parliament withdraw Bill C-55, and substitute legislation which embodies the principles of fair and quick oral hearings of claims before a refugee board which is independent of the Immigration Commission. The petitioners feel there should be universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

CANADA POST—OPPOSITION TO CLOSURE OF DIRECT MAIL UNIT

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, it is my duty and honour to present a petition from residents of Thunder Bay. In the petition they protest the federal Government's proposal to close the direct mail unit of the Canada Employment Centre in Thunder Bay because it will result in deterioration of service at the centre at the expense of the residents of northwestern Ontario. The proposed decision will result in clients throughout northwestern Ontario having to mail their cards directly to Belleville which will result in a delay in payment of unemployment insurance benefits. All of this is as a result of the removal of the computer centre in Thunder Bay, and the courier service from Belleville.

The petitioners call upon Parliament to instruct the Government to make improved service the highest priority of the Canada Employment Centre, and to instruct the Government to abandon this decision to remove the input of unemployment insurance report cards in the Thunder Bay Canada Employment Centre.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition certified by the Clerk of Petitions from a number of residents of the riding of Spadina, and the City of Toronto.

• (1110)

In this petition they point out that Bill C-55 threatens Canada's traditional commitment to assisting refugees and sets out measures designed to keep most refugee claimants out of the country, as opposed to ensuring that genuine refugee claimants are given protection.

A number of other considerations are raised in the "whereases", but the petition at the end is that Parliament and Government ensure that Bill C-55 is withdrawn and that the Department and Government substitute therefor legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

In duty bound your petitioners will ever pray.

[*Translation*]

OPPOSITION TO ADDITIONAL TAXES

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I have the honour to table five petitions bearing the signatures of a number of my constituents who, this summer, were visiting the Byward Market. They are to the effect that the Federal Government has since September 1984 imposed on Canadian taxpayers 25 new increases on existing taxes, including some on medical and dental supplies, candies, sweets and soft drinks.

That the Federal Government, in its White Paper on tax reform, is considering the possibility of imposing on Canadian taxpayers a generalized sales tax on goods and services, including food, that food represents a vital element in their daily lives and that this sales tax would heavily penalize various categories of taxpayers, including the senior citizens,

the families, the unemployed, the low and middle income taxpayers, the young, etc.

Wherefor, the undersigned humbly pray and call upon Parliament to turn down any legislation the effect of which would be to impose a sales tax on foodstuffs.

Humbly submitted, Mr. Speaker, by some 100 Ottawa—Vanier taxpayers.

* * *

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following question will be answered today: No. 147.

[*Text*]

REACTION TO BILLS C-204 AND C-51

Question No. 147—**Ms. McDonald:**

Since their introduction, did the Government receive any letters in relation to Bill C-204, Non-smokers' Health Act and Bill C-51, Tobacco Products Control Act and, if so, in each case, how many were (*a*) in support (*b*) in opposition?

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): I am informed by several departments as follows:

Bill C-204, Non-Smokers' Health Act. (a) 282, (b) 22.

Bill C-51, Tobacco Products Control Act. (a) 499, (b) 1,087.

The Department of Finance has recorded the receipt of 17 letters relating to Bills C-51 and C-204. Of these, only seven named C-51 and C-204 to by name or number. Twelve writers were against the Bill and five were in favour although two of the five felt the proposals were not strong enough.

[*English*]

The Acting Speaker (Mr. Paproski): The question enumerated by the Parliamentary Secretary has been answered.

* * *

QUESTION PASSED AS ORDER FOR RETURN

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if Question No. 149 could be made an Order for Return, the Return would be tabled immediately.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House that Question No. 149 be deemed to have been made an Order for Return?

Some Hon. Members: Agreed.

[*Text*]

CONTRACTS WITH ADVERTISING FIRMS

Question No. 149—**Mr. Boudria:**

1. Since September 4, 1984, did (*a*) Continental Public Relations (*b*) Foster Advertising (*c*) Golin Harris (*d*) Continental Golin Harris (*e*) Advance Planning Company (*f*) Dalton Camp (*g*) Camp and Associates receive any money from the Government and, if so, in each case (i) in what amount (ii) were contracts involved and, if so, for each contract, what was the nature and the amount?

2. Were such contracts put to public tender and (*a*) if so, which ones (*b*) if not, for what reason?

Return tabled.

[*English*]

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

The Acting Speaker (Mr. Paproski): Shall the remaining questions be allowed to stand.

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Wednesday, August 12, consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

The Acting Speaker (Mr. Paproski): Before recognizing the Hon. Member for Kamloops—Shuswap (Mr. Riis) on a point of order, I should like to indicate that the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) has 12 minutes remaining in his speech, with provision for ten minutes of questions or comments.

Mr. Riis: Mr. Speaker, I rise on a point of order. Before we resume listening to the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), and with the Parliamentary Secretary to the Government House Leader in the House, I want simply to clarify where we have arrived at in the House in terms of the negotiations which have taken place over the last two days between the various Parties, the various House Leaders.

I want to make clear just what is the agreement to which we have come. My understanding as of this morning is that there has been agreement that we will limit debate at second reading to enable the Bill before us, Bill C-84, to go to committee tomorrow; that that debate will take place for the rest of today as a regular day and into tomorrow, if necessary; and that then

it will be referred to committee—in other words, that debate at second reading will terminate.

This by no means indicates our support; quite the contrary. We are concerned about its major flaws, and we are anxious that it gets into committee.

Since the two opposition Parties have agreed to enable this piece of legislation to go to the legislative committee tomorrow, at committee stage it will receive full and complete hearings, with expert witnesses appearing before the committee to ensure complete and full examination.

I simply want to make that clear because there has been some confusion. When I left last night we had an understanding, and it has been changed this morning.

The Acting Speaker (Mr. Paproski): Before recognizing the Parliamentary Secretary, let me indicate that I know this is Thursday and that there should be some sort of government business later, after Question Period today, to discuss what will happen as far as the House is concerned.

Mr. Riis: No, no.

The Acting Speaker (Mr. Paproski): I do not think this exchange should be taking place right now on the floor of the House, but I will recognize the Parliamentary Secretary to the President of the Privy Council.

Mr. Gauthier: Equal time.

Mr. Lewis: Mr. Speaker, I should like to point out to the House that there were the normal discussions between House Leaders in an effort to come to an agreement but, as I advised my friend at ten o'clock this morning in the corridor outside, there was no agreement.

Mr. Riis: I rise on a point of order for clarification. Since we have now agreed, as of this morning, to go back to the normal procedure, does that mean that we will have Private Members Business at the end of today?

Mr. Lewis: Obviously, Mr. Speaker. As I indicated to my friend at ten o'clock this morning, we were unable to come to an agreement and that meant that a normal day would ensue.

Mr. Gray (Windsor West): Mr. Speaker, as is customary, there are ongoing discussions about the organization of the business of the House. We had an exchange of views about how long the debate on second reading of Bill C-84 would go.

It may well be—it is possible—that the debate will come to a conclusion tomorrow, so that a vote can be taken, a vote in which the Liberal Party will state its opposition to Bill C-84 on second reading.

Certainly at this stage I am unable to confirm any agreement and, therefore, I presume we are applying the normal rules provided by the Standing Orders, and I would be happy to have you, Sir, enable the debate to continue.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in my remarks yesterday I was pointing out to the House that the actions taken by the Government on this Bill and on Bill C-55 were clear contradictions to our agreements under United Nations covenants, that they trespassed upon four decades of important evolutionary work in developing an effective system of refugee determination internationally, and that it would lead to chaos in the courts as they are challenged on a whole series of infractions against the civil liberties of Canadians. In other words, this is bad legislation.

The only justification we have heard from the other side is that this is what Canadians want. They say that Canadians are outraged and that this is what public opinion demands. I point out, certainly from my soundings in my riding and in other parts of Manitoba and the West which I visited this summer, that if the primary concern of Members on the government side were to respond to public opinion, the most important thing they could do is to get rid of the Prime Minister (Mr. Mulroney). Unquestionably that is the number one preoccupation of people in my riding. Certainly public opinion says, let's get rid of the Prime Minister. However, I have seen no interest by Tory Members to respond to the overwhelming, unquestionable demand by the public to get rid of the existing office holder.

On a more serious matter, I want to point out a very important historical lesson, that we have a serious scar on the question of immigration in Canada which occurred in the late 1930s and the early 1940s, when we denied the access of Jews fleeing Nazi Germany to come to this country in any substantial numbers.

As Irving Abella has pointed out in his book, that was also a demand of the Canadian public at that time. That was also the overwhelming public reaction, at which time Frederick Charles Blair, who was running the Immigration Department, built upon that public demand to demand certificates for entry. That is not far different from what the Government today is demanding.

Would we want to repeat that terrible, horrible incident in our history? No, I think Canadians have tried to correct it. We have worked since then to try to establish the alternative position. This is why it has been so important for successive Governments, Liberal and Conservative, in dealing with refugee and immigration matters, to ensure that they did not set out to create hysteria. This is why they did not respond to those kinds of demands and attempted to educate and to be interlocutors to shape those reasons, and to say that there is not a problem.

• (1120)

I hear the Prime Minister, going across Canada, saying that because 176 Sikhs arrived there is a wave of illegal immigration taking place. Those kinds of wild statements are being made. Let me point out that in terms of the level of spontaneous movements of people, this represents only 5 per cent of all

refugees. Canada, the United States, Germany and Great Britain, the industrialized countries, only accept 5 per cent of all the refugees in the world. That is hardly a vast wave.

There is a problem and we know that. As the Hon. Member for York West (Mr. Marchi) said yesterday, we have been asking for action for the past two and a half years. There has been the Plaut Commission and the parliamentary committee report. There were clear recommendations for dealing with the matter but the Minister of Immigration (Mr. Bouchard) and his Department refused to listen to those recommendations. They rejected them.

This is a gang that cannot shoot straight. This is the same group that brought us the Forget Commission. This is the same group that brought us the disastrous job programs that are destroying community colleges across Canada. It is the same group that brought us the changes to the Unemployment Insurance Act, changes that penalized people on retirement. These are the same people who time after time have shown an incapacity to come up with sound and rational responses to problems.

I say to Tory Members, let us find good solutions. Let us deal with the problem in a realistic, honest, rational and constructive way. However, we will not find that contained in many elements of this legislation and there is one reason for that.

The thesis that is being put forward is that we want to control the flow of refugees outside our borders, beyond the shores of Canada. That contradicts our fundamental responsibilities and obligations under the United Nations Convention which says that there must be universal access and that people have a right to apply for political asylum when they arrive at the borders of a country. That is a clear commitment, but in Bills C-55 and C-84 that commitment is being denied.

The pre-screening provision in Bill C-55 will reject people before they even have a chance. It will send them back into so-called safe countries. However, a safe country for El Salvadorans is not the United States where only 4 per cent of all refugee applications made by Central Americans are accepted while 40 per cent or 50 per cent of eastern European applications are accepted. That is a political decision that has been made in the United States, but I would ask the Minister of Immigration if he will say that the United States is not a safe country. Of course he will not, but we know full well that those who come from Guatemala or El Salvador who are sent back to that so-called safe country will be returned to Guatemala or El Salvador and will be persecuted by the death squads.

The refugee community and the churches recognize that we are breaking faith with our international obligations. However, it is not a black and white issue. It is not a matter of accepting Bills C-84 and C-55 or nothing. There are a wealth of recommendations before us that have been provided through the careful analysis of Commons committees, Royal Commissions and experts in the field. There have been agreements and consensus. It is up to government Members to tell the Minister of Immigration that he has had bad advice, that he has received the wrong advice on how to deal with the problem.

I can say on behalf of this Party, as did our spokesman from York West and our Leader yesterday, that we will work in Parliament to find solutions. We are prepared to co-operate in finding effective, honourable solutions to this problem, but not the kind of solutions that are contained in this Bill. Those are the wrong kind of solutions. If the interest of Members of Parliament on all sides of the House is to find solutions, let us find ones on which we can agree. Let us not become servants to bad policy, bad advice and bad legislation.

What would be required? We already know that the Bill contains serious threats to the civil liberties of Canadians by imposing penalties and fines on church organizations, humanitarian groups and refugee organizations that try to help refugees. The Minister himself in the statement we saw on television concedes that there may be some confusion.

The Leader of the NDP (Mr. Broadbent) said that he proposed an amendment, but I do not think it goes far enough. I think we must add to that a clear distinction between those who are preying upon people for profit and using smuggling as a means and those who are acting for humanitarian reasons. If we want to bang the smugglers who are doing it for profit, then let us say that and let us bring in a Bill that says that. We will support that—

Mr. Horner: That's what it says.

Mr. Axworthy: It does not say that. The Bill now reads that all those who work toward helping refugees come to this border are threatened with penalties. That includes people in every single congregation across Canada who are working to bring Salvadorans to the border. I helped set up that church network. In 1983, we offered to bring to Canada El Salvadorans who were threatened with deportation in the United States so that they would have sanctuary and asylum. We received the co-operation in that initiative of the network of churches across Canada. This Bill would eliminate that possibility. Do we want to do that? No, we do not, so we have to change the Bill.

The Bill also contains a fundamental transgression against the rules set forward by the United Nations designed to ensure that people have proper hearings. We do not argue with the right of a Government to detain and examine people for security reasons, but not without a hearing, without any opportunity to present a case, without the right to have witnesses.

If someone arrives at this border without documents after having escaped persecution in a country that has an authoritarian Government with secret police and finds that there is a report from some international police organization indicating that he is a terrorist threat, then he should have a right to have a hearing. As I said before, that provision would put Nelson Mandela in the position of being rejected by Canada. We should change the legislation to ensure that these

people may bring evidence before the adjudicator to make their cases.

This legislation has also transgressed our international obligations by saying that we will send people back to their countries of origin, this insidious practice of refoulement. We can change that as well. It is possible to change that and to rewrite the legislation.

On the issue of transportation companies confiscating passports, there is only one country in the world of which I know that requires that right now and that is the Soviet Union. That is the only country that requires passports to be taken from people who arrive on planes or ships. Are we going to associate ourselves with that practice in this legislation? Of course not, and that is why we need some changes. We should not turn over to a commercial airline the responsibility of determining whether or not a person is a refugee. That is the fundamental right of a sovereign country, a right which we are now passing on.

I could go on to show all the inequities and stupidities in this legislation, but that is not to say that we should not have a means of responding to them. Let us do so in the Canadian tradition. Let us respond with leadership. Let us not become regressive, reactionary or stupid. Let us recognize that there is a serious refugee problem and that we must provide leadership. Canada has provided that leadership in the past.

The single most important thing Canada could do is to encourage the Government and successive Governments to undertake, as the highest priority of our foreign policy, international initiatives designed to come to grips with the refugee situation, to find ways of co-ordinating the actions of countries, to share the burden, to respond to those 15 million homeless people out there, to build up our traditions of competence, goodwill and tolerance internationally, traditions for which we have been recognized by every international agency up until now. Let us build upon that and provide that international leadership.

Canadians are always asking what we should do to show leadership in the world. Canada is not a big nuclear power with rockets and missiles. In coming to grips with the fundamental tragedy of refugees around the world, Canada has an opportunity to play a leadership role but we are giving up on it. We are throwing it away by passing legislation like the legislation we have before us today.

In conclusion, I would say that we believe that there are solutions to abuses, but not the solutions that are contained in this legislation. If the Government is really interested in genuine solutions then why is it not interested in revising this legislation? Let us go back to consider the recommendations of the Commons committee. Let us bring forward legislation that is decent, honourable and fair and which will deal with abuse at the same time. Let us then build upon that to provide international leadership, to show the rest of the world that Canadians can deal with the refugee issue, but in a way which shows compassion, tolerance and generosity.

• (1130)

The Acting Speaker (Mr. Paproski): Are there questions or comments?

Mr. Lewis: Mr. Speaker, one wonders if perhaps the Hon. Member is not preaching for a call.

Does the Hon. Member agree with Mr. Sid Stevens, Director of Emergency Services for the Sun Youth Organization, who hailed the Bill as "a victory for the genuine refugee"? Mr. Stevens also said: "We will make sure the refugees who come here are the real ones". I should point out that Mr. Stevens, whose group has provided emergency aid to claimants, also said: "Throughout the whole world Canada was known as a soft touch . . . The genuine refugee who waits in line and has a good claim will benefit in the long run". Does the Hon. Member agree with those comments?

Mr. Axworthy: Mr. Speaker, if the Hon. Member wants to provide quotes then I refer him to statements made by Amnesty International, the Canadian Coalition of Churches, the Conference of Catholic Bishops, the Central Committee of the Mennonite Church—any number of organizations which have said that this legislation is a travesty.

The Hon. Member reflects the fact that he does not understand the type of refugee determination system that we have accepted in Canada, one which we have honoured and built upon. It is the right of any person to make claim. It is then the right of the host country to determine how it will process that claim. Through Supreme Court decisions, and others, we have said that there must be the right to counsel, the right to present evidence at a hearing, that there should be an independent adjudication of the problem and that there should be an appeal process. In effect, that is what the Commons committee recommended. It is something that we endorse. We are prepared to accept it. It means that we can deal with the situation fairly.

If the Hon. Member is worried about soft touches, then his Government should introduce the type of recommendations that were put forward by the committee on which his own Members constitute a majority.

The legislation drafted by this Department does not fulfil the requirements that are in place under the convention dealing with refugees, which are universal access and the right to make a claim. This legislation pre-screens claimants. It predetermines who is a genuine refugee before a chance is even given to make a case.

We are saying that if the Government is seriously interested in that problem then we will co-operate. But if in fact what it is trying to say is that it wants to transgress those international obligations, transgress Supreme Court decisions and the Charter of Rights, then we are not in agreement. I do not care who the Hon. Member quotes. The fact of the matter is that as a Minister of Immigration for three and one-half years I think

I know an awful lot more about the matter than does Mr. Stevens.

Mr. St. Germain: Mr. Speaker, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) pointed out this morning that our most important initiative is to deal with the world refugee situation. I am sure that every Member in the House would agree with that initiative. I think it is a world responsibility, and Canada has a lead role to play, as our Prime Minister (Mr. Mulroney) has shown. He has shown leadership in terms of dealing with humanitarian issues. He has gone so far as to take a position that differs from some of the major leaders of the western world. I think that Canadians realize that the leadership is here.

As a Party, the Liberals have never listened to Canadians. Again today I see that the Hon. Member refuses to listen to Canadians. Canadians are saying to us in our offices across the country that they want the illegal refugee situation brought under control. The legislation brought forward by the Minister of Employment and Immigration (Mr. Bouchard) and the Minister of State for Immigration (Mr. Weiner) clearly enunciates a position that would bring the situation under control.

I cannot believe what I have heard this morning from the Hon. Member for Winnipeg—Fort Garry. He is a Liberal, a Liberal who has never listened to Canadians and who is proving it again today here in the House of Commons. That is totally disgusting.

The Hon. Member spoke of humanitarian issues and of the high quality of living that we have in Canada. That is correct. He says that we should be prepared to share the good that we have here in Canada. I am prepared to share, as is every Member in the House. We are prepared to be used but not to be abused.

When the hon. gentleman was the Minister of Employment and Immigration it is my understanding that the number of immigrants was reduced from 121,166 in 1982 to 89,177 in 1983. Can the Hon. Member tell me where there is any consistency in those figures? I would like him to explain to the House the situation when he was Minister of Immigration. I am referring here to bona fide immigrants, people who would contribute to the growth of the country and to the mosaic and the greatness of our land. As Minister he cut the number of immigrants back, and he now takes the position he presented to us this morning. Can the Hon. Member please explain why his actions were such and why he took such a position?

Mr. Axworthy: Mr. Speaker, I would be very glad to enlighten the hon. gentleman, as difficult a task as that may be. First, I would like to deal with the question of listening to Canadians. If the Hon. Member really wanted to listen to Canadians the first thing he would do is get rid of his Leader. That is what Canadians really want. It is what every public opinion poll shows. If he really wants to do his job then let us see him take the type of initiative that Canadians are demanding, that is, put in place a Prime Minister who can lead Canada.

The fact of the matter is that last December, and the Hon. Member may not know about this, all those Canadians who are vitally interested in this matter, including virtually every religious organization in the country—Catholics, Jews, Protestants, Baha'is and other groups—came together, along with all the humanitarian organizations, members of the Opposition and members of the Hon. Member's own Party, and agreed upon a solution to the problem. There was an agreement. The only people who rejected it were the Minister of Immigration and the people in his Department. Who was listening to Canadians then? Who was really listening to the consensus at that point? We would not be here this summer if that agreement had been listened to. The Minister rejected the solutions for the reasons I have set out. He and his Department are trying to subvert and undermine the commitments we have made under the United Nations' Convention on Refugees. That is what they are trying to do.

If the Hon. Member wants an answer with respect to the question why we changed, then I will tell him one thing we did not change. We brought in a great many more refugees. We brought in 100,000 refugees from Indo-China. We brought in tens of thousands of Poles during the beginnings of the Polish Solidarity movement. We brought in the Haitians and the Chileans—

Some Hon. Members: Oh, oh!

The Acting Speaker (Mr. Paproski): Order, please. The day is very young; we still have most of the day ahead of us. The Hon. Member for Winnipeg—Fort Garry has the floor.

Mr. Axworthy: Mr. Speaker, I was just getting warmed up. The fact of the matter is that we did not limit our commitment to those refugees. We brought in thousands of them. The reason the numbers were cut back was because members of his own caucus, along with members of the trade unions, were demanding in a period of recession that we provide restrictions on the independent class—not the family class. In fact family class levels stayed the same. But we said at that point in time, when the unemployment rate was 12 per cent, that immigrants applying for jobs would be subject to rules which stated that they could not displace Canadians if there was a Canadian available for that job. At a time when there was a high labour surplus of course the numbers were cut back. But the situation has not changed that much under the Government of the Hon. Member.

Where are the levels now—90,000? Members opposite keep saying that the unemployment rate is down by 5 per cent. Of course the levels should go up.

At the same time, we introduced a proper examination of how we could improve the assisted relative class. We introduced improvements to the family reunification class and we

made substantial improvements in the area of refugee determination and acceptance. These are actions which are now being turned back by the Government.

I can tell the Hon. Member that I am proud of the record of the Liberals in dealing with immigration and refugees. We have helped lead the world and we have been given international recognition. What we are objecting to now is the fact that we have a Government which is trying to turn back the clock.

The Acting Speaker (Mr. Paproski): The time allotted for questions and comments has now terminated. The Chair recognizes the Hon. Member for Nanaimo—Alberni (Mr. Schellenberg) on debate.

• (1140)

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, I am pleased and proud to speak on Bill C-84 this morning. I listened with great interest to the comments of the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy). They contained a lot of rhetoric and some information. I recall quite clearly that the Government of which he was the Minister of Employment and Immigration in the early 1980s, as this problem began to grow and grow to the point where it is now, was always saying we have to do something about this. We checked *Hansard* which indicates that it was going to do something, it should do something, it might do something. Eventually a committee was struck. Yet this Government is doing something about it. This Government has brought forward Bill C-84 and I am prepared to go to the electorate on that tomorrow. We have the Canadian people behind us. He talked about not listening to the Canadian people. If he wants to go to the people tomorrow and say, we are not going to listen to you when we are in office, we are going to listen to the special interest groups, then let us go to the people tomorrow on this issue.

Mr. Axworthy: Call the election today; let's go.

Mr. Schellenberg: On this issue.

Most Canadians are the children or grandchildren of immigrants. Judging by the mail I have been receiving most Canadians have a pretty reasoned point of view on this issue. They want an open door policy on refugee determination, not a back door policy. They want to close the back door. They say the baseball game is over. That is what they are telling me, at least. Strike one was the arrival of the Tamils last summer; strike two was the arrival on the shores of Nova Scotia this summer of the East Indians; and strike three is Bill C-84, and they are out. The baseball game is over as far as refugee determination is concerned.

It never ceases to amaze me that some politicians in this Chamber go on and on about how they represent ordinary Canadians, yet when those ordinary Canadians speak well and with one voice on an issue they then become part of the mob. I do not represent ordinary Canadians in Nanaimo—Alberni. I represent extraordinary Canadians and they want this Bill through right now. The Bill should be referred to committee and, quite frankly, I am pleased to hear the comments of the NDP House Leader that they are prepared to move this Bill to committee tomorrow. That is very encouraging to hear, because we are legislators, not hoisters.

I was in this House on May 15 or May 16 when Bill C-55, this Bill's predecessor, was brought forward. The NDP and Liberals ganged up and decided to hoist. The job of Government is to propose and that of the Opposition to oppose. These guys simply hoist. They want to hoist this, hoist that, and hoist everything but the Canadian flag. The Canadian flag symbolizes the value of Canadian citizenship and the value of the rights we enjoy. They are not to be handed out to simply anyone who arrives on our shores. That is what this Bill will address.

Ironically enough, if you check the record, the Liberals and NDP agree with the thrust of this Bill. The Right Hon. Leader of the Opposition (Mr. Turner), upon arrival of that boat this summer, said:

> That boat might well have been apprehended and could have been turned back because this is not a legitimate refugee process. . . . if they came from Europe they were not fleeing a situation where they were facing prosecution or imprisonment or death.

That is a sensible position. That is not what he was saying in the House the other day, but it was a sensible position when this boat arrived. However, his own communications director, Raymond Heard, said shortly after:

> It was very windy that day. Furthermore, Mr. Turner was walking down the street towards his car.

I guess that explains why he has changed his position. Yet the Liberal Party immigration critic, the Hon. Member for York West (Mr. Marchi), also seems to agree with our approach and the general thrust of Bill C-84. Last summer, when the Tamils arrived, he said:

> We have to deal stringently with those "culprits" who are responsible.
>
> That's the frustration—a lot of Canadians had in terms of people like Captain Bindel, who takes advantage of the system and gets away scot-free.

This summer, with the arrival of the 174 refugees off the coast of Nova Scotia, the Hon. Member for York West said:

> If they enjoyed refugee status in West Germany and they're taking advantage of our country simply to better their lifestyle, then they should not get such protection for a second time.

I think there is more common ground on the thrust of this Bill than opposition Members may wish to admit.

Surprisingly, even the Leader of the NDP (Mr. Broadbent) believes the law should be improved. In an interview last January on BCTV with Jack Webster the Hon. Member for Oshawa said:

> If there are any refugees off the coast of British Columbia, out in the middle of Lake Ontario, or in the Atlantic Ocean, you're damn right we bring them in and give them shelter.

We also, and we are in the process of doing this, tighten up the law, so that if you find out that these are not bona fide refugees, you kick them out of the country.

What I cannot understand is why politicians who say things like that to the media are so determined to hold up legislation that will improve our refugee determination system. One of my constituents said the other day, Heaven help our country if we ever have to declare war, if our shores are ever invaded. The Liberals and the NDP would demand a six-month hoist of any response to the invasion. We would hate to see that happen.

One of our major concerns is that Canadians hear a great deal of generalities about refugees and not too many specifics. Sometimes it helps to put a face to the story and I would like to try and do that by relating two individual cases. Last week in my riding I met with two refugees and their stories vividly detail the problem we are facing.

The first individual was from a Central American country, his name is Victor. He had been guilty of the heinous crime of being a labour leader. He and his colleagues were rounded up by the Government and taken to the border of a neighbouring Central American country with which there were hostilities. They were asked to strip and put on the uniform of their native country. Then his colleagues were taken off to the border region and shot. Just some more victims of border hostility. Victor saw an opportunity for escape. The camp was visited by a general from another country, there was a great deal of hubbub, and Victor slipped away and climbed aboard a logging truck parked in the compound. He climbed between the logs and hid there for hours fearing for his life. At three o'clock in the morning that truck departed the compound, Victor found his way through Mexico up to Nanaimo, British Columbia, and he is now enjoying the benefits of Canadian citizenship and trying to reunite his family.

Unfortunately there is a darker side to the refugee situation and that is what we are trying to deal with in this legislation. Last week in Port Alberni I met with a woman who filed a deposition with her lawyer, and I have it in my hand. Without naming names, let me try and detail her story. Perhaps this will exemplify for Canadians the problem with our refugee determination system.

She says that from August, 1977, to October, 1980, she lived in the City of Vancouver, British Columbia, with an individual in a common law relationship and had two children. He was ordered deported from Canada in 1980 because he had falsely produced a social insurance card, a driver's licence and a landed immigration certificate from West Germany. During their common law marriage he indicated to her that he was not married. In 1980 she applied for his readmission to Canada. In 1982 he was married to another woman in India after obtaining a divorce from his first wife. She thereupon withdrew her application for his readmission to Canada. On May 9, 1987, he telephoned her from West Germany and threatened to kill her. She is very fearful for her personal safety if the immigration department permits this man's admission to Canada. She has been advised and believes that he is now released on bail in the City of Toronto. This is true. He arrived in Canada with other East Indians claiming refugee status. She says she believes he is not a refugee, he is a danger to her personal safety and, having been deported from Canada, he should not be allowed to continue to reside in our country. She signed the deposition on August 4, 1987, in Port Alberni, British Columbia. The RCMP in that town are now guarding her and she is living in fear for her life.

Those are two specific examples of what is right with our immigration policy and what is wrong.

I would like now to turn to the Bill itself and review just what our Government is proposing. The deterrence and detention Bill, which is its nickname, is meant to dovetail with Bill C-55, the one the hoisters were dealing with earlier this year, to provide immediate protection from abuse. It includes expanded powers to deal with mass inflows of illegal migrants posing as refugees. These will remain with the implementation of Bill C-55.

The legislation also expands the Government's ability to deal with individuals who might pose a threat to our country. Again this will be retained with Bill C-55. The fundamental principles of Bill C-55 will be strengthened by this legislation, Bill C-84. The tough penalties will still be needed once Bill C-55 is enacted.

• (1150)

Out of the 30,000 claims which are expected to be made in 1987 for refugee status in Canada, at least 10,000 will be from people who have arrived in Canada with forged documents or no documents whatsoever. This deterrent and detention Bill gives the Government expanded powers to come to terms with the situation.

Specifically, it empowers the Government to substantially increase penalties against smugglers and their accomplices, including the imposition of a 10-year jail sentence and fines of $.5 million. It will detain people who arrive with no documents until their identities can be established. It will increase and enforce fines and penalties on transportation companies bringing undocumented people to Canada. Transportation companies will pay $5,000 fines for each undocumented passenger they bring to Canada. As well, the Government will seize the vehicles of companies guilty of nonpayment. I remind you, Mr. Speaker, that these companies have responsibilities under the Immigration Act. We want to ensure that we all live up to them.

Finally, Bill C-84 will empower the Government to refuse access to the refugee determination system to those who are known criminals or a security threat. That is something most Canadians will support. Not only will these individuals be detained, they will be removed from Canada.

The world has changed since the 1976 Immigration Act which anchored our commitment to the U.N. Convention on the Status of Refugees. At that time only a relatively small

number of people needed protection and our refugee determination system reflected that situation. Canada saw dramatic increases in refugee claims in the early 1980s. A five-fold increase in claims caused long processing delays for legitimate refugees. This was an open invitation for those who wanted to circumvent regular immigration channels. As I mentioned earlier, the previous Government talked about doing something but ended up doing nothing.

In 1985 the Supreme Court of Canada ruled that all refugee claimants had the right to an oral hearing. This placed an extra legal requirement on the overburdened determination system and led to even further abuse, taking advantage of the backlog. Most of this pressure resulted from the flow of economic migrants toward the developed countries. This south-north pull was further aggravated by economic recession in industrialized countries which led to greater tightening of their borders.

Reports indicate there are up to 80 million people who have left their country of origin in search of employment or a better life. Inevitably many of these economic migrants have tried to use the refugee determination system in Canada and elsewhere to sidestep regular immigration channels. The fact that Canada allows refugee claimants to work while their cases are being heard further invites abuse.

These unprecedented and increasing global pressures make Bill C-84 and Bill C-55 of great importance. Clearly, Canada must have the tools to firmly and fairly handle what will continue to be, without doubt, a volatile international climate in the years ahead.

It has been asked whether we are over-reacting. It does amuse me to see the same politicians and editorial writers who were attacking the Government in July for not doing enough, turning around in August and accusing it of doing too much. One of the newspapers in my own riding wrote two editorials in the span of two weeks, both of which I have with me. The headline on the editorial dated July 15 is, "They make us look stupid". A portion of it reads as follows:

> For the time being, the sooner Canada's new immigration legislation is in place, the better we will be prepared to reject people who, quite simply, are jumping the immigration queue and making Canada look stupid on the world scene.

Two weeks later, on August 1, the same newspaper ran an editorial entitled, "Knee-jerking it". It reads in part:

> The illegal arrival of 174 refugee claimants may have caused a furore, but it hardly qualifies as the sort of national or economic emergency with which one normally associates early parliamentary recalls.

So they say, Call back Parliament but don't call back Parliament; Listen to Canadians—no, listen to the special interest groups. We get a lot of confusing signals.

Politicians are normally blamed, but I would like to give another example of how the media is not exactly blameless in this. On August 1, 1987, the day following the terrible tragedy in your own area, Mr. Speaker, in Edmonton, *La Presse* of Montreal ran the headline, "Un navire de "faux réfugiés" serait en route pour le Canada". Over in the corner is the headline, "Une tornade frappe Edmonton". The issue of the day for *La Presse* was another boat arriving in Canada.

I, quite frankly, have been a victim of this kind of focus by our media and by some politicians, as have my colleagues. This has become the major issue of the summer for Canadian citizens. What is wrong with responding to their wishes? What is wrong with recalling Parliament and dealing with this problem before it happens again? Most Canadians understand the reasoning for that. Unfortunately, some of the opposition Members do not.

Mr. Waddell: You're desperate to get up in the polls, that's why. Tell the truth.

Mr. Schellenberg: To the extent possible in this volatile climate, Canada must be able to control events instead of being controlled by them. The deterrent legislation, Bills C-84 and C-55, are crucial steps along the road to establishing the control needed to address refugee and immigration issues, both long-term and immediate. Our objective in tabling this deterrent legislation and in tabling Bill C-55 is quite clear. It is to establish a firm yet flexible framework that allows the Government to adjust the intake of refugees and immigrants in accordance with global events and with the social and economic conditions in Canada. The social and economic conditions in Canada have changed over the past decade or two. In accordance with that as well, Mr. Speaker, Bill C-84 will deal with national and international legal stipulations.

It is therefore the responsibility of the Government to be ready to fine-tune existing policy or institute fundamental change if that is appropriate. The Government is ready to accept that responsibility. It is ready to make the difficult policy decisions that come with this territory. They are difficult decisions because refugee and immigration policy is, finally, about peoples' lives. As such, emotions run high and criticism is inevitable. However, we must walk that fine line between tightening up our controls and ensuring that legitimate refugees are still able to enter our borders. That is the kind of legislation that Canadians will support.

People are the ultimate victims of a process which invites abuse and encourages unscrupulous manipulation. Therefore, the Government is doing the responsible thing. It is changing that process. With Bill C-84 and its companion Bill, C-55, we are re-establishing the integrity of our determination system. At the same time we are telling Canadians and genuine refugees alike that fairness, efficiency and due process will once again be the hallmarks of Canadian refugee determination.

We want refugees to know that we have an open-door policy, but that the back door is closed. We do not welcome boatloads of people who arrive by stealth or individuals who bring their murderous hatreds with them. I urge my colleagues in this House to send Bill C-84 to committee so that the will of

Canadians will be done. To quote another great Conservative, Mr. Speaker, "give us the tools and we'll do the job".

Mr. Boudria: Mr. Speaker, I listened with great interest to my colleague, the Hon. Member for Nanaimo—Alberni (Mr. Schellenberg). He described the situation before us now. I believe he called the situation an urgent one, as did his leader, the Prime Minister (Mr. Mulroney).

If the issue is urgent now, was it not also urgent last year when a boatload of Tamils came in similar circumstances? If it is urgent this year, why did the Prime Minister wait two or three weeks after the boat arrived before saying that he would recall Parliament and another two weeks before in fact asking the Speaker to recall Parliament? It would seem to me, Mr. Speaker, that this is not the customary way in which to deal with so-called urgent issues.

I, for one, have no sympathy at all for dishonest people who are using devious means to enter Canada. However, I believe that the abuse of our present system is caused by delays in the determination system and for practically no other reason. Does the Member agree with me on that? In other words, someone who is coming here knows that the determination process will take one, two or more years before we decide whether to keep or return that individual. The fact is that they are already here by the time the case is adjudicated. Is not the real solution to deal with those cases immediately and therefore discourage people from coming in if they know they will be sent back if they do not qualify? It will not be worthwhile for them to come here if they know they will be sent back. Is that not the real way to handle the case?

• (1200)

I want him to comment briefly on two other issues. One concerns the fines for those bringing in refugees. I have no problem with the proposition of levying heavy fines for those who do so for pay and dishonest reasons. However, is it appropriate to attempt to fine individuals and associations? For instance, I was part of Project 4000 that brought in refugees from Southeast Asia. Does that mean that such action today would make me a criminal? I would hope not. I do not believe anyone who acts in such a manner for good reason should be punished in any way. I repeat that I have no sympathy for crooks, but I want his reaction to that situation.

Finally, I want him to deal with the issue of refugees with no papers. I am pleased that the Minister is in the House because I want him to think about this as well. If we create a situation in which people with no papers are sent back, are we not in fact inviting those in authority in some of these repressive regimes to take away credentials from someone because they know they will not be accepted elsewhere without such credentials? I believe that could be a very difficult situation that could cause problems. If other countries followed our example, a regime such as that in El Salvador or Chile could simply ensure that anyone leaving the country does so without papers. They would be up the creek, they would have no choice but to come back because they would not be accepted.

I am not suggesting that the public is not angry at people who abuse the system. I know people are angry, but is the Member sure that we are doing the right thing under the circumstances, particularly in view of my questions?

Mr. Schellenberg: Mr. Speaker, my friend, the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria), makes three very good points. First, let me deal with the issue of bringing in this legislation a year after the Tamils arrived. Bill C-55 is very complex. It is as thick as the Nanaimo—Alberni telephone book and it took some time to prepare. It was introduced in May and I must ask my colleague why one of his colleagues demanded a hoist of that legislation when it was finally introduced? While I would have preferred its earlier introduction, May is when it was available.

It is quite clear why we are dealing with Bill C-84 and Bill C-55 in August of 1987. The Prime Minister has listened to the good advice of his colleagues, which is the way our party functions. I am not sure about the Hon. Member's party.

The Hon. Member talks about the delay in this legislation and what it will cause with the backlog that now exists. It was their legislation in 1976 that created the backlog we are now facing, with tens of thousands of refugees. That is what many of my constituents do not understand. The Minister was stating a fact when he said that his hands were tied. I could not counsel him to break the law of Canada as it now exists. We counselled him to recall Parliament and change that law.

While I understand the Member's question, he must accept some of the responsibility for the backlog that exists. We did speed up the process quite well with some of the measures we introduced earlier this year, but obviously not quickly enough.

We hear pious questions about why we did not deal with this sooner. How can we do so if the Opposition continues to hoist and delay the legislation that we bring in?

Mrs. Killens: It is your agenda.

Mr. Schellenberg: I am talking about Bill C-55 and a hoist that was demanded by that party.

Mr. Orlikow: First, Mr. Speaker, I want to make it clear that no one in the Opposition and none of the ethnic organizations, the churches or Amnesty International, who have expressed their criticism to these two Bills, have said that nothing needs to be done. They said that these Bills do not achieve what is required and many of their provisions go too far.

In answer to a question by my friend in the Liberal Party, the Hon. Member said that we did not deal with Bill C-55 because they moved a hoist. The truth is that the Bill was introduced in May of this year and was not called for debate until June. Therefore, the fact that there was a hoist motion does not mean anything, because there were just three hours of

debate. The Government is in charge of the business of the House. It did not call that Bill except for that one day. It is responsible for the fact that we have not dealt with Bill C-55.

A little more than a year ago, a group of Tamils came to this country by boat. In response to that, the Prime Minister (Mr. Mulroney) said, "We are not in the business of turning refugees away. We will never, under this Government". He said that the Tamils would be treated fairly and humanely.

One year later we have a very similar situation with the arrival of a boatload of Sikhs. No one approves of people, even legitimate refugees, jumping to the head of the line. There are many thousands of legitimate refugees who have applied in the proper way under the provisions of our laws and regulations and have waited for years. However, the Sikhs did exactly what the Tamils did. What changed in the year? Why did the Prime Minister greet the Tamils with sympathy a year ago and now we have to be tough with the Sikhs? Surely there is no consistency.

The Government reads the polls like everyone else and knows that it is in trouble and knows that people are upset about what has happened, with considerable justification. The Government is jumping on the bandwagon and trying to get support on that basis, not for any reason of principle or humanity.

Mr. Schellenberg: Mr. Speaker, while we are talking about consistency, and I believe I referred to this earlier in my remarks, what happened between January of this year when the Hon. Member's leader was on the Jack Webster program and said, "We have to tighten up the law so that if you could find out that these are not bona fide refugees, you kick them out of the country", and now, in August, 1987? That is an example of inconsistency.

The Hon. Member touched on what was said earlier by my friend, the Member for Glengarry—Prescott—Russell. I also have a concern about the church groups who are legitimately trying to bring refugees into the country and are concerned about Bill C-84 and how they may be affected by some of its measures. I hope to have an opportunity to sit on the legislative committee and that this would be one of the first amendments we can make if the Bill gets to committee, depending on our opposition colleagues. We should ensure that those who traffic in illegal refugees for profit are separated from those who deal with refugees out of conscience. I believe that is one of the first amendments we should bring through.

The Acting Speaker (Mr. Paproski): Questions and comments have terminated. Debate.

Mr. Dan Heap (Spadina): Mr. Speaker, I welcome the last remark of the Hon. Member for Nanaimo—Alberni (Mr. Schellenberg). Perhaps he has not had an opportunity to learn that our caucus has sought to have an agreement that there would be substantial committee hearings in order to deal with problems such as the one he mentioned, namely, how this law may unintentionally affect people who are not really opposing the intent of our Immigration Act or our refugee policy. I also hope that the debate will continue in a reasonable course to allow a number of people who are very interested in speaking, but will end reasonably soon so that we can get on with committee work. I have already begun to telephone people who I think may be interested in coming before the committee as witnesses. I trust time will be given to hear those witnesses.

• (1210)

The fact is, part of the reason we have been recalled is to consider Bill C-84. Without going into questions of individuals, parties or governments who did or did not do this or that, I think it is clearly necessary to amend our Immigration Act. I have said so, and my leader has said so, not just since January until now, but for a longer period of time. It is clearly necessary because the system has broken down, and it has broken down partly because of modern transportation conditions. We have many more airplanes flying to and from Canada—they fly both ways—than ever before. We also have disturbances in many parts of the world, particularly in the former colonial countries. As part of the British Commonwealth we cannot claim to be uninterested or uninvolved in what goes on in those former colonial countries.

I have no problem at all with the first and second clause of Bill C-84. The title states that Bill C-84 is an Act to amend the Immigration Act, 1976 and the Criminal code in consequence thereof. I have no problem with that. The second clause states the purposes of the Bill. It states in part that we want to maintain a proper refugee determination process for people who are entitled and we want to control wide-spread organized abuse of that process. We want to deter the smuggling of persons, which not only offends our law but risks the lives of those persons, and we want to respond to security concerns. I have no problem with those objectives, in fact, I would support them. I would hope those objectives would be the basis of our considerations in committee.

My problem is that there are a number of provisions in the Bill that not only fail to meet those objectives but, perhaps unintentionally—I hope unintentionally—would cause some harm, which is not in keeping with the objectives of the Bill. Therefore, I hope the opposition and the Government will be able to work together to make the necessary amendments to this Bill.

The first objective of Bill C-84 as stated in clause 2 is:

> (a) to preserve for persons in genuine need of protection access to the procedures for determining refugee claims;

One of the procedures, established not only by our law but by the United Nations, with which we have signed a treaty, for determining refugee claims is that a person may come from a country wherein he is persecuted to seek asylum in another country. Canadian law has for years reflected that reality and made that one of the avenues by which people may become accepted in Canada as refugees. The other main avenue, of course, although not the only one, is selection from refugee

camps. We have also had a policy of selection from prisons of political prisoners. But what is under consideration in Bill C-84 is the selection of people who arrive in Canada.

This is something Canadians support. Thousands and thousands of Canadians this year have worked to help those refugees who have come to Canada to claim refugee status. Even immediately after the Government's restrictive regulations in February there was a rally at Fort Erie where surely they know about the refugees coming across the bridge from Buffalo. It was a rally to welcome and to celebrate, as they put it, the refugees. Three hundred people at that rally had opened their homes to 500 refugees during the two years before that.

The churches, Amnesty International and many Canadians have a very proud record, and that was recognized by the Nansen Medal given to Canada last year. However, Bill C-84 fails to meet this objective. If we read proposed sections 95.1 and 95.2 we find that any person who helps to bring a refugee claimant to Canada would be penalized.

An Hon. Member: Illegally.

Mr. Heap: It does not say illegally, Mr Speaker, 95.1 states:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act—is guilty of an offence—

An Hon. Member: That's right.

Mr. Heap: The present law, of course, as the Hon. Minister pointed out yesterday, and as Mr. Girard pointed out on Tuesday, contains a punishment for any one who contravenes any provision of the Act. However, the present Act does not make it illegal for a person to enter Canada without papers provided he does not do that in a way intended to evade the immigration authorities. For instance, he comes across the bridge from Buffalo into Fort Erie to the immigration office in Fort Erie without papers or passport and says, "I am a refugee". That is in no way a violation of Canadian law at the present time. The church person, lawyer or Amnesty representative who may transport him in his car from Buffalo to Fort Erie to the immigration office saying, "I have this person here; I am willing to translate for him; He claims refugee status", has not contravened the provisions of the Act.

When the Minister and Mr. Girard were asked about this point at the press conference on Tuesday, they seemed to miss the question. What Mr. Girard said at one point was, "What we have in Bill C-84 is the same as in the existing Act". He did not explain why, if it is the same as in the existing Act, he wants to amend the existing Act.

The fact is that, as worded here, the Bill creates an offence which does not exist in the present law. It does not say, any person who illegally brings a person in or any person who tries to evade the immigration authorities by doing so commits an offence. Assuming, as does the Hon. Member for Nanaimo—Alberni, that that is not the intent of the Government, I hope it can be clarified in the amendments. There is no violation in the present law and I hope there will be no violation in the future law on the part of any person who simply brings someone to the nearest border immigration point saying that he is a refugee without papers, and from there on the immigration law takes its normal course.

The Hon. Minister yesterday reiterated the error which was made on Tuesday at the press conference. I hope he will clarify that matter. Someone on Tuesday said church people will be punished if they try to bring in a refugee in the trunk of their car. I do not remember whether that was the Minister or Mr. Girard. But that is not what the church people are talking about. It is not what the lawyers or Amnesty International are talking about. They are talking about openly bringing a person to the nearest immigration authority in order to proceed according to law. I hope they will not be penalized by the Minister's law for doing that, but that is the only way this law as written could be construed in court.

I also hope the law will be changed in such a way as to indicate that what we are getting at is people who do this clandestinely. That is what the Minister of Employment and Immigration (Mr. Bouchard) said in his press statement a couple of weeks ago. I publicly agreed with him and it was so recorded in the press. *Hansard* was not there to record it, but the *Globe and Mail* accurately recorded me as agreeing that we have to penalize people who bring immigrants in clandestinely. The word "clandestine" is not in this law. There is no reference to "secrecy" or "evasion". I think that is needed.

• (1220)

We need to identify people who organize the bringing in of people by plane or ship and try to evade immigration authorities, or who try to make what are called "manifestly unfounded claims", claims which clearly do not come anywhere near being legitimate refugee claims. I believe we should have a law which would penalize such organizers. There is presently a law which states that the people who present these unfounded claims should be removed, therefore it is not necessary to do anything further.

A further problem with the wording of this law is that legitimate refugees could very well be denied the hearing required by our Supreme Court decision if, for example, they were identified as "baddies" by the secret police of the country from which they came. This is not hypothetical. There was the case of Chileans who had been accepted in Canada and were residents, but then were examined by the security authorities because of complaints against them. It was found that all the evidence against them was presented by the Pinochet Government. In other words, the Government in the country from which they had become refugees. Therefore, the case against these people in Canada was dropped once it was pointed out that the evidence was far more suspect than they were.

A further problem is that refugee claimants may systematically be detained by an order of a senior immigration officer at

a time when they have no counsel to represent them. They may be detained for another 28 days on a Minister's certificate, without any chance to examine the accusations upon which the detention is based. That is a violation of Section 10 of the Canadian Charter of Rights and Freedoms. I hope a precedent will not be set for violating it merely in respect of refugees, because if we do that to refugees then Canadians are in danger of losing the benefit of that article of the Charter.

By that wholesale detention, we would also be violating our commitments under the United Nations which state that we should not punish refugee claimants simply for coming without adequate documents. As has been pointed out, most genuine refugees cannot get documents. The ones that do get documents are more likely to be phonies.

The second objective of the law is to control widespread abuse of the procedures for determining refugee claims, particularly in the light of organized incidents involving large-scale introduction of persons into Canada to take advantage of these procedures. In the last two years there have been between 5,000 and 6,000 people brought into Canada who were not bona fide refugee claimants. There is much anger against them, and much anger at the thought that they may be taking the place of bona fide refugees or bona fide immigrants. Certainly, their entry was an abuse of the law. Under that category, the main abusers were approximately 3,500 people from Portugal, approximately 1,000 from Turkey, and approximately 1,000 from Brazil. Perhaps some of those from Turkey and Brazil were refugees. But the people from Portugal who said that they were Jehovah's Witnesses and afraid of being persecuted in Portugal if they were sent home were clearly abusing the law, because not even the Jehovah's Witness Church thinks there is persecution of that church in Portugal.

The amendments in proposed Sections 95.1, 95.2, 95.3, even if they had been in place two years ago, would not have prevented that abuse. For one thing, those sections only deal with people who come without documents. Those people all came with their documents and this Bill would not have stopped them.

Furthermore, this Bill only deals with boat smugglers. That has not been a great source of smuggling into Canada. As was pointed out yesterday, in this century we have had four boats; two boats were turned away, one in 1914 and one in 1939, with the result that some people aboard were killed. Two boats were accepted, one in 1986 and one in 1987, for which I am very happy. Perhaps under the law some of these people are refugees, and perhaps some people are not. We have the means of determining that. But we also read in the paper that some of them from Sri Lanka are hoping to return home. Those people were real refugees coming here for their safety, and they would rather live in their homeland in Sri Lanka if it is a peaceful country.

Unfortunately, in the Section on disembarkation the Bill does something which I am sure is not intentional. The proposed Section states:

> 95.3 Every person who, being the master or a member of a crew of a vehicle used for transportation by sea, disembarks or allows the disembarkation of a person or group of persons at sea for the purpose of inducing, aiding or abetting that person—

In other words, when a captain disembarks the people in lifeboats or rafts at sea, this is to be made an offence. I fully agree with the goal, but I do not see how the captain will be caught. I do not think this section has been properly defined.

There is a further problem in stopping ships coming to Canada. The captain then has few choices. If he returns to the port from which he disembarked, he may be refused permission to land his passengers. If he returns to the country from which the passengers fled, he may be turning them back to death or imprisonment. If the captain is a real profiteer and not a humanitarian, there is a danger that he will disembark those people at sea. I do not think that has happened in the past between here and Europe, but it has happened around Southeast Asia and the Philippines. In fact, in the Executive of the United Nations High Commission for Refugees Canada urged that countries not turn away ships that may contain refugees. I would hope that with this law Canada would not deny the principle that we defended nobly and successfully at the United Nations.

The fourth objective is to maintain the security of our country. Detention without shown cause infringes on our Charter. We presently have good laws that have been able to take care of the security risks who may come by way of the refugee route. There have been security crimes in our country, but they were not committed by refugees. They were committed either by regular immigrants, perhaps by Canadian citizens, or by visitors. These people do not advertise themselves when they come to commit a crime by walking in and saying, "I am a refugee, examine my past." That is the last thing that they do. Therefore, I believe we should leave the security provisions of the present Act unamended. I believe they are adequate to take care of the problem.

I cannot support Bill C-84 unless it is amended in the ways I have described. We have to bring it into line with its stated objectives. We have to remove the penalty as it presently stands against the churches. We have to insert a penalty against people who organize to bring people in clandestinely, or as a group try to make manifestly unfounded claims. We have to remove the interdiction of the boat at sea. We have to improve or clarify the clause against disembarkation to make it more enforceable. In the matter of the interdiction, I believe what has to be done is emphasize the necessity of requiring that such boats be escorted into harbour. In that manner, if necessary, the captain and crew can be charged with this offence, and the passengers treated as refugee claimants.

I hope the Government will not pioneer the destruction of the principle of individual human rights. This is something we agreed to when we signed the United Nations Declaration of

Human Rights in 1948, including Clause 13 which states that everyone has the right to seek and enjoy another country's asylum from persecution. The Convention for the Protection of Refugees which we signed in 1967 elaborates that further.

• (1230)

I hope that Bill C-84 will be amended to bring us into line, not only with its stated objectives, but with our international obligations.

Mr. Berger: Mr. Speaker, I think the Hon. Member would agree with me that we must not only see what is the effect of this legislation on Canada, but we must be mindful of the ramifications of our actions on other countries.

While it is very easy for the Minister to say that we want to stop people who are trafficking in flesh, and while it is very easy to support that kind of principle and therefore support the idea of apprehending boats and having tough penalties for the masters and crews of ships who organize to bring refugees to Canada, I have asked myself the following question, what if other countries imposed the same fines on so-called smugglers? What if Hong Kong imposed the same fines and restrictions on boats arriving from Vietnam or Cambodia? What if Malaysia and the Philippines did the same? If Canada takes this action, would not those countries be justified in following suit?

I remind the House—and probably the Hon. Member does not need reminding—that at the time of the great outflow of Indo-Chinese refugees, the Philippines, or Malaysia I believe, indeed turned back a boat to the sea. Their action was denounced in practically every country of the world.

Similarly, it is fine for us to say that we want to prosecute people who may even charge for their services to bring refugees into Canada—attention must be paid to illegal counsellors or counsellors who have encouraged people to make people fraudulent claims—however, I am mindful of the fact that in some circumstances in other parts of the world the only way a refugee may be able to get to safety is by buying his or her way to safety. Whether one considers such a practice reprehensible might depend upon one's point of view. Certainly those who escape with their lives may be only too happy to pay for their safe passage. Today many Iranians must pay their way, to get from Iran to Turkey, across the border. What does the Hon. Member feel might be the ramifications of this legislation and the Government's actions in other countries? What if other countries imposed the same penalties? In the final analysis, where will refugees turn?

Mr. Heap: Mr. Speaker, there are two questions. One is what would be the effect of our example on other countries. I welcome that question. I referred to it very briefly within the time I had.

We would be called hypocrites for having spoken strongly in the executive committee of the United Nations High Commission for Refugees against countries like the Philippines for turning away boatloads of people who might be refugees. We condemned them. We urged them not to do that. In fact, we went further, I am happy to say. I am referring to a communiqué of March 6, 1985 from the then Minister of Employment and Immigration, the Hon. Member for Kingston and the Islands (Miss MacDonald), in which she said:

> Although the number of people fleeing Vietnam by sea has decreased in the past several years, the proportion rescued at sea, when compared to the total arrivals in refugee camps, has been declining even more rapidly.

In other words, they are being lost at sea more than before. She went on to indicate:

> Many merchant ships hesitate to pick up refugees for fear of having to resettle all of them in their home countries.

Then she referred to the announcement that Canada had always taken up the load of refugees and said that Canada was promising to resettle 2,500 more people in order to encourage merchant captains not to dump their people at sea. She did not put it as crudely as that, but we know that is what was happening.

Canada then acted to encourage countries not to turn boats away by saying that we would take some of the load off those overloaded countries. In fact, the United Nations High Commission, as was pointed out by the Hon. Member for Winnipeg North (Mr. Orlikow) yesterday, has warned Canada that if we bring in stiff penalties—I did not have time to bring this into my suggestion for amendment—against ships or planes that bring somebody without adequate documents, then we are again contravening the obligation under the treaty that we signed with the United Nations to give these people a reasonable chance to come and state their claim.

Granted, a genuine refugee who has to escape from his country will do whatever he or she can to get out and to get to a safe place. If they have to buy passage on a ship, they will buy it; if they have the means or the friends, they will buy the passage.

I hope that our laws will always recognize that fact, and not take the attitude that anybody who comes here without full documentation is to be rejected.

The Minister of Employment and Immigration made one statement, which perhaps was not intentional, in his press statement two weeks ago. He said that Canada would maintain its obligation to refugees by selection overseas. The strong implication of the statement as it is put is that we will no longer allow anybody to come to Canada to claim refugee status. I hope that is not what the Minister of Employment and Immigration meant. It would be a stark reversion to the "none is too many" slogan of Mr. Blair in 1939. I certainly do not believe that that is what Parliament will decide, because I know that is not what the people of Canada want.

Mr. Berger: Mr. Speaker, we have all heard the news in the last couple of days about three Bulgarian wrestlers who have apparently asked for asylum in Canada. They disappeared from the training site in British Columbia where they were attending an international competition.

I should like to ask the Hon. Member how he thinks these three Bulgarian wrestlers will be received by the Government. I should also like him to perhaps speculate on what might happen if a couple of hockey players decided to stay in Canada and claimed refugee status. They would, therefore, be illegally in the country because they would not have gone through the procedures and probably would not have the appropriate documentation. They would not have a valid and subsisting visa. They would have a visa to come here on a temporary basis.

I suppose people can slice the cake any way they like, but the way I slice it is I feel the measures we are seeing today will be applied arbitrarily. I believe there is a good dose of discrimination and a good dose of racism behind these measures. Does the Hon. Member agree basically with my feeling on this question?

Mr. Heap: Mr. Speaker, at this point I would rather not engage in speculation about what may be the intentions of the Government. I hope that as of tomorrow, or very soon, we will begin to negotiate amendments. The amendments certainly must be such as would take care of the matter raised by the Hon. Member for Laurier (Mr. Berger).

We certainly do not want to exclude the possibility of people who arrive here for sports or anything else from claiming refugee status if they feel it is necessary and they have the grounds. I would certainly hope that the Bill would be amended to reflect that.

• (1240)

Mr. Benno Friesen (Surrey—White Rock—North Delta): Mr. Speaker, I take pleasure in rising to speak in this debate. It is not an entirely delightful subject in that it deals with remedial action which has torn us between what we would like to do and what we must do.

I wish to point out quickly that I am not unmindful of my own heritage. Just 112 years ago my great-grandparents came with their family to this country. While they did not come as refugees, their families who remained behind came to Canada as refugees a few years later. Had my great-great-grandparents remained where they were they too would have been refugees. Thus I am not unmindful of the fact that my heritage is rich because of the hospitality of Canada and because of the goodness of Queen Victoria who gave personal guarantees to my people that they would find sanctuary here in their beliefs.

Since my election I have worked many times on behalf of refugees. In 1974, 1975 and 1976 I worked on behalf of Ethiopian refugees, and later on for Iranian refugees. In 1979 we all worked on behalf of the boat people. It is against that backdrop that I speak in this debate.

First, I wish to spend some time addressing the remarks of the Leader of the New Democratic Party yesterday. I listened carefully to what he had to say. I noted that he spoke in very measured and careful language and that he relied on his text, which is why I assume that he spoke with deliberate care and accuracy with respect to his point of view.

The first point he made had an allusion to racism. In that context he made reference to the boat that was turned away from Vancouver some 60 or 65 years ago, a boat loaded with people from India. He then made reference to a boat which was turned away from Canada in 1939, a boat loaded with Jewish people who had left Europe in times of extreme distress. No one in Canada is proud of that part of our history. I feel insulted that the Leader of the New Democratic Party would raise those issues in relation to the legislation which is presently before us as though we are being racist by trying to defend Canada from the violation of our laws. It is beneath the man to raise that spectre, since he began in the preface of his speech by saying we have to deal with illegal claims. Yet just after that he said that we are acting like we acted 40 years ago when we turned back a boatload of refugees from Europe. That is unacceptable, to use the hon. gentleman's favourite word.

I now wish to refer to the Hon. Member's speech as reported at page 7998 of *Hansard*. He dealt with the fact that the Bill would threaten the activity of church groups and groups such as Amnesty International that work with refugees. I want to say that the Bill will do nothing of the sort. Those who have a vital concern in helping the dispossessed and the endangered around the world will be able to carry on their work, just as before. Canada's tradition of compassion and humanity will not change because of this Bill. Frankly, it will be enhanced because of it. It will give the Department and the courts some kind of mechanism to distinguish between those who are genuine refugees and those who are abusing the system. It will help us to help those who are most in need. That speaks of humanity and not abuse. Those who are working genuinely on behalf of refugees around the world have no need to fear this legislation.

The concepts brought forward by the Leader of the New Democratic Party on behalf of church leaders frighten me. At page 7998 of *Hansard* the Hon. Member stated the following about the Bill:

> It contains a provision which could lead to the imprisonment or imposition of serious fines on church people, representatives of Amnesty International, or other totally sincere and empathetic human beings who are devoting a good part of their lives to try to facilitate the entry into Canada of legitimate refugees.

Several paragraphs later in the text he is reported as having said:

> According to my reading of this provision, the church people are subject to the penalties under the law.

I want to ask Hon. Members this. Is there anything wrong with that? Should church people, regardless of where they are, not be just as subject to the law as all other people in Canada? Surely because some people wear a clerical collar, have a church title or work on behalf of a church organization they are not exempt from obeying the law. Are we about to introduce the concept in our country that people must obey the

law, but if one holds a certain position in society then one does not have to obey it? Is that the concept that the Leader of the New Democratic Party is introducing into this debate? On the basis of his values, does he want to pick and choose those people who have to obey the law?

I wish to emphasize a part of the Hon. Member's speech, a part to which I have referred already. He refers to those who are "totally sincere and empathetic human beings who are devoting a good part of their lives to try to facilitate the entry into Canada of legitimate refugees." I underscore the fact that the Hon. Member was talking about legitimate refugees. He wishes to make the criteria for exemption from the law good intentions and empathy. Since when have we accepted that type of relativistic criteria in relation to whether or not we must obey the law? There are all types of people in our society who have good intentions and who have plenty of empathy. They are just as subject to the law as everyone else. Who says that there are special groups in Canada that which receive special treatment?

The fact is that in Canada there may be a great deal of disagreement with respect to the value concept under which we live and which guides our sense of empathy or our good intentions. There are a great many different value concepts which generate or degenerate our sense of empathy. It depends from which type of a concept we operate on how our empathy works, or how our good intentions work.

I point out to the Leader of the New Democratic Party that, ironically enough, these legitimate refugees about which he talks are actually fleeing societies which have imposed a concept that he is now introducing. They are fleeing, for example, statism. Who says that in those countries where there are dictatorships and where statism runs rampant, where leaders do not necessarily have good intentions, that that means their sense of good intentions is entirely different from ours? Because their intentions are paramount, rather than the law and the courts, they can act with total caprice toward the citizens of their countries. Surely the Leader of the New Democratic Party would not impose on Canada the concept that the caprice of a few people who climb to the top of an organization will dominate the will of Canadians. Good intentions are not good enough. Surely all of us are subject to the law. Surely all of us are subject to the courts that give us protection under the law. Good intentions and a sense of empathy are not reliable enough guides. I would remind my colleagues that empathy and conscience are probably the most malleable faculties we have. Our consciences or empathy-driven responses depend on what we program into ourselves.

• (1250)

I wish to make my third point about security under the courts because I see that my time is running short. The Leader of the NDP went on to say:

> There are two serious things wrong with that. One, it is the Security Intelligence Review Committee which has some expertise in passing judgment about security risks . . . However, the Government does not want to use the people with expertise but wants to give the responsibility to the Federal Court—

That is nothing short of misleading. Perhaps the process has changed, but I would remind Hon. Members that Clause 4 of the Bill amends Section 41(1) of the Act to read as follows:

> Notwithstanding anything in this Act, where the Minister and the Solicitor General are of the opinion, based on security or criminal intelligence reports received and considered by them, that a person, other than a Canadian citizen or permanent resident, is a person described in paragraph 19(1)(d), (e), (f) or (g) or 27(2)(c), they may sign and file a certificate to that effect with an immigration officer, a senior immigration officer or an adjudicator.

The fact is that the evidence will be presented in court because of criminal intelligence reports that will have been submitted to the Solicitor General (Mr. Kelleher) and the Minister of Immigration (Mr. Bouchard). On the evidence they have provided, those certificates can be issued. It is entirely misleading for the Leader of the New Democratic Party to say that the Government does not want to use the people with expertise but wants to give the responsibility to the Federal Court.

The fact is that because of the Supreme Court and the Charter, we have the best protection under the court system. I would hope that the Leader of the New Democratic Party would have confidence in the Federal Court system, confidence that it will protect people who are being investigated and are under the threat of deportation on the advice of the Ministers. The court system will decide whether the Ministers are right or wrong.

We have heard a lot about refugees, bogus refugees and terrorists wanting to come to Canada under the refugee system. However, it is important that we maintain and protect in Canada the rich tradition of compassion and caring for those who are most destitute and endangered.

The decision of the Supreme Court in the Singh case of two years ago was basically that there are five billion people in the world who could come to Canada and say they are refugees and they would be entitled to protection under the Charter. That is really what it said. We must and will maintain our rich tradition of protection for those who are destitute.

I remind Hon. Members that it was this Government that came to the aid of the boat people who were set adrift on the South China Sea in 1979. It was this Government that proposed that if private organizations and church groups would sponsor refugees, the Government would match that sponsorship. That was one of the best programs in the history of our dealings with refugees. Everyone participated in it.

While we continue to speak for refugees and on behalf of refugees, we must also speak for Canada. We must speak for the kind of country we want, the kind of country we want to protect for those refugees who come here. If we allow our laws to be flouted and our system of immigration to be circumvented, if we allow those who do not share our ethics to erode the sense of justice in Canada, we will not have the kind of Canada

that will be an enticement to refugees. So we must speak for Canada as well as the refugees.

It is the intention of this Government to preserve the kind of fairness, compassion and sense of humanity and legal balance under our justice system that will keep Canada an attractive haven for people around the world who are destitute. They should be able to feel at home here and to maintain a sense of humanity.

As long as we allow groups of people to finesse their way around the legal system, we will erode our system and destroy the kind of Canada that makes our country such a great place to live and so attractive to these groups. I say it is time to send this Bill to committee, to hear witnesses and to pass it so that Canada can be the kind of place to which people want to come.

Mr. Blaikie: Mr. Speaker, I just wanted to engage the Hon. Member in discussion on at least one area that he raised with respect to the comments of the Leader of the New Democratic Party, the Hon. Member for Oshawa (Mr. Broadbent). This has to do with what in my judgment can only be a misrepresentation, deliberate or otherwise, on the part of the Hon. Member of what the Hon. Member for Oshawa said. I would like to clarify the matter.

It is not that the Leader of the New Democratic Party, or any other New Democrats for that matter, asking for special status under the law for church people. We were arguing that the wording of this particular Bill would put these people, some active in the church and some not, though it is a fact that church people tend to be associated with caring for and advocating the cause of refugees, on the wrong side of the law needlessly. It is not a matter of asking for special status for clergy or for church people or for anyone else. It is a matter of the way the Bill is worded now. The Bill's wording would put church people who help people who do not have documents come into Canada, believing that they are legitimate refugees, in a position of breaking the law. Is the Hon. Member saying he agrees with that? That is the only point the Hon. Member for Oshawa was making when he spoke about the effect this Bill would have on people involved with the churches.

• (1300)

The Acting Speaker (Mr. Paproski): I will allow a very short rebuttal before I call it one o'clock.

Mr. Friesen: I just make this one point. There is concern about people who do not have documents. The question we have is, why do they not have documents? A decision has to be made. There may be some who have no documents through no fault of their own but, as news reports have indicated very clearly and as the Hon. Member will I think understand, there has been a multitude of people who have destroyed their documents and therefore are not legitimate cases. We have to make that distinction.

The Acting Speaker (Mr. Paproski): There will be eight minutes left for questions and comments when we resume debate.

It being one o'clock, I do not leave the chair until two o'clock.

At 1.02 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

REGIONAL DEVELOPMENT

NORTHERN ONTARIO—PROGRAMS INTRODUCED BY FEDERAL GOVERNMENT

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, the general election of 1980 returned 10 Liberal Members from northern Ontario—10. Yet, with all that representation under the previous Liberal administration, not once did one of those Liberal Members bring forward an economic program for their region.

I am proud to say today that under the present Government the northern Ontario caucus of the P.C. Party delivered to the residents of northern Ontario.

We delivered an economic development program to the region.

We delivered $55 million in new federal money.

We delivered $15 million in loans and grants of up to a value of $60 million.

We delivered a secretariat, housed in our own back yard, to administer the program.

We delivered an advisory board made up of northern Ontarians. Mr. Speaker, the Government has delivered to northern Ontario.

* * *

ENVIRONMENTAL AFFAIRS

NEED FOR FORMULATION OF NATIONAL WATER POLICY

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in spring, 1984, the inquiry on federal water policy was launched to consult Canadians on a federal water strategy to meet our future needs. On September 30, 1985, the inquiry reported its recommendations to the Minister of the Environment (Mr. McMillan). At that time the Minister stressed the urgency of

formulating a national water policy "to prevent the emerging crisis from happening".

The Minister has had the report for two years now and Canadians are wondering what he has done. The sense of urgency the Minister conveyed in September, 1985, seems to have evaporated like so much water on a hot summer's day. We urge the Minister to get going and start planning now to meet the water management challenges Canadians are facing now and will face in the years ahead. Canadians want to see the benefits of the 18 months of important consultations on water policy for Canada.

* * *

AIR TRANSPORT

PROPOSED TRANSPORTATION OF PLUTONIUM THROUGH CANADIAN AIRSPACE

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, in the House the other day a question was asked of the Government about its position on the proposed flights of plutonium over the Canadian North. I found the government answer at that time to be very inadequate. All we received from the Parliamentary Secretary to the Minister of Transport (Mr. Thacker) was the assurance that these flights could only occur with the full permission of the Canadian Government.

That is not the point, Mr. Speaker. The point is whether the Canadian Government is going to give permission for such flights, whether it will tolerate that type of danger to the northern environment.

I must wonder aloud just what is going on when the Government takes such a casual attitude toward that proposal. Is it because we have compromised ourselves with respect to radioactive substances in the North by the Government's proposal for nuclear submarines for Canada's North? Is it because the Government has entered into an agreement, through AECL, with the United States and Japan *vis-à-vis* the research going on at Lac du Bonnet into the disposal of high level radioactive waste? Is that why we have this silence, this incredibly relaxed attitude toward a very serious proposal? Or is it because of the general deference to all things nuclear to which the Conservatives have now become captive in the same way as the Liberals were before them?

All these things give one cause to wonder just what is going on. I think it is high time the Government paid some attention to this particular proposal.

FINANCE

HIGH CREDIT CARD INTEREST RATES

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, credit cards and interest rates do not seem to go together. For over two years my learned Conservative colleague, the Member for Scarborough West (Mr. Stackhouse), has been crusading to convince banks and department stores to act less greedily with their credit card interest rates.

The president of a Canadian shoe company told me that almost one-third of their net profits came from interest on overdue credit accounts. How silly. Whatever happened to good old cold cash and the rule of business ethics that, if you cannot afford to pay, you cannot afford to play?

We got ourselves into this trap by living plastic lives. We even buy our groceries now with a piece of plastic. However, banks and department stores are, in my opinion, charging excessively high interest rates on credit accounts. Persuasion has not prevailed. It is time to legislate. The Member for Scarborough West has my full support.

* * *

• (1405)

[*Translation*]

ENVIRONMENTAL AFFAIRS

POLLUTION OF SAINT-MAURICE RIVER

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, last June 29 I rose in the House and urged the Minister of Environment (Mr. McMillan) to intervene with a view to settling a problem concerning log drives on the Saint-Maurice, the longest river used for such operations. This river flows through broad land expanses in the Mauricie region—from La Tuque to Trois-Rivières—where logging operations are now one of the major sources of water pollution. This constitutes a very complex problem because, if ever consideration were given to banning log drives, the economic impact on our region would be catastrophic owing to the high cost of trucking logs over land.

Still, Mr. Speaker, I hardly think that letting the situation deteriorate will solve the problem. With this in mind, again I urge the Minister of Environment to convene all parties involved as soon as possible, namely Environment Canada, the paper companies concerned, other federal, provincial and municipal authorities, and spokesmen for the various users of the Saint-Maurice River.

NEW DEMOCRATIC PARTY

LEADER'S POSITION ON IMMIGRATION

Mr. Gabriel Fontaine (Lévis): Yesterday, Mr. Speaker, the leader of the socialist party flanked by 30-odd comrades, all excentrics with their own peculiarities, rose in this House to comment on the immigration measure in his capacity as party leader. The first part of his speech had to do with history and literature.

In the second part he simply echoes the message of pressure groups that are against the Government approach.

In the third part it becomes obvious that he is not living in 1987 because his leading references date back to 1914 and 1939.

He criticizes the Government position—which he has yet to read—and even wrongly states in his discourse that he did not get from the Minister a response to his personal quest for information.

In conclusion the socialist leader states that he wants to put an end to abuses and ban terrorism but he does not accept any of our means and, worse still for a party leader, he fails to suggest any alternative.

As he is wont, yesterday the socialist leader toyed with negativism, inaccuracies, demagogy and opportunism.

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[*English*]

RIVER SAFETY

WHITE WATER RAFTING FATALITIES—CALL FOR INTRODUCTION OF CONTROLS

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, over the past year in my province of British Columbia we have seen 12 people die as a result of white water rafting accidents. Six of those tragic deaths have occurred in the last month alone.

I have a letter from K. W. Stevenson, President of General Paint of Vancouver. He lost his daughter, Marie, aged 32, on the Elaho River north of Squamish. Mr. Stevenson says:

> It is my sincere belief that government must introduce controls for ALL rivers so that other families do not have to experience the grief that we have felt.

I am sure all Members of the House will share in his grief over this tragedy.

I want to remind the Minister of Transport (Mr. Crosbie) that under the Canada Shipping Act the authority for regulating and maintaining safety standards on rivers remains with the federal Government and his Department.

I want to offer the co-operation of the New Democratic Party if the Government needs legislation to strengthen the safety standards of rafting equipment and the qualifications of rafting guides. I have had the pleasure of rafting on the Fraser and Thompson Rivers, as perhaps you may have had, Mr. Speaker. It is great fun and it is a great tourist industry. However, we must make sure that these kinds of tragedies do not occur again.

* * *

POLITICAL PARTIES

IMMIGRATION—POSITION OF NEW DEMOCRATIC PARTY

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, the majority of Canadians believe that legitimate refugees should be given safe haven in Canada. People want an immigration system that is fair and compassionate.

However, when the system is repeatedly abused, it is not unreasonable for the Government to tighten the refugee determination process, ensure visa compliance, and punish offenders.

I am very concerned that members of the New Democratic Party have not come clean on the issue of refugees. The Leader of the New Democratic Party (Mr. Broadbent) says the system should be tightened up, while many of his followers have delayed passage of immigration Bills, criticizing them as too severe.

If the NDP had not prevented earlier attempts to amend immigration laws, the recall of Parliament may not have been necessary.

• (1410)

The New Democratic Party should stop delaying new immigration laws. The Leader of the NDP should instruct a few of his loyal followers to act responsibly because Canadians deserve much better.

* * *

FINANCE

HIGH CREDIT CARD INTEREST RATES

Mr. David Orlikow (Winnipeg North): Mr. Speaker, in the late 1970s and early 1980s interest rates were high. The prime rate was over 20 per cent. Credit card companies, major retail stores and gas companies were charging around 25 per cent on unpaid accounts. When interest rates dropped substantially, the interest rates charged by these companies were not reduced.

It was only after questions in this House and after the finance committee brought down a report early this year criticizing these high interest rates, did the Minister of State for Finance (Mr. Hockin) warn the charge card companies

that, if they did not cut their interest rates, Parliament would bring in legislation.

Finally, kicking and screaming, these companies brought down their interest rates somewhat a few months ago. Now, just four months after announcing a reduction in interest rates, they have begun to increase interest rates again. Their excuse is that interest rates have gone up somewhat.

I call upon the Government to act now, not to wait for a Private Member's Bill which might, with luck, be dealt with a year from now. I call upon the Government to bring in the kind of legislation which will protect tens of thousands of Canadians from the greed of these giant companies.

* * *

HORTICULTURE

NORTHERN GARDENING PROGRAM SPONSORED BY MENNONITE CENTRAL COMMITTEE

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, in many small communities in the North the price of produce is extremely high, yet the soil and climatic conditions are suitable for the growing of vegetables. A lacking ingredient, however, is knowledge and experience on the part of the inhabitants of how to cultivate gardens.

Recognizing this, the Mennonite Central Committee has, for the past several years, been sending experienced gardeners to the North to teach by example its people the art of horticulture. This is proving to be a successful program. The object of this statement is to thank both the Mennonite Central Committee and the individual participants for their continuing efforts on behalf of would-be northern gardeners.

* * *

IMMIGRATION

SUPPORT FOR PROPOSED LEGISLATION

Mr. Terry Clifford (London—Middlesex): Mr. Speaker, I stand in my place today to compliment the Government on the introduction of Bill C-84 which, in concert with Bill C-55, will stop the queue jumpers who are interfering with immigration to this country. These Bills will stop the unscrupulous tactics of a few people making money from the misfortunes of others with their boatloads of human contraband. That is not fair, nor is the open-door policy advocated by Members opposite.

With the passage of these Bills the Government will be able to proceed with plans to expand the family reunification program because, without immigration, Canada's growth rate will be negative. The Government wants to help bona fide refugees and immigrants enter this country. The hundreds of constituents who called my office to register their concern and indignation demanded fairness. This is a trait which exemplifies Canadians and Canada to the rest of the world, and this Government is delivering.

* * *

IMMIGRATION

BILL C-84—SUGGESTED REFERRAL TO COMMITTEE

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, when you recalled the House to deal with Bill C-84 it was our intention at that time, of course, to co-operate with you and come back to Parliament. We have been debating this Bill now for two days.

It has been our intention, because it is very complicated and we have very many concerns which, of course, we have registered, to see amendments made to the Bill. Of course, the appropriate place to make those amendments is in a legislative committee. That is also the place where expert witnesses could be heard to help us improve the Bill. For that reason we have been anxious to have this matter referred to a legislative committee as soon as possible, ideally at the end of today, and that is still our wish.

We want to say we oppose the Bill. However, we want to do what we can to improve the Bill presently before the House and we can do that only by hearing expert witnesses in committee and by proposing amendments in committee.

* * *

WESTERN DIVERSIFICATION FUND

ESTABLISHMENT OF WESTERN DIVERSIFICATION OFFICE

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the recent western diversification initiative recognizes the need to develop and diversify the western economy to make it less vulnerable to international economic developments and fluctuating commodity prices.

A new agency, the Western Diversification Office, will be created under the leadership of the Minister of Indian Affairs and Northern Development (Mr. McKnight). The WDO, with offices in each of the four western provinces, will co-ordinate, support and encourage the creation of enterprises in the West and will administer a $1.2 billion Western Diversification Fund.

• (1415)

This new money will be used to promote western economic diversification by helping to support worth-while specific projects, by promoting the competitiveness of existing enterprise, and by facilitating the creation of new business.

The WDO will co-ordinate and communicate all federal programs and activities that contribute to the economic development and diversification of the West. The WDO and the $1.2 billion fund represent tangible proof of the Government's commitment to help improve the fortunes of western Canada.

* * *

[*Translation*]

IMMIGRATION

OPINION OF MEMBERS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I just heard the Hon. Member for Kamloops—Shuswap (Mr. Riis) commenting on Bill C-84. He pointed out that although his party was opposed to the Bill, it wanted to see the Bill referred immediately to committee, so that witnesses could be heard.

I would like to say to the Hon. Member for Kamloops—Shuswap that his intellectual honesty leaves much to be desired. As a Member of this House, I have the right to express my views on Bill C-84, and I hope we will be given an opportunity to do so in this House. If his party is not prepared to come right out and say where it stands on this issue, preferring to hide in committee instead of speaking out in the House, it can go right ahead, but I want to express my opinion right here in the House. And I strenuously object to the position taken by the Hon. Member for the NDP on this matter.

ORAL QUESTION PERIOD

[*Translation*]

TRADE

PATENT DRUG LEGISLATION—ATTITUDE OF UNITED STATES—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Minister for International Trade. The Minister knows perfectly well that her colleague, the Minister of Consumer and Corporate Affairs, keeps repeating that his Bill, which will increase the price of drugs in Canada, is not the result of pressure exercised by the United States during the free trade talks. In fact, he maintains that the United States did not even mention the subject. I would like to know whether the Minister agrees with her colleague and whether the United States has asked Canada to change our patent drugs legislation.

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can assure the House that of course the Minister of

Consumer and Corporate Affairs was correct in the answer that he gave the House. I have explained to the House, both in the debate on March 16 and in repeated questioning in the House, that the whole issue of intellectual property, which covers patents, is being discussed, but I am not aware of any specific reference to the Bill in question.

POSITION OF UNITED STATES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is not bad enough that the Government is going to raise drug prices at the expense of older and sick Canadians—

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): —it's worse that the Government does not have the common decency to admit in the House that it is doing so as a result of direct pressure from the United States.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): I have here a document published under the seal of the President of the United States which I wish to quote. It refers to the current drug legislation:

> The United States continues to raise its concerns at senior government levels. It urges speedy submission of modifying legislation to address serious U.S. concerns about the inadequacy of Canadian patent protection in this area.

Does the Minister for International Trade deny the truth of these statements contained in the official document under the seal of the President of the United States relating to these trade negotiations?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Right Hon. Member has not established in the House the date of the document, whether the document deals with free trade, whether it is one of the general concerns that is raised all the time between Canada and the U.S. trade negotiators where we deal consistently over a long period of time with trade issues between us. The Hon. Member has not in any way tied this specifically to any U.S. negotiating proposal that is under serious consideration by our negotiators.

• (1420)

Mr. Turner (Vancouver Quadra): I would be glad to let the Minister have a copy of this document which has been given to us by the United States Embassy on Wellington Street. It is the National Trade Estimate Report on Foreign Trade Barriers, and it relates specifically at page 55 to what I have just recited.

PROPOSED LEGISLATION TO AMEND PATENT ACT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, this morning in *The Globe and Mail* there was a further report—

Mr. Malone: Read the whole *Globe and Mail*.

Mr. Turner (Vancouver Quadra): "Read the whole *Globe and Mail*"! That would be taxing even the Hon. Member's patience.

I want to quote senior American officials, senior administration officials. Yesterday this fellow said that "intellectual property rights (such as drug patents) is one of our key global issues", and then he said that he thinks "we have the assurance of the Canadian Government that they will see this through".

I ask the Minister of Consumer and Corporate Affairs, to give him a chance to get up finally, why would the Government reject the recommendations of the Eastman report, which was an independent Canadian judicial commission of inquiry? Why would he reject those recommendations and cave in to American pressure instead, to bring this legislation forth?

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

An Hon. Member: Which one of you is going to answer?

Mr. Axworthy: Do it together.

Mr. Blackburn (Brant): I wouldn't take that, Pat.

Mr. Andre: —I would remind the Leader of the Opposition that it was the Liberal Government in 1983 which introduced a White Paper. It was the Hon. Member for Papineau who said that Canada's patent laws needed to be changed.

Some Hon. Members: Oh, oh!

Mr. Andre: I would remind the Right Hon. Leader of the Opposition that when he was in the private sector and Chairman of the Board of Sandoz Pharmaceutical Company many people heard him say that Canada's patent laws needed to be changed.

Some Hon. Members: Oh, oh!

Some Hon. Members: Shame, shame!

Mr. Turner (Vancouver Quadra): We support Eastman.

An Hon. Member: Read the Eastman report.

Mr. Andre: I do not know whether the Leader of the Opposition met with the pharmacy students who were here in Ottawa, I believe the day before yesterday, talking about their future—

Ms. Copps: What about senior citizens?

Mr. Andre: —but it is those thousands of jobs and those hundreds of millions of dollars of investment in research and development which are guiding this Government.

I wish the Right Hon. Leader of the Opposition would have the courage to visit with those students and tell them that he thinks their future takes second place to his political opportunism.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry.

Mr. Axworthy: While the Minister of Consumer and Corporate Affairs is arranging meetings, we would be interested to know when he is prepared to meet with the senior citizens of Canada who will be facing an increase of hundreds of millions of dollars in drug prices; that is what we would like to know.

Some Hon. Members: Hear, hear!

MINISTER'S SPEECH—REQUEST FOR TABLING OF REPORTS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, seeing that the Minister for International Trade was so anxious to join in a duet with the Minister of Consumer and Corporate Affairs, I will pose a question specifically to her.

Yesterday, in answers to questions from our Leader, she said specifically that the trade knowledge which Canadians need about the Canada-U.S. negotiations is all contained in a speech which she made on March 16. If that is the case, I would like to ask the Minister why it is that when that speech was delivered she talked about jobs but she did not mention the fact that federal officials in the Department of Regional Industrial Expansion said that there would be job losses in the brewery industry, in the steel industry, in the shipbuilding industry, in the auto parts industry—in fact in industries in every part of Canada. If that was to be the definitive statement of the impact of the free trade negotiations, why is it that those facts were kept secret, that those facts were hidden and were not divulged at that time?

I ask the Minister, in all honesty, is she now prepared to table those reports showing exactly what the real impact of free trade is going to be in this country and on the jobs of Canadians?

• (1425)

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, let me make some obvious points. First, the free trade negotiations are taking place. They have six more weeks to go. It is not possible at this time to table the type of information for which the Hon. Member is asking because the negotiations are taking place. The Prime Minister has said that there will be public debate on the issue.

Second, I would like to point out that the information the Hon. Member is presenting to the House in the form of the DRIE report, a junior report that was never circulated among Ministers, has already been rejected by one group, the petrochemical industry, which says that the report's assessment of its industry is simply not true.

If the Hon. Member continues to bring forward suspect information in the absence of any discussion on this matter, even with his own Leader in a private briefing by Simon Reisman, then I think the Hon. Member is simply being mischievous and undermining the negotiations that are taking place at this crucial time.

REQUEST THAT TRADE AMBASSADOR APPEAR BEFORE COMMITTEE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I will concede one point. Any information from the Government must be suspect just by its very nature. However, I would caution the Minister that to reject the kind of research analysis done by officials in the Department of Regional Industrial Expansion who know an awful lot—or did know an awful lot—about how regional development took place in the country, is an act of irresponsibility on the part of the Minister.

Mr. Speaker: Order, please. These are important matters being discussed. It would be helpful in preambles if Hon. Members would restrain themselves from getting into argument, and set out the facts that are necessary to place a question.

Mr. Axworthy: Thank you, Mr. Speaker. I will put my question to the Minister in this way. Considering that there are only five or six weeks to go before the Government will initial an agreement with the United States on free trade, is it not absolutely essential that Canadians be given the full benefit of the facts which the Government itself possesses about what the impact of that proposed agreement will be? Is it not a responsibility of the Government to be accountable to the Canadian people and divulge those facts?

In doing so will the Minister agree to have Mr. Reisman appear publicly before the Standing Committee on External Affairs and International Trade to explain why it is that the impacts are not being divulged, and to explain what it is the free trade arrangement will do for Canadians?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I am sure that Ambassador Reisman would give the same response that I have given, that is to say that, since negotiations are taking place and since the type of information that the Hon. Member seeks cannot for all practical purposes be defined or determined until the negotiations are concluded, there is no particular point in Mr. Reisman coming forward at this time.

I have said over and over again that the agenda for these talks has been discussed and debated in Parliament. The agenda and the Canadian position have been widely discussed among First Ministers. We have had a consultative process that involved five First Ministers' meetings, two Trade Ministers' meetings, 16 meetings of the Deputies of the provinces and the federals, 116 SAGITs meetings, three ITAC SAGIT chairpersons' meetings and seven ITAC meetings, which is the group that advises me. All of this work is going on. All of this consultation is taking place.

I offered a similar briefing to the opposition Parties and they have refused it.

I might point out that I find it strange that the Leader of the New Democratic Party has rejected this briefing when it was a member of his own caucus who asked for it.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

PRIME MINISTER'S MEETINGS WITH UNITED STATES PRESIDENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is addressed to the Prime Minister. The Minister for International Trade has once again denied that the United States brought direct pressure on the Government of Canada to make changes to our patent drug legislation.

[*Translation*]

Mr. Speaker, is the Prime Minister prepared to admit that during two international conferences with the President of the United States, one in 1985 and one in 1986, the President directly suggested to the Prime Minister that some changes should be made in our legislation on pharmaceutical products?

Right Hon. Brian Mulroney (Prime Minister): The Leader of the New Democratic Party is referring to something I am not aware of. Of course, as the Minister said, there have been exchanges on a host of issues during bilateral meetings, which is entirely normal. We are talking about the legislation that was tabled. It is a Canadian initiative which, I may add, will result in several hundred million dollars being invested in Canada and the creation of as many as 3,000 new jobs, most of them in Quebec. I have also noticed that many Quebecers, including the Mayor of Montreal, ministers in Mr. Bourassa's government and various social intervenors, have shown considerable concern about the position taken by the Liberal senators who are opposing a Bill that would bring considerable economic benefits to Canada and Quebec.

• (1430)

[*English*]

POSITION OF UNITED STATES GOVERNMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Prime Minister says that this was a Canadian initiative. It was a Conservative Government initiative that came after two direct requests of the President of the United States, another request made by the Vice-President of the United States to the Prime Minister as well as in a meeting with myself and, I believe, the Leader of the Opposition, and it was introduced into the House after the visit of Mr. Yeutter to Canada.

Will the Prime Minister now acknowledge that this legislation that is going through the Senate was introduced by the Government because the United States is insisting upon it as a

condition for a free trade agreement with the Government of Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Leader of the NDP is no doubt quite capable of discussing meetings that he may have had with American officials. I would no doubt gather that he would want to leave me the same privilege.

I have responded to the Hon. Member. Have these matters been discussed in bilateral meetings? Of course they have. All matters of importance are raised by officials from time to time. This particular project is one that was brought about, and the Leader of the Opposition himself, when he was in the private sector, had recommendations along similar lines.

The object of the exercise as presented to the House of Commons is to guarantee some 3,000 new research and development jobs and hundreds of millions of dollars of new investment. We are somewhat at a loss to understand why the Liberal Senate persists in blocking something that is of such value to Canada, to the Province of Quebec, and to the research and scientific community in general.

We want to initiate matters so that Canada can provide a leadership role in scientific research and development. We are amazed that the Liberals and the NDP are blocking such initiatives when they can be brought about and keep drug prices down at exactly the same time.

POSITION OF UNITED STATES PRESIDENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Prime Minister knows or ought to know that the one concrete effect of this legislation will be to drive up the price of drugs in Canada by $300 million to $600 million a year. That is what will happen.

Some Hon. Members: Oh, oh!

Mr. Broadbent: Since just a few minutes ago the Minister for International Trade denied that the President of the United States in particular, or any other official of the United States attempted to get the present kind of legislation proposed by the Government of Canada introduced, and since the Prime Minister has just indicated that possibly the President of the United States did discuss it with him, will he now admit that the President of the United States did discuss very specifically patent drug legislation and requested the Government of Canada to make the kinds of changes it is now trying to force through the House of Commons and the Senate?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend has made the flat statement that the only concrete effect of this measure will be to drive up the price of drugs. That, of course, is quite false.

I would ask Hon. Members, and even those from the Leader of the NDP's own Party who might be inclined to believe such a statement, to refer to other flat statements made by my hon. friend. He stood in the House of Commons and predicted in 1984 and 1985 that the Budgets would cost between 50,000 and 150,000 jobs, and they have created hundreds of thousands of jobs. He was wrong then and he is wrong today.

Some Hon. Members: Hear, hear!

* * *

IMMIGRATION

BILL C-84 PROVISIONS—REQUEST FOR AMENDMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is for the Minister of Immigration. While curbing abuse is a legitimate concern, it is very clear that Bill C-84 goes far beyond that intent, and in the process of overkill, jeopardizes the Charter of Rights and the civil liberties that we enjoy as Canadians.

Given that outside the House yesterday the Minister conceded that Clause 95(1) of the new Bill, which places members of the clergy assisting refugees in the same category as sleazy profit-making racketeers, is in error, would he now not admit to the House and to Canadians that this clause and others in the new Bill are in need of very significant amendments so that we can clean up racketeers and exploiters without trampling over our Charter and our civil liberties?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I will try to explain to my friend—it will not be easy—exactly what I meant yesterday and today. Section 95 has always existed in the legislation. The Hon. Member will agree with me that it has been in the legislation for the last 10 years.

The new clause says that it is not an offence to counsel a person to present himself to an officer and tell the truth. It says that it is not an offence to transport an illegal alien in Canada for the purpose of presenting that person to an officer. What is an offence is to aid persons to evade legitimate immigration controls, either at the port of entry or in Canada.

Perhaps my friend will understand that no one has a right to decide whether or not people are refugees before they come here. Every one in Canada who will want to bring people here will have to wait before deciding if those people are refugees. Because of that, we have to let people here in Canada take that decision. In other words, nobody will be allowed to decide, before the immigration officers, that people are refugees. They could come from any organization, but under the Immigration Act only Canadian people will have the right to decide who are or are not refugees.

CONFISCATION OF DOCUMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, what the Minister says and means is one thing. What is in the legislation and is becoming the law of this country is completely

different. We are interested in the legislation because Ministers and Governments come and go but the law remains.

Given that another overkill provision is the provision that all travellers coming to Canada will have their visas and passports confiscated, potentially including Canadians returning from abroad, I would like to ask the Minister this question. While curbing fraudulent documentation is a noble exercise, does he not think that this blanket provision is too far-reaching? By implementing this provision, is he proud to be joining the Soviet Union which is now the only country in the world that requires its passengers' documents to be confiscated? What kind of Canada are we to become?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I will let Canadians be the judge. When you get to the point where you start comparing the situation in the USSR with our own, in terms of individual freedoms, that is a sure sign you have run out of ammunition. I simply want to inform the Hon. Member that throughout the international community, procedures are in place that are far stricter than any Canada intends to introduce with the present legislation. I think that the only way—and we intend to maintain this position—to ensure that people entering Canada meet Canada's immigration objectives is to have controls, and we definitely intend to do so.

• (1440)

[*English*]

APPLICATION OF PROPOSED LEGISLATION

Mr. Dan Heap (Spadina): Mr. Speaker, my question is directed to the same Minister. He was quoted today in the *Citizen* as saying he is not interested in prosecuting legitimate groups who assist refugees. He just now gave a very different interpretation of this proposed law. The Bill states:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offence—

My question is this. If a Canadian brings someone who he or she thinks may be a refugee claimant to Canada without travel documents, and at once takes that person to the nearest immigration authority for examination, does the Minister admit that the clause I just read would make that action an offence?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I don't think the purpose of Question Period is to try and interpret the law instead of leaving this to the experts. Once we have passed the legislation, it will be up to the courts to provide their interpretation, and we will then see what the implications are.

[*English*]

APPLICATION TO CANADIAN CITIZENS

Mr. Dan Heap (Spadina): Mr. Speaker, on Tuesday the Hon. Minister made statements undertaking to interpret this law. A few minutes ago he did the same thing. Will he do what a Minister is supposed to do and answer questions of fact and law in Question Period? Does this clause make it an offence to do what is not now an offence, namely, to bring a person into Canada and take that person to an immigration office, perhaps without documents, for examination?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I have a very clear statement for my friend. In this country everyone, every group, has to respect the law.

Some Hon. Members: Hear, hear!

[*Translation*]

ALLEGED IMPRECISIONS CONTAINED IN LEGISLATION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is also directed to the Minister of Employment and Immigration. However, before putting my question, I must say that I am very surprised at his attitude. If the Members of this House are not here for the purpose of drafting and examining the Bill, then what are we doing here? That is the whole purpose of Question Period and our various committees and debates. I find the Minister's attitude incredibly arrogant.

I would like to get back to my question, Mr. Speaker, and I say to the Minister that if we consider Clause 95.1 which is at issue here, I think it goes much too far. Is the Minister prepared to tar with the same brush, the traffickers in human flesh who are going to charge people thousands of dollars for taking them to Canada, and the work done by Cardinal Léger whose purpose is to help refugees find a safe haven and help people who are living in unfortunate and needy circumstances find a country of refuge? Because that is what Claude 95.1 does.

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, that is taking the easy way out. It is the easiest thing in the world to play on public sentiment.

Mr. Garneau: It is the truth.

Mr. Bouchard: Now listen, sir. We listened to you. I suggest you talk to the Liberal senators about Bill C-22. That is important.

I think we should remember one thing. When people are not yet in Canada, whatever the country they come from, we have to wait before a decision can be made. You have already made up your minds that people who are not in this country, people you bring in from outside the country, are refugees. No one in this country has the right to decide who is a refugee except Immigration Officers. That is pretty obvious, and again, I

suggest you read the Bill. This provision has been in force for ten years. In fact, it was passed by the Liberals.

MEANING OF CLAUSE 95

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I have a supplementary.

I was thinking about my next question, and in fact, it is very apt now that section 95.1 has been added to the existing Section 95.

I would like to ask the Minister whether, considering what he just said, Marcel Aubut, the President of the Nordiques, and Gilles Léger, his assistant, would have been liable to five years imprisonment because they helped the Stastny brothers come over and play hockey for the Nordiques. That is what Section 95.1 means.

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I would have thought the Liberal Party was above the sort of argument that was just raised.

Mr. Garneau: Who drafted the clause?

Mr. Bouchard: Now listen, sir, we listened to you, so you could at least reciprocate.

I simply want to say that anyone in this country, as I said so earlier in English and I am sure you understood, anyone in this country who brings people from outside the country before Immigration Officers for evaluation, has the right to do so provided these people are taken to the place where they are supposed to go, namely, a Canadian Immigration Office. In that case, they may do so. However, we cannot let the Canadian system be manipulated, and this has happened several times, to let refugees into the country who are not entitled to that status. As long as I am Minister of Immigration, I will not knowingly let people abuse the system. This has been going on for years, and you never had the courage to do something about it.

* * *

[*English*]

EMPLOYMENT

RETRAINING OF LAID-OFF OLDER WORKERS

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, my question is directed to either the Minister of Labour or the Minister of Employment. In February of 1986 the Government promised to bring in a labour adjustment program for older workers. I represent a community with over 200 people who are going to be laid off in September because of the closure of Otis Elevator Company Limited. Another 1,400 families will be affected in January when the Firestone plant closes. Over half of these people would be considered older workers. When is the Government going to honour its promise to these workers and their families and others like them across the country?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, the program was announced a little while ago and negotiations have been ongoing with my provincial counterparts. As a matter of fact, I propose to talk to my Ontario counterpart very soon and I will inform him of the Hon. Member's concern.

REQUEST FOR MINISTERIAL COMMITMENT

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, my question is when is the Government going to do something about it? The Government has a responsibility. It made a promise to the workers of this country over 18 months ago. Families in Hamilton and across the nation are affected. I would like a commitment from the Minister today. Is he going to make a commitment to implement that program today?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as the Hon. Member should know, the announcement was with respect to a tripartite program. The negotiations with the provinces particularly are ongoing and I will inform my Ontario counterpart of the need for that program in Ontario particularly, and hopefully it will be signed, sealed, and delivered soon.

* * *

• (1450)

FINANCIAL INSTITUTIONS

DIRECTORS OF PRINCIPAL GROUP COMPANIES

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is for the Minister of State for Finance. He will know that the directors of Principal Group Ltd., First Investors, Associated Investors, and Principal Savings and Trust Ltd. are the same. He ought to know that their business address is the same address on Jasper Avenue in Edmonton. He should also know that the Secretary Treasurer of Principal Savings and Trust Ltd. is also the President of First Investors and the President of Associated Investors.

What test did the Minister utilize to satisfy himself that there was no wrongdoing, or the appearance of wrongdoing, within the operations of Principal Savings and Trust?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Canadian Deposit Insurance Corporation was the insurer of Principal Savings and Trust. There were 29 other entities in the Principal Group. They do not have CDIC insurance. The Hon. Member should know that, even though CDIC insures a provincially regulated institution, it is still a provincially regulated institution. All of the Principal Group companies are provincially regulated.

CROSS-TRADING QUERY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the same Minister. I say very sincerely that there are 67,000 Canadians who have lost their personal investments. The Minister has refused to produce a document with regard to the investigation of Principal Savings and Trust. He has refused under the guise of confidentiality. I think the paramount consideration in this case ought to be the system of investment, depositors, as well as Canadians generally, as opposed to protecting one single company.

When did the CDIC and the Minister first become aware that cross-trading was going from Principal Savings and Trust to First Investors and Associated Investors?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the two contract investment companies, First Investors and Associated Investors, are not insured by CDIC, as the Hon. Member knows. Principal Savings and Trust is insured by CDIC.

In the course of examining the operation of the firm that it was insuring the CDIC came into knowledge of certain problems with inadequate capitalization. It became clear that more capital would be needed if that particular company was to continue. It seems clear that the same is true for the whole group.

In May and June the CDIC made its representations very clearly to the owners of Principal Savings and Trust. If the Hon. Member has been following these matters closely he will know that Parliament passed Bill C-42 which reaffirmed the confidentiality of documentation and communications between CDIC and its member institutions.

PRINCIPAL SAVINGS AND TRUST—REIMBURSEMENT OF INVESTORS

Mr. William G. Lesick (Edmonton East): Mr. Speaker, my question is also directed to the Minister of State for Finance. Many Edmontonians and Albertans in general are adversely affected by the collapse and bankruptcy of the Principal Group.

How will reregulations of the financial services industry help to prevent further bankruptcies like that of Principal Savings and Trust? Can the Minister tell us when depositors in Principal Savings and Trust will be reimbursed by the CDIC?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am pleased to respond that the CDIC hopes to be able to reimburse those who were insured within three weeks.

Second, for the information of constituents of the Hon. Member or anyone concerned about when the CDIC will be sending out the reimbursements, the phone number is area code 613 995-7984.

REQUEST FOR GOVERNMENT ACTION

Mr. Simon de Jong (Regina East): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. We know that officials of his Department were fully aware as early as July 14 of allegations of false representation made by Principal Group to lure customers. The Minister also received letters as early as July 20 from angry investors claiming Principal Group misled them about insurance coverage.

We know that last week the B.C. Government launched legal action against Principal Group alleging misleading and deceptive practices. Why is the Government taking so long to act? Why is it not taking similar action now?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, we are. The Marketing Practices Branch of the Department of Consumer and Corporate Affairs, as the Hon. Member indicated, began investigating in early July the possibility that there were fraudulent misrepresentations made to investors in the two companies. It is doing the same with regard to Principal Savings and Trust.

REQUEST FOR POLICE INTERVENTION

Mr. Simon de Jong (Regina East): Mr. Speaker, that is just not good enough.

Some Hon. Members: Oh, oh!

Mr. de Jong: I have had phone calls from people, one from a woman in tears, because they lost their total life savings in this. They feel they have been lied to and robbed and no one has called the police. When is the Minister going to call in the police?

Some Hon. Members: Sit down.

Some Hon. Members: Hear, hear!

Mr. Speaker: Hon. Members will know that there is an appropriate time for debate, and sometimes at that appropriate time debate can be very heated. This is the Question Period. I invite the Hon. Member to put his question.

Mr. de Jong: Mr. Speaker, my question is very simple. These people have been lied to and robbed. When is the Minister going to call in the police?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, is the Hon. Member suggesting that we throw the individuals in jail and then have an investigation to see whether or not they should be there?

Mr. Broadbent: No, that's immigration.

Mr. Andre: The Marketing Practices Branch has this under investigation. Anyone guilty of fraudulent misrepresentations—

Mr. de Jong: How long?

Mr. Andre: The Hon. Member is suggesting that charges be laid before the evidence is gathered. I do not think that is proper procedure.

Mr. Speaker: I regret to advise the House that the exchanges are just becoming argumentative. I think we should move on. The Hon. Member for Mississauga North.

* * *

LABOUR RELATIONS

POSSIBILITY OF RAILWAY STRIKE

Mr. Bob Horner (Mississauga North): Mr. Speaker, I address my question, through you, to the Minister of Labour. The Minister will know that at midnight on Monday, August 17, railway employees will be in a legal strike position. This will bring about the cessation of Go Transit services and will affect commuters from Hamilton, Oshawa, Barrie and, of course, Mississauga. There are 61,000 daily passengers.

If an agreement cannot be reached by unions and the railways, will the Minister assure the House that the Government will take immediate action to prevent this hardship and disruption of business?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I am informed that the parties are meeting at this moment to discuss the report which was released earlier this week. I encourage the parties to come to a settlement as quickly as possible.

* * *

[*Translation*]

THE CONSTITUTION

OPPORTUNITY TO INTRODUCE AMENDMENT GUARANTEEING EQUALITY FOR WOMEN AND MINORITIES

Mrs. Lucie Pépin (Outremont): Mr. Speaker, my question is directed to the Prime Minister. Last June 26 the Prime Minister said in this House that if there is the slightest doubt about the equality of women's rights in the Meech Lake Accord he will secure such rights at the next meeting with provincial premiers, with due speed.

Mr. Speaker, doubts have been raised and voiced by a number of constitutional experts. Now that these doubts have been expressed, can the Prime Minister unequivocally guarantee that he will do his utmost to obtain from his colleagues, the provincial premiers, an amendment giving women and minorities in Canada the absolute right to equality? My question is directed to the Prime Minister.

• (1500)

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I appreciate the Hon. Member's question. I think it is important to understand that in response to a similar representation the other day I tried to set out that we felt, on the best legal advice we were able to get, that indeed the rights of minorities and the equality rights with respect to women in fact remain protected under the Charter in a substantive way.

If she does not want to believe me, possibly she will believe Dean William R. Leterman of Queen's University who speaks on behalf of 12 leading experts on federalism from five Canadian universities and today stated:

> In our judgment, the distinct society clause does not reduce federal legislative authority; nor does it significantly impair citizen rights under the Charter or the ability of Canada to recognize the rights of its aboriginal peoples and its varied ethnic communities.

These are top-notch national experts who have indicated their support of this Accord as an absolutely essential political act on the part of this Parliament in the legislation of our country.

[*Translation*]

PRIME MINISTER'S POSITION

Mrs. Lucie Pépin (Outremont): Mr. Speaker, my question was directed to the Prime Minister because the Prime Minister told us that if there were any ambiguity he would guarantee that he would secure the rights of women and dispel any such ambiguity. All I want to ask in my supplementary question is whether the Prime Minister has changed his mind since last June 26 and whether he is playing the same game as the Minister of Justice when refusing to acknowledge the ambiguity in the Meech Lake Accord? Who will make a decision? The Government or the courts?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, again, I do not understand the purpose of the Hon. Member's question. Is she stating the position of the Liberal Party, that this Accord should be rejected?

Mrs. Pépin: I am telling you what the Premiers told us.

Mr. Hnatyshyn: Is she not in favour of bringing Quebec into the Constitution, into the mainstream of Canadian life? I do not understand the question.

Mrs. Pépin: You are not answering the question.

Mr. Hnatyshyn: We are trying to give the proper legal interpretation. Obviously, we feel that the rights of all those groups on behalf of which she purports to speak are in fact protected. We have good legal advice to that effect. I hope she will support this matter rather than try to equivocate on behalf of her Party.

REGIONAL DEVELOPMENT

GOVERNMENT PROJECTS IN ST. JOHN'S EAST, NFLD.

Mr. Jack Harris (St. John's East): Mr. Speaker, my question is directed to the Prime Minister. Between June 20 and July 20 of this year the Minister of Fisheries and Oceans and the Minister of Transport made announcements totalling in excess of $33 million for ten projects in St. John's East. In view of the shameful unemployment rate in Newfoundland, which is shamefully double the national rate, and that since July 20 I received numerous calls from constituents who are desperate for employment and could benefit from these projects, will the Prime Minister tell us when work will be available from these projects for some of the unemployed in Newfoundland, particularly on projects in Long Pond, Foxtrap, Bauline, and Flatrock?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I am glad to welcome the Hon. Member from St. John's East to the House.

Some Hon. Members: Hear, hear!

Mr. Crosbie: I hope that my relationship with him will be as close and cordial as it was with his predecessor.

Some Hon. Members: Oh, oh!

Mr. Broadbent: That is why he is here.

Mr. Crosbie: I am happy to remind the House that the unemployment rate fell in Newfoundland. It is still a remarkably high 17.2 per cent, but there was considerable decline last month. The projects the hon. gentlemen mentions are and will be going forward, as well as all of the projects that have been announced since, including the $900,000 project at Arnold's Cove in St. John's West, and others.

There is a mighty program under way across this country to revive and repair our small craft harbours. I am glad the Hon. Member is now supporting them instead of complaining about them as he did during the election campaign.

REQUEST FOR SPEEDY START TO PROJECTS

Mr. Jack Harris (St. John's East): Mr. Speaker, the Government was able to put up huge signs in these communities within a matter of three or four days of making the announcements. In view of the debilitating unemployment rate which is still double the national average, will the Minister assure the House that the same haste and enthusiasm will be used in getting these projects started?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the projects that were announced are going forward with all possible speed. Any project ever announced for Newfoundland goes forward with all possible speed, as the hon. gentleman will realize. Our next major project is to see his replacement in the next election.

Some Hon. Members: Oh, oh!

* * *

CANADA POST CORPORATION

MAILING SERVICE FOR BLOOD SAMPLES

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, my question is directed to the Minister responsible for Canada Post. The recent regulatory change in dangerous goods regulations resulted in a policy of Canada Post that blood samples will no longer be accepted in Canada's mail. This has caused an incredible hardship for rural Saskatchewan hospitals and small health clinics. In short, the policy is not good enough and should be changed.

Will there be a change to allow small hospitals and health clinics to mail blood samples through Canada Post?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member is absolutely right. It is an unacceptable inconvenience, particularly to remote communities, not to be able to use Canada Post to send materials like blood samples. The policy is being changed and the change will be implemented. The Hon. Member has my assurance that this will be rectified just as soon as possible.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, since the House is back in session and today is Thursday, I would ask the Government House Leader to give us the customary statement of business that the Government intends to call over the next several days.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I will gladly do that. Today we will continue with Bill C-84. We hope that that might be concluded today. If not, we will continue tomorrow. That will be followed by Bill C-55.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have a question for the Deputy Prime Minister (Mr. Mazankowski) on House business. As the Deputy Prime Minister will know, there is a matter of great urgency which is presently before the House. I speak now of the legislation with respect to war criminals.

The Deputy Prime Minister will know that we in this party were prepared just before the House rose to have this legislation move ahead and to complete consideration of the Bill at that time. In view of the importance of dealing with this legislation quickly, in view of the fact that over 40 years have

passed, and in view of Canada's shameful history of inaction with respect to those who are alleged to have committed these terrible crimes against humanity, will the Deputy Prime Minister give serious consideration to bringing this legislation before the House in the next few days in order that Parliament might consider it as the emergency which it clearly is?

Mr. Mazankowski: Mr. Speaker, I think the Hon. Member is referring to Bill C-71. Of course, that is a priority item with the Government. The immediate priority, of course, is Bill C-84 and Bill C-55. I will take the Hon. Member's representation into consideration.

Mr. Rod Murphy (Churchill): Mr. Speaker, I also have a question for the Deputy Prime Minister (Mr. Mazankowski). Prior to the break I had asked the Minister of Labour (Mr. Cadieux) to introduce remedial legislation to reinstate benefits to women on maternity leave. I have been assured that that legislation will come. When will we get that legislation, as it affects many people at the present time?

• (1510)

Hon. Pierre H. Cadieux (Minister of Labour): I appreciate the question of the Hon. Member, but I do not know exactly what assurance he is referring to. I have a copy of my letter to him dated July 30 which says we are taking that possibility under consideration and will be acting shortly. I will inform the Hon. Member what route we are going to take with respect to that.

Mr. Gray (Windsor West): Mr. Speaker, the Government House Leader will recall that I asked him on Monday if the Government would bring forward the war criminals legislation during this special resumed session of the House. I would again repeat my request because our party has always said we want to see that legislation expedited.

Mr. Mazankowski: Mr. Speaker, I think I answered that question in response to the Hon. Member from the New Democratic Party. Bill C-71 is indeed a priority of the Government, but we have been summoned back to the House to deal with two very important pieces of legislation, namely, Bill C-84 and Bill C-55. Those are the items of business we want to dispose of. However, if we can work out satisfactory arrangements to deal with Bill C-71, as I indicated, I will take that under advisement.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

The Acting Speaker (Mr. Paproski): When the House rose at one o'clock there were eight minutes remaining in the question and comment period of the speech of the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen). I will entertain a further eight minutes of questions and comments.

Mr. Berger: Mr. Speaker, in his remarks the Hon. Member referred to five million refugees in the world. I would say that is probably a bit low. From the figures I have heard, I would think it is something like 15 million. What I would like to suggest to the Hon. Member is that they are not all coming here. Does he have any evidence to suggest that they are?

Mr. Horner: They will.

Mr. Berger: The Hon. Member says they will. He forgets that Canada is a remote country. It is one of the most remote countries in the world when one is speaking of the refugee question. Last year we had 18,000 claims. But even the Hon. Member acknowledges that many of these claims were abusive claims caused by the shortcomings in our current system.

I would like to ask the Hon. Member if he agrees with the screening process the Government is trying to set up in Bill C-55? And why does he agree with the efforts to stop undocumented persons from comimg to Canada when he knows that most refugees do not have the time to get documents. They barely have time to pack a bag and leave their countries. How can the Hon. Member tell if a person is a refugee or not if the procedure the Government has set up does not provide all claimants a fair and full hearing?

Mr. Friesen: There are several questions there, Mr. Speaker. The first comment the Hon. Member made was totally erroneous. I never said there were five million refugees in the world. I would hope the Hon. Member has read the legislation a little more carefully than he listened to my speech.

There are 12 million to 15 million known refugees in the world according to the United Nations Human Rights Commissioner. What I said was that under the Singh decision with respect to the protection under the Charter, there is a possibility of five billion people. Anyone around the world could land on our shores. Whether an individual tells the truth or lies, if he says he is a refugee he is entitled to protection under the Charter. Therefore, potentially every person in the world can come here and claim refugee status. That confirms the numbers I quoted.

The Hon. Member wants to know, I believe, how we are going to decide, and that is at the heart of this legislation and at the heart of this debate, and what the Opposition is talking about, the definition of a legitimate refugee. The implication in everything opposition Members are saying is that the church groups and other groups to whom they have been talking have a right to decide and conclude who is or who is not a legitimate

refugee. What we are saying is that is not right. Everyone has to be subjected to the laws and regulations of Canada in determining whether or not they are legitimate. Otherwise we have a very subjective system. We can never have a dependable definition of what is a refugee if we are not going to do it according to law.

If the groups working with refugees have the right to bring their claimants to the border and say, we have already decided these are refugees and do not have to be subjected to analysis under the law, then we have a lot of favouritism in the system which we cannot tolerate. I think the Hon. Member knows that.

Therefore, I say again that I would hope that when the Hon. Member speaks in this debate, as I suspect he will, he will do so with a clear understanding of the provisions of the Bill. With respect to proposed Section 95.1 in which he is interested, let me propose to him that it is virtually impossible to come to Canada without some kind of documentation unless it has been destroyed. If a person comes under a scheduled airline, some kind of passenger system, he must have documentation before he gets on the airplane. If he comes by a scheduled ship, he must have documentation. The only way he can come without documentation is either by destroying it or by coming to a port of entry along the Canada-U.S. Border illegally. We are not going to allow organizations, with their own subjective criteria, to decide on behalf of the Department of Immigration and the court system of Canada whether or not those people who land on our shores or arrive at a port of entry are legitimate refugees.

Mr. Lewis: Mr. Speaker, I have a question for the Hon. Member. As the Hon. Member and the House know, Bill C-55, which is legislation to tighten the refugee determination practice, is also presently before the House. We are currently debating an amendment by the Liberal Party supported by the New Democratic Party to delay debate on that Bill for a further six months until 1988. How would the Hon. Member's constituents feel if the Liberals and the New Democratic Party also put forward an amendment to delay debate on Bill C-84 for a further six months?

Mr. Gauthier: I rise on a point of order. That question is totally out of order. It is absolutely hypothetical. The motion is not being put forward on this Bill. What the Hon. Member is talking about is an amendment to Bill C-55 which has nothing to do with the debate at this time.

The Acting Speaker (Mr. Paproski): The Hon. Member may answer that question.

Mr. Friesen: I hope the Whip for the Liberal Party will make sure that everyone of his Members who ask a hypothetical question during Question Period is ruled out of order.

Mr. Gauthier: Point of order. I do not need any teaching from this gentleman—

Mr. Mazankowski: You need a lot of teaching.

Mr. Gauthier: —as to hypothetical questions, and I will say to Members of the Government that when it comes to hypothesis, they are the big question mark.

Mr. Robinson: Mr. Speaker, I have a brief question for the Hon. Member. I would like to ask him whether he agrees with the views of the Conservative Chairman of the Standing Committee on Labour, Employment and Immigration? With respect to Bill C-55 he said that it proposes a series of changes which would make it almost impossible for many genuine refugees to make a claim, and that it is in probable violation of both the UN Convention on Refugees, as well as our own Charter of Rights and Freedoms. This was said by the Conservative Chairman of the Standing Committee on Labour, Employment and Immigration. I wish to ask the Hon. Member whether he agrees and recognizes the force of the criticism that was made by that very knowledgeable Member of the House and of his own Party.

• (1520)

Mr. Friesen: I would be happy to answer that question as soon as the Hon. Member receives unanimous support from his caucus for all of his views on justice.

Mr. Robinson: I recognize that the Member is afraid to answer the question, but I will give him an opportunity once again. The question is very straightforward. Does the Hon. Member agree with the position that has been taken by his Conservative colleague who chairs the parliamentary committee on immigration that the procedures on refugee determination in his Government's legislation are fundamentally flawed? Does the Hon. Member agree or not? Is the Hon. Member afraid to answer the question?

Mr. Friesen: I thought I already answered that question.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated.

On debate, the Hon. Member for Laurier (Mr. Berger).

Mr. David Berger (Laurier): Mr. Speaker, I am astounded by the remarks of the Hon. Member. For him to actually suggest that 5 billion people might come to Canada—

[*Translation*]

. . . that is beyond understanding, beyond reason . . .

[*English*]

It is no small wonder that we are debating legislation which carries with it such abuses of our international obligations and the Charter of Rights. Indeed, the Hon. Member even admitted that Bills C-84 and C-55 are designed to do an end run around the Supreme Court of Canada, and around its decision in the Singh case.

Canadians are a fair-minded people. We often have difficulty in establishing that which sets us apart from other

peoples. Most Canadians would agree that we possess a sense of fairness. The key issue in this debate is the fairness of the process. If Canadians today are upset with our refugee determination process, it is because the abuses they see offend their sense of fairness.

The critical questions we must ask ourselves are the following. How do we make it fair to both refugees and to immigrants, recognizing that we are dealing with two very different needs? How can we be fair to Canadians who have relatives who want to immigrate to Canada? What can we do to discourage widespread abuse so that Canadians will not feel that our immigration procedures are being by-passed? Surely, it is possible to devise a system that meets these needs.

Indeed, the proposals for reform of the refugee determination system made by Rabbi Gunther Plaut, and largely adopted by an all-Party parliamentary committee which included members of the government Party, show us the way to do it. These proposals are based on the simple premise that we can do justice to refugees, and discourage abuse, by providing claimants with a full and fair hearing, and a decision in a relatively short period of time.

The current system invites abuse. It takes from two to five years from the date a claimant arrives in Canada to the date of the final decision. People or illegal immigrants who may be inclined to abuse or take advantage of the current system do so because they know they can stay. If a quick determination was made within four or five months of that person's arrival in Canada, it would remove abusers and allow refugees to begin to rebuild their lives quickly. In this manner, we would respond to the needs of refugees, and most abusers would not come. The cost would be prohibitive for an illegal immigrant to come here and be sent home shortly afterwards. By cutting down the time for a decision, abuse is eliminated. The confidence of Canadians in our system and laws would be restored.

The other half of the equation is the refugee. How can we be fair to refugees? Rabbi Plaut went to great lengths in outlining the manner in which to be fair to refugees. He insisted on the need for independence of the refugee board, and the right to counsel. He argued that while it is necessary to shorten the process to a minimum, a certain minimum period of time is required for refugee claimants to adequately prepare their cases; the need for procedural fairness should be obvious. Refugees have left their homes because of war and persecution. Their lives and liberty are at stake. Even refugee claimants who one might expect to be fairly articulate, such as lawyers, teachers, and union leaders, have been known to break down during refugee hearings; they have been unable to face the past, unable to talk about the experiences to which that they have been subjected. We must understand that refugee claimants are in a new country, probably they do not speak either English or French. Unquestionably, they are unfamiliar with our laws and procedures.

In his report, Rabbi Plaut considered and rejected various means of arbitrarily excluding certain groups of persons from presenting their claims. The refugee determination system should be open to all claimants; that is, any person arriving in Canada and claiming to be a refugee ought to be given a hearing, and an opportunity to present his or her individual case and be judged on the merits of the claim. This corresponds to the sense of fairness of all Canadians.

Rather than allowing all refugee claimants access, the Government proposes to screen out claimants before they have had a full hearing on the merits, if they come from so-called third safe countries, or if they are unable to establish what the Government refers to as a credible basis for their claims within 72 hours of arrival in Canada.

Rabbi Plaut looked at these concepts and he rejected them. He rejected the idea of screening out those with what are known as "manifestly unfounded claims". He reviewed the practice in those countries that have tried to introduce such a practice only to find it to be unworkable. In other countries, some cases which were at first judged to be manifestly unfounded claims eventually were determined to be refugees by a higher authority.

• (1530)

However, the Government in its wisdom rejected his advice. Under the Government's legislation claimants from countries on a predetermined list established by Cabinet, which may have nothing to do with their personal circumstances, will not get a hearing. There will be no opportunity for them to refute the assumption established by Cabinet that the country to which the Government wants to return them is indeed safe. The inquiry will be limited to determining from where the person came. Members of the Standing Committee on Labour, Employment and Immigration have been warned about the dangers of such a practice. Representatives of the United Nations High Commission on Refugees in Canada told the committee the following in March of this year:

> Pakistan may be safe for Afghans in general but not for Iranians—as for Afghans, you have to listen to the claim. There are different political and religious parties among the Afghans. Some of them have good relationships with the government and others do not . . . so even for Afghans who in general are very well treated in Pakistan, we would have to investigate the claim of the individual before saying this man is an Afghan and can be sent back to Pakistan.

Similarly, in the last week or two an Iranian was murdered by one of the Ayatollah's hit men in Europe. This is not the first time it has happened. Many former supporters of the late Shah have been murdered on the streets of Paris and London. Europe is clearly not safe for some Iranians. Some may be safe—people who are not notable members of the community or perhaps young people. However, clearly Europe is not safe for certain individual Iranians. They should not be arbitrarily excluded from our refugee determination process because Cabinet decides, in its imagination, that European countries are safe for Iranians. We must look at each individual case. We must allow people to present their claims and to be judged.

It is false for the Minister, it is false for the Parliamentary Secretary, and it is false for every member of the Conservative Party to say that no genuine refugee will be returned to a country where he or she may face persecution or death; this is just not so. The procedure the Government proposes provides no opportunity for the refugee to make his or her case.

Also it is false for the Minister to say that in all cases the refugee will be given the benefit of the doubt and that even when there is a shred of evidence supporting the claim, as the Minister has said on countless occasions, the claimant will be entitled to a fair hearing. This is just not so. It is not supported by the law before us today.

[*Translation*]

Instead of advocating giving refugees an honest and fair hearing, the Government proposals totally disregard the consensus flowing from consultations held by Rabbi Plaut and by the House standing committee, consultations to which the Canadian Bar, church authorities and non-government organizations were party. Instead of providing universal access to the system, Mr. Speaker, the Government is suggesting that applications be pre-screened on the basis of arbitrary criteria. Instead of allowing refugees to prepare adequately for a hearing where their life and freedom are at stake, the Government wants to force them through a hearing within 72 hours of their arrival in Canada. Instead of guaranteeing a refugee the right to a lawyer or counsel of his choice, this hasty process denies this basic right as guaranteed by our Charter of Rights. We must bear in mind the situation of refugees: not only is Canada a foreign country to them, but in most instances they do not know a soul here. More often than not they are advised by non-government organizations, refugee assistance agencies and church representatives. These organizations rely on volunteers and are forever strapped for financial resources. So how do you expect these organizations to intervene within 72 hours? Is there one individual who is prepared to say that refugees will be treated fairly and equitably under this system?

[*English*]

If fairness is the issue, there are further considerations. When Canadians travel abroad or participate in international meetings, we are often pleasantly surprised by the strong and considerable reputation of Canada. This reputation is founded on our contributions to the international community, going back to the days of Pearson, to our peacekeeping efforts, and to our record of aid to Third World countries.

The generosity of Canadians has also extended to refugees. In 1986 the Nansen Medal was awarded to the people of Canada by the United Nations. Who was Nansen? He was a Norwegian, an Arctic explorer, and oceanographer, best remembered for his work for the relief of suffering peoples. He was responsible for the repatriation from Russia of 500,000 prisoners of war from the German and Austro-Hungarian armies. In 1921 he succeeded in raising funds to bring relief to famine-stricken Russia. In 1922, at his initiative, an international agreement was signed in Geneva, introducing the identification card for displaced persons, known as the Nansen passport.

Think of the cruel irony. In 1986 Canadian people received a medal named after Nansen who gave displaced persons, persons without documentation, identification cards. In 1987 the Government wants to throw refugees without documents in jail.

The reputation of our country is also due to its nature. I have been impressed on visits abroad about the advantages of living in and coming from a bilingual country. There is hardly a world forum in which we do not participate. We are involved in the Commonwealth and La Francophonie. When I visited a refugee camp on the border of Thailand and Cambodia I was filled with pride on meeting Canadian volunteers, doctors, and nurses who acted as interpreters between Americans who spoke no French and Belgians or French who spoke no English. To me that is how Canadians can play a special role in the international community.

We are seen as a principled nation, a caring nation, and we ought to be concerned about the effect of this legislation on the international community and on how other countries treat refugees. We have to be concerned about the effect of this legislation on the UN Convention. The basic thrust of this legislation is that the Government does not want refugees to make claims in Canada. It wants to select refugees abroad, something which we do more out of our need for immigration than out of concern for the plight of refugees.

• (1540)

The Minister does not say so directly—

[*Translation*]

. . . The question was put to the Minister of Employment and Immigration (Mr. Bouchard) the other night when he was being interviewed on *Le Point*: How do you expect refugees to come to Canada? He replied: Let them come any way they can.

But they want to deny them any way to come to Canada without first filing an application with our embassies abroad.

[*English*]

Line up abroad, that is what this Government is saying. That is why the Minister wants increased fines for transportation companies. I ask you, Mr. Speaker, what will happen if all countries tell refugees to line up abroad? What will happen to refugees fleeing for their lives if all they have is the right to wait in line and apply to immigrate from an embassy in a country where they face persecution? Should Canada not be leading the fight to preserve the United Nations Convention so that refugees can continue to have the ability to effect some salvation on their own, to move spontaneously to a safe haven without visas, without lining up at an embassy door or without proper documentation? That is the whole purpose of the United Nations Convention.

Is it fair for Canada to lead the world in denying refugees this right?

The Acting Speaker (Mr. Paproski): Are there questions or comments?

Mr. Friesen: Mr. Speaker, the Hon. Member spoke at some length on the subject of screening. In that respect I have one question that I would like to put to him.

In 1980, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) was the Minister of Immigration. At that time there was a very famous case involving a gentleman by the name of Mr. Giuseppe Calamusa who had been convicted in Italy of three criminal offences. He came to Canada illegally in 1968. He was deported on five occasions and charged in Toronto with counterfeiting. He skipped bail in 1976, and in 1977 he was convicted and imprisoned. Sometime after 1980 he got into his car and drove to Winnipeg, turned up at the then Minister's office and asked for a ministerial permit. The Minister had a member of his staff drive this gentleman in a government car down to Emerson, Manitoba, where they did a loop around the immigration building and then presented him with a ministerial permit.

In view of the Hon. Member's interest in screening can he tell me whether the former Minister of Immigration, the Hon. Member for Winnipeg—Fort Garry, had prospective immigrants properly screened or was that his idea of screening people who should be admitted into Canada?

Mr. Berger: Mr. Speaker, I am only vaguely familiar with the facts of the case to which the Hon. Member refers. I recall the name, perhaps as a result of questions having been raised in the House. I would like to ask the Hon. Member what that has to do with the debate we are having here today? Was this person admitted into Canada as a refugee? Was he admitted as a landed immigrant under immigration procedures or under refugee procedures? Quite frankly, I do not know what the Hon. Member is talking about. I wonder if he does.

Mr. Wenman: Mr. Speaker, I know that the Hon. Member for Laurier (Mr. Berger) has demonstrated his concern for Convention refugees by visiting with me refugee camps in Thailand and Malaysia. He has participated in the process of bringing refugees to Canada through the legitimate route laid down by the United Nations Convention. Does the Hon. Member feel that it is fair that illegal aliens should be able to jump the refugee process by coming directly to Canada? Does he not agree that the 12 million refugees in refugee camps around the world, Convention refugees as designated by the United Nations, who have been waiting for months and years and who perhaps will never be received, should have priority and that the system should be respected? Those 12 million people are equally concerned with this situation and do not like the line-jumping either. Does the Hon. Member not agree that they have a prior right and that we should try to preserve the system?

Mr. Berger: Mr. Speaker, I thank the Hon. Member for his kind remarks. We ought to go on another trip again soon. It was very enjoyable, not because it was a joy-ride—it was not. On the contrary, it was hard work, but we were working for a good cause.

Does the Hon. Member not recognize that some of the people who have been accepted as refugees by making claims in Canada have been recognized as refugees? Are those people not legitimate? Is that not what we are trying to preserve? Is that not why we are so upset because of an arbitrary screening process that would possibly and inevitably rule out some of those people?

Does the Hon. Member not recognize that the concerns we have and the concerns experts have, including Rabbi Plaut, are legitimate? Does he think that the only wisdom is on the government side?

Mr. Wenman: Mr. Speaker, I would like to remind the Hon. Member that it would appear, although it has not been proven yet, that perhaps some of these refugees tried to come through a third country. They, for example, bypassed Germany, thus bypassing all the refugees in the camps there. They could have gone there and got into the process in that way. Surely the Hon. Member understands that there must be a system, a system which does not allow bypassing of third countries. Surely he understands that we cannot allow racketeers or privateers to abuse that system any more than the pirates off Thailand can be allowed to continue their piracy. Until we can establish a better system, we must maintain control, not only in the interest of Canada but in the interest of the 12 million refugees who want to come here or to other countries. Line-jumping cannot be allowed to continue if we are to be just and fair.

Mr. Berger: Mr. Speaker, I would ask the Hon. Member to think through his argument. He said that some of these people have come to Canada through a third country. Sure, they come through a third country. We do not have any refugee-producing states on our borders. If people had to come directly from a refugee-producing state in order to claim refugee status no one would be able to make a claim in Canada. The whole purpose of the Convention is to allow people to make claims, to move spontaneously on their own.

• (1550)

As long as human beings have a breath of life in them, as long as they have a desire to survive, they will find ways around the bureaucratic systems established by Governments. They will find ways to save their lives. They will find ways of not lingering in refugee camps.

I would like the Hon. Member to reflect on the fact that in the 1920s and the 1930s, there was a Canadian immigration regulation which said that one could not immigrate to Canada if one could not come here by continuous journey.

Mr. McCurdy: Same rule for the same purpose.

Mr. Berger: It is the same rule that we are talking about today, a rule which was discredited in those times.

I would ask the Hon. Member to read a speech I made some months ago in which I quoted a predecessor of mine, Sam Jacobs, who used to say that if Jesus of Nazareth had to come to Canada under that kind of system, he would have been refused entry because he could not have come here by continuous journey. There were a few other factors which would have been in his way as well.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated.

Mr. McCurdy: Mr. Speaker, I rise on a point of order. A number of us on this side have the distinct impression that there was not adequate time allowed for the questioning of the previous speaker and that no—

The Acting Speaker (Mr. Paproski): I keep really good track of all the times, and I have given the Hon. Member at least a minute and a half over his time.

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, thank you for giving me some time today to address Bill C-84. I would like to put a few of my views on the record, views which will hopefully help this debate. I know that this debate has been fairly intensive on both sides of the House, but I think there are some issues on which we agree and I think we should take a look at how we can go from there.

From 1973 to 1979, I had responsibilities as immigration critic while we were in opposition. At that time, the then Government presented a Green Paper on immigration and we travelled the country to get the views of Canadians, many of which were similar to the views that are being expressed in this debate. Legislation was then introduced and this legislation still primarily governs immigration in Canada today.

At that time, though there were differences of opinions on specific points, there was also a lot of agreement on the immigration legislation. The principles on which it was based at that time still exist today and those principles must be repeated. First, Canada needs more immigrants. I believe that that is not a point that is at issue in the House of Commons.

Let me put on my hat as Minister of National Health and Welfare. Demographic studies and projections for Canada are being conducted in my Department on behalf of the Government and are made public. From those studies, it becomes evident very quickly to any objective observer that Canada has benefited greatly from immigration. I do not think we could describe Canada without describing the immigration flow as that is the nature of Canada.

From a demographic point of view, we do need more immigration. Comparing the aging population in Canada to the fertility rates of Canadian women of child-bearing age, it becomes clear very quickly that we do need more immigration, and I believe that on that point we do agree.

Second, I think we all agree that Canada has accepted refugees, is presently accepting refugees, and should and will accept refugees in the future. I believe it is important to keep that in mind. Today's debate, despite its intensity, is not about whether or not Canada should accept refugees. The question is, however, how people should be accepted as refugees.

Third, each country in the world, no matter how generous it is in receiving immigrants, has taken upon itself as part of its sovereignty both the right and the responsibility to put both legal and regulatory conditions on how people enter the country. That is part and parcel of the sovereignty of a country. I believe that some Canadians feel today that Canada's ability to control the manner in which people enter the country has been seriously jeopardized, and that is a fundamental principle underlying the actions of the Government.

I would hope that there is no disagreement among all sides of the House on those three points. If that is the case, then let us look at the record.

Quite frankly, I was more saddened than shocked by some of the words used by the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) to describe my friend and colleague, the Minister of Employment and Immigration (Mr. Bouchard). To say that someone is barbaric is something that surely should not flow from the lips of a Member of Parliament when describing another Member, whether inside the House or out.

I do not think I am giving away any cabinet confidences when I say that I know that the Minister of Employment and Immigration has always said that we need more immigrants. To use words to describe him like those used by the Hon. Member for Winnipeg—Fort Garry is totally unacceptable.

On page 8005 of yesterday's *Hansard*, the Hon. Member alludes to the fact that the Minister could possibly be racist because he wants to accept immigrants on the following basis:

> They want to decide whether it is the colour of their skin or their hair or their religion which determines whether they are bona fide refugees.

I believe that most objective observers would say that when using those kinds of words, one is ascribing to a person racial overtones. I do not think that has a place either in this House or in this debate. I feel more sorrow than anything else when I hear that kind of a description of my hon. friend and colleague, the Minister of Employment and Immigration.

If those principles to which I have referred apply, it is very interesting to note what has happened to immigration in the last 10 years. Combining refugee and designated classes, in 1978, Canada landed 913 people. The law changed at that time, so that has to be taken into consideration.

I am not trying to be partisan because the pattern continued after our defeat in 1980, but in 1979, the Government said that it would take more boat people from Indochina and we asked church groups, NGOs and others to co-operate. They

co-operated beyond any of our expectations in the best Canadian tradition. That year, we landed 27,528 refugees.

In 1980, as that program came into full bloom, that figure was 40,348. Then in 1981, the figure went down to 14,979. Who was the Minister then? It was the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy). The next year it was 16,925. It then dropped to 13,967 in 1983. In 1984, it started going up, to 15,342. In 1985, it went up to 16,760. In 1986, 17,145. Up to the end of June of this year we are at 12,168. Assuming roughly the same amount in the second six months, the number could be well over 20,000 for the year.

• (1600)

The point I am making is that the Opposition says this Government is against refugees, and that is absolutely wrong. The numbers point the other way. I ask the Hon. Member for Winnipeg—Fort Garry and his colleagues why fulminate against this Government today when their Government had a rate lower than either the Government of 1979-80 or this Government?

Mr. Caccia: We are talking about the legislation you are introducing today, you jerk.

Mr. Epp (Provencher): At least I finally have his attention. He does not want to face the truth.

Mr. Caccia: Talk about this Bill.

Mr. Epp (Provencher): I will talk about this legislation. The Minister said that we will continue not only the present level of immigration, he said on second reading that he was willing to signal to the House when he is obligated under the legislation, an amendment I moved at that time, to come in with higher targets. Surely we have to go with the evidence rather than the rhetoric or emotions such as demonstrated by the Hon. Member for Davenport (Mr. Caccia).

The second point I would like to make is that there has been a change. That change flowed from the Singh case. This has to be understood. To every country in the world that receives immigrants, including Switzerland, Sweden, the U.S. and the U.K., when a person sets foot on its territory that person is deemed not to be in the country for the purpose of exercising all legislative rights until that person's status had been regularized. That was a convenient legal way of being able to determine what that person's status was. It gave the country the power of maintaining its regulations and its sovereignty. In Canada the Singh case reversed that. To my understanding, this is the only country in the world faced with that situation. That interim period is no longer considered valid under our Charter of Rights. Therefore, if a person comes into this country, legally or illegally, from the moment he or she touches Canadian soil they are covered by the Charter and the need for an oral hearing.

The point is that one can see very quickly why our immigration laws have to be changed. Not to reduce the number of refugees who are coming here legally but so that people cannot thwart either the will of Parliament or the fair judgment of Canadians.

Mr. Waddell: What about the UN Convention?

Mr. Epp (Provencher): The Hon. Member refers to the UN Convention. I have it here before me because that is the next point I wanted to make.

The Opposition says that what we are doing is a violation of the UN Convention. That is not what the UN Commissioner for Refugees says at all. However, if that is the case, is Switzerland outside the convention? Are Sweden and Norway outside the convention? To ask the question is to answer it. It is simply not true. It might be a point of debate but it is not true. If one looks at the comments of the UN Commissioner relative to Bill C-55, a Bill which is not before us but which is tandem to Bill C-84, you will find that he would like to recommend some changes to Bill C-55 to "have as good a model of refugee acceptance as possible". Obviously he is trying to work towards the ideal model. He indicates very clearly, "The UNHCR does not suggest that any aspects of the proposed system are contrary to the convention".

This Government will maintain its international obligations. We are not in contravention of those obligations. This Government will maintain the historic traditions of Canada with respect to immigrants and refugees. However, we cannot violate a system so that anyone in the world can take it upon himself or herself to come to Canada and have rights which they do not have anywhere else in determining the manner in which they stay or how long they stay. That is fair and that is just.

Let us come now to the matter of destroyed documentation. It is interesting to note that a number of people who have come here to Canada to claim refugee status, before they were able to get on a conveyance to Canada, in most cases airlines, they had to have proper documentation. If they did not, I suggest in many cases the airline would not have accepted them as passengers. Therefore, one has to ask: Why destroy the documents? Is the Opposition saying that because someone destroys their travel documents they should have some right of access to the system before those who are in refugee camps? Is that the argument they want to put forward?

I suggest that the reason these people are destroying documents is that a number of them have status—

Mr. Waddell: They are fraudulent documents.

Mr. Epp (Provencher): I will get to that, too. We have had indications just recently of people who have come here and had status in Denmark. They chose to get on an aircraft to Canada and before landing they destroyed their documents in order that it would not be known they had status in Denmark. That is the kind of thing we are dealing with. Yes, there are fraudulent documents, but surely it is incumbent upon the Government of any country to check first on whether they are

fraudulent. Surely Canadians expect nothing less from their Government.

There are those who will argue that we should have universal access. They do not like to put it quite that way but that is the result of their argument.

Mr. Berger: We put it exactly that way.

Mr. Epp (Provencher): So you are in favour of universal access?

Mr. Berger: Yes, I am!

Mr. Epp (Provencher): All right, let us look at that. The Hon. Member for Laurier (Mr. Berger) says exactly what he is in favour of. He is saying to Canadians, and they have to understand this, that everyone who decides to come to Canada and claim refugee status should have access.

Mr. Berger: Refugees.

Mr. Weiner: Five billion people.

Mr. Epp (Provencher): If that is his argument, that is totally ludicrous. No Government of any country accepts that kind of principle. We hear, for example, about Sweden. Sweden is used as the ideal model. Sweden takes approximately 1,000 refugees a year. I have given you the numbers, Mr. Speaker, of refugees that Canada has taken and that the Minister says we will continue to take. It is interesting to note that when a person claims refugee status in Sweden the first government official he or she comes in contact with is a member of the state police.

• (1610)

I think it is time that Canadians knew the facts and were not simply drawn to an emotional argument that Canada is the only country in the world which is being restrictive. In fact, how often do we hear that the United States is not a safe third country? The fact is that the United States has taken more refugees than any other country and Canada has taken the next highest number.

Mr. McCurdy: No it didn't.

Mr. Epp (Provencher): I am talking about refugees that have refugee status. We have U.N. obligations and humanitarian obligations, Mr. Speaker. We are saying very clearly that this legislation is needed to maintain those principles which have been part of Canada's traditions.

Mr. Berger: Mr. Speaker, the Minister was just referring to universal access as though people who are in favour of it had some kind of disease. I am in favour of universal access and I am proud of it. Rabbi Plaut is in favour of universal access as well. On page 91 of his report he says:

> A guiding principle of refugee determination is that of access to the process. It must be available to all refugees to ensure that we act according to the principle of *non-refoulement*—

—which is the most important and really the only obligation under the U.N. Convention.

Rabbi Plaut deals with the question of manifestly unfounded claims and the pre-screening process which the Government proposes to introduce. I would like to read to the Minister what he says about that. He quotes Professor Madsen and says:

> —the noted scholar in the field, has observed that unstated administrative decisions of collective inadmissibility have endangered the refugee process in many countries.

The Minister was talking about practices in other countries. Does he not think that Canada has a responsibility to ensure that we preserve the system that was established in 1951? Does he not think that Canada has a special obligation? He talked about 18,000 people last year. He knows very well that that 18,000 included Portuguese and Turks and that the Government waited months before imposing visas on those countries. Why does he believe it is so necessary to impose artificial and unjustified screens on our refugee determination process?

Mr. Epp (Provencher): Mr. Speaker, the Member and I disagree on a number of points. We have already stated our varying points on universal access. I do not believe that universal access works. No other refugee system has universal access. I have pointed out very clearly that the signal which the judgment on the Singh case sent to the world was that Canada's immigration laws worked.

The Member referred to 1951, and I think we must also refer to 1978. However, there were changing circumstances, both with the Charter and with the Singh case in 1985. I do not believe that universal access is the manner through which Canada should take the number of refugees which we have said we will. It is not in the Canadian interest to be the only country with universal access. We cannot send the signal to the rest of the world that that is the manner in which our system will work.

The Member said that we have a backlog. He knows that there was a backlog before the Government came into office, albeit not as large as it is today. The Minister has said that we need more resources, and I think that is absolutely correct, although I think those resources could have been in place earlier. However, since the signals from the Singh case became known worldwide the flow of refugee claimants has increased to the numbers that we have today.

Canada is not out of step. We are leading in terms of refugee determination and in terms of the hearings. The Member cannot give me examples of any country which accepts more refugees and has a more open policy than Canada would have with this legislation.

Mr. Axworthy: Mr. Speaker, one must judge a speech on the basis of whether it is credible and whether the speaker uses the facts and information in his hands in a proper and honest way. The statements just made by the Minister of National Health

and Welfare (Mr. Epp) have totally and completely undermined his case. He has obviously attempted to use inaccurate and false figures which do not describe the conditions.

For example, he indicated that in 1984, the last year in which there was a Liberal Government dealing with refugees, there were only 15,342 refugees. I refer the Minister to the annual report tabled by the Department of Employment and Immigration which indicates that over 20,000 were in fact accepted. With regard to 1982, the Minister said there were something like 14,000 or 15,000. In fact, there were 22,000. He said that in 1983 there were 13,967. In fact, there were 17,000.

The Minister of National Health and Welfare, using the reports tabled by the Department itself, is using false and misleading figures. I think it is important that the record be corrected and that the Minister read the reports which were tabled by his own Department before he makes such allegations in the House. At least we could expect proper reading of the information and data as it exists, not as it is fabricated and manufactured.

I think the Minister of National Health and Welfare gave the game away when he said that he does not believe in universal access. He is in fact denying virtually every agreement we have signed internationally under the United Nations Covenant. Article 14 of the Universal Declaration of Human Rights indicates that "everyone has the right to seek and to enjoy, in other countries, asylum from persecution". Everyone has the right to seek that in other countries.

The United Nations Declaration on Territorial Asylum, in Article 3(1), says that everyone has the right to the principle of non-rejection. Resolution (67)14 on Asylum to Persons in Danger of Persecution adopted by the Committee of Ministers of the Council of Europe, says the same. The OAU has the same provision.

What is perhaps most interesting is that the executive committee of the United Nations Commission on Refugees, on which a senior official of Canada sits, passed an executive order which specifically directs itself to the inequities of applying to transportation companies the responsibility of screening refugee applicants. In so doing, it says that it runs counter to the United Nations Convention and that we are the first country in that Convention to adopt that kind of practice. We are a member of the executive committee so they cannot plead ignorance. The executive committee went on to say:

• (1620)

> The obligation to examine the claims of asylum-seekers cannot be delegated by States to private companies such as transport carriers. The Executive Committee of the High Commissioner's Programme has recommended in this regard that the determination of refugee status requires appropriate procedural guarantees including a complete personal interview by a fully-qualified official and, whenever possible, by an official of the authority competent to determine refugee status.

Does he mean to say that we are turning over to an airline attendant that responsibility which we, as a member of the executive committee, were adopting in this kind of resolution?

Once again, as we said in earlier remarks, the Government knows better. It has received contrary advice and now it is attempting to defend something that is totally indefensible. In the meantime, it is using false facts and figures to do it.

Mr. Epp (Provencher): Mr. Speaker, the Hon. Member says that we have been using wrong figures. I have been using immigration figures right from the Department which he headed—

Mr. Axworthy: That is the report.

Mr. Epp (Provencher): Here are the figures.

Mr. Axworthy: That is the report that was tabled in Parliament.

Mr. Epp (Provencher): The Member can say what he wants. I could even go on to total landings for the period in which he was Minister. Maybe we should remind him because when he came into office, he was down to 89,000 landings. We are now at 125,000.

Mr. Caccia: We are talking about refugees. You are mixing it up. We are talking about refugees, you nitwit.

Mr. Epp (Provencher): Mr. Speaker—

Mr. Berger: Point of order.

The Acting Speaker (Mr. Paproski): The Hon. Member for Laurier (Mr. Berger) on a point of order.

Mr. Berger: Thank you for recognizing me on this important point of order. The Minister should not mix up immigration with refugee policy. Please don't do that.

[*Translation*]

The Acting Speaker (Mr. Paproski): The period for questions and comments is now over.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie)— Environmental Affairs—Lyell Island logging operations. (b) Obstacles to settlement; the Hon. Member for Ottawa—Vanier (Mr. Gauthier)— The Constitution—Promotion of

French and English linguistic duality—Position of Government and provinces. (b) Inclusion of special provisions in Constitution—Prime Minister's position; the Hon. Member for Davenport (Mr. Caccia)—Sovereignty— Canadian airspace—Proposed transportation of plutonium.

The Hon. Member for Burnaby (Mr. Robinson) has the floor.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, there are times in the history of a nation when the true character of that nation is tested. Those times are particularly times of fear and uncertainty.

When we look back to the history of our country, we can examine the response of Canada as a nation on those occasions. I think of the time in the 1940s, during World War II, when Canadians of Japanese origin were alleged to be threats to the security of Canada and, under the provisions of the War Measures Act, those Canadians were wrenched from their land, their homes and interned. That injustice has still not been remedied today.

I think as well back to 1970 when again it was alleged that there was a threat to the security of Canada sufficient to invoke the provisions of the War Measures Act once again, this time in peacetime. Over 200 Canadians were arrested in the middle of the night, never charged, and we recognize now that that was a serious abuse of the law.

They were threats to the security of our nation, yet now we see clearly that these events were in fact shameful blots on our history. They were based upon perceived threats which did not in fact exist in reality.

The opinion polls showed very clearly that 80 per cent or 90 per cent of Canadians supported the internment of Canadians of Japanese origin, supported the proclamation of the War Measures Act. Yet today, surely we as Canadians recognize that that was wrong.

I am proud that my Party and its predecessor, the CCF, was prepared to stand up in the face of that public opinion and recognize that this was wrong.

Once again, today, we see a Government which is prepared to take advantage of an atmosphere of fear, yes, and of uncertainty, to bring forward legislation that history will similarly condemn and that we in the NDP say is profoundly dangerous and constitutes an assault on the basic rights and freedoms set out in the Charter of Rights, in international conventions, and under international law. It is legislation that, in effect, constitutes a War Measures Act in the refugees area.

Once again, we have this abuse of the most basic and fundamental rights and liberties of the people on Canadian territory.

As a Member of Parliament from British Columbia, I recognize very clearly the concern that is felt by people in the face of what they perceive as injustice and as unfairness. As a Member of Parliament from British Columbia, and as the representative of the people of Burnaby, I want to make it very clear that my constituents—and I know that those of my colleagues feel the same—are concerned and angry about what they rightly perceive to be abuses of Canada's refugee determination system.

I have received hundreds of letters and telephone calls from my constituents. I have spoken personally with many of them. There are two or three basic themes which have emerged in the course of those conversations and in many letters and telephone calls. First, there is a deep sense of anger at what is perceived to be queue-jumping. People who have waited for members of their families to join them, in some cases for months or years, feel a sense of anger and injustice when others try to short circuit that process by filing phoney refugee claims. I think of the Turks, the Brazilians and the Portuguese who abused our system by claiming to be Jehovah Witnesses and being persecuted. Quite understandably, those who have been attempting to play by the rules are deeply offended when they see others who would abuse that system.

Second, my constituents, and I am sure most Canadians, are angered when they see others who would profit from and exploit those who are seeking to enter Canada, in some cases seeking to enter Canada illegally. Clearly, strong and effective legislation is needed to ensure that we respond to that kind of profiteering and exploitation of human misery.

Finally, the concern that I have heard, particularly from members of visible minorities, is one about a backlash. Yesterday, I even spoke with a young Canadian of Sikh origin from South Burnaby. He said that he has to work doubly hard now to have people accept him and his family. He was speaking of himself and his family and a backlash that has occurred against visible minorities in this country. There is a very large Sikh community in the Lower Mainland of British Columbia. I see the Hon. Member from Mississauga here. I know there is a large Sikh community in his area as well. The Sikh community in Canada is an overwhelmingly law-abiding, decent and upstanding community. Yet because of the actions of a very small minority there has been a backlash, and there has certainly been a backlash as a result of other recent events.

• (1630)

Another young recent immigrant to Canada talked to me. He is from Vancouver. A few days previously he had read in the newspaper and seen on television a story about three people seeking refugee status. They were members of a wrestling team from Bulgaria. He asked me why it is that there seems to be a double standard, a sense of hypocrisy. The same Canadians who voiced their concerns—and I am not speaking here of all of them but certainly of some of them—about abuses in one area are silent when it comes to refugees whose skin happens to be of a different colour. These are the concerns which have been expressed about queue jumping, profiteering and about the effects of a backlash. These concerns have been expressed by the people of Burnaby, and I think they are felt generally by many Canadians.

The question we must surely ask ourselves is, has the Tory Government genuinely responded to these concerns in a sensitive way, or has it instead used these concerns as an excuse to bring in legislation which is dangerous, in breach of our international obligations, in breach of the provisions of the Immigration Act itself, which violates the fundamental guarantees set out in the Charter of Rights and Freedoms and that which ultimately condemn people fleeing persecution to certain torture or death? I suggest that it is the latter.

Let us examine whether the Government has really succeeded in dealing with genuine concerns, that is that there not be an abuse of the system and there not be profiteering. One part of this legislation would make it a criminal act for church groups, Amnesty International or for individual Canadians to assist refugees attempting to flee from repressive regimes to enter Canada, refugees who do not have travel documents. How can it possibly be suggested that a church group, be it the Mennonite Church or any other group, which seeks to assist a family fleeing from the murderous regime in El Salvador who arrives on Canada's border without a travel document, will be subject to prosecution, to fines and to jail? Clearly this is totally unacceptable.

Twenty-five percent of the refugees who seek to enter Canada in fact are not in possession of documents, and that is not surprising in many cases. This Bill would permit the detention of these individuals for up to 28 days in jail. Surely that is a step backward. It would permit the wire tap and the seizing of cars, for example, of those church groups and other volunteer organization which assist individuals who are fleeing from oppression in other parts of the world.

We certainly would agree with legislation that would attack those who would profit from the entry into Canada of illegal immigrants or refugees, those who would attempt to take advantage of clandestine entry in order to make money. That we would support. However, we reject an approach which would be subject to criminal sanction those who would assist genuine refugees.

Clause 8 of the legislation would allow the Government to turn away a ship which lands on Canada's shore without affording to those on board that ship a basic hearing to ensure that indeed they are not genuine refugees. That provision of this legislation is clearly in breach of the Charter of Rights and Freedoms as interpreted by the Supreme Court of Canada. The Supreme Court of Canada in the Singh decision made it clear that the Charter of Rights requires an oral hearing for all who claim refugee status in Canada. This Bill would deny that. Who would make the decision to turn the ship away, a Coast Guard official? That would be totally unacceptable to this Party.

We say again that we must examine Canada's history and recognize clearly that in 1914 with the *Komagata Maru* and in 1939 with the *St. Louis*, we condemned refugees to death. We must never again adopt legislation which would allow for that possibility.

Another area of concern is the provision with respect to security. As this legislation stands, the Bill would allow genuine refugees to be denied access to the refugee process if a certificate is filed suggesting they may be a threat to the security of Canada. Who provides that information? The information is provided by CSIS. The Security Intelligence Review Committee has said in it most recent report that CSIS does not understand that the foreign policy objectives of our allies and of other countries are not necessarily Canada's foreign policy objectives, which could condemn many refugees to torture or death.

Those are some concerns with respect to the legislation. The Bill flies in the face of our existing commitments under international law and it flies in the face of Section 3 of the Immigration Act itself which requires Canada to fulfil our international legal obligations with respect to refugees and to uphold its humanitarian tradition with respect to the displaced and the persecuted.

In closing, I want to point out that there is another route. The present law obviously is not satisfactory. It has led to abuses and to lengthy delays in the refugee determination process. People have taken advantage of those delays. However, in 1985, the Parliamentary Committee on Labour, Employment and Immigration came up with a unanimous report urging the Government to adopt a system which would ensure that there are in fact hearings and that our obligations under international law and the Charter would be respected. Not only that committee, but the Hon. Member for La Prairie (Mr. Jourdenais), from whom we will be hearing in just a moment, stated that the refugee legislation tabled by the Government, Bill C-55, would make it almost impossible for genuine refugees to make a claim. The Hon. Member said the procedure set out to adjudicate claims to refugee status in the Bill is fundamentally flawed. We will have an opportunity to hear directly from that Hon. Member.

• (1640)

In conclusion, I wish to say that this Bill is wrong. The Government is pandering to the deepest fears and insecurities

of Canadians. It is offering a false and dangerous solution. It is a shameful trampling on the basic rights and freedoms of genuine refugees who seek to claim refugee status. It is an implementation of that policy which was eloquently described by Irving Abella in his book with respect to the closing of the doors on immigrants and Jewish refugees: "None was too many". If this Bill is adopted, quite clearly we will threaten the lives of people who are fleeing from tyranny and oppression.

We in the House, and we in the New Democratic Party, will not accept that fundamental denial of Canada's obligations and traditions under international law.

Mr. Speaker: On debate, the Hon. Member for La Prairie (Mr. Jourdenais).

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, this is a very important day for me and for all Canadian men and women. A great many Members in this House and a number of people outside are impatiently waiting for my reaction to Bill C-84. Today and tomorrow, I as Member for La Prairie, like Lot, will open my door to strangers, these men and women, these children and these old people who have been seeking refuge here. Let us protect them.

Over the past few hours I read and re-read Bill C-84. I discussed the issue with the highest-ranking civil and religious authorities of this country. Yes, last evening I had a very long meeting with the Right Hon. the Prime Minister and leader of my Party. I had lengthy discussions with spokesmen for immigrant and refugee service organizations. I also spoke with Canadian Bar representatives. I also had telephone conversations with representatives of international organizations, including the United Nations. And I took refuge in the Book of Ecclesiastes, a work of wisdom written more than 3,000 years ago. Then I got to work, I began observing all acts of oppression committed under the sun, everywhere oppressed people crying and nobody to comfort them. Harshly treated by their tyrants, there is no one to help them. I noticed that the labour of man and his every effort to succeed are motivated by the jealousy he feels towards his fellow man. Again this is "vanity and vexation of spirit", chapter 4, verses 6, 8.

In recent months, Mr. Speaker, the media have often highlighted how cumbersome and time-consuming the refugee status determination process is in Canada as it applies to people seeking protection against persecution. Were we to complete every prescribed stage, such determination might take from two to five years. And delays breed abuses, Mr. Speaker, because status applicants have precious little to lose by working five years in Canada as they wait, perhaps to be deported some day. Very obviously a reform is urgent. All refugee organizations have been asking for one for a number of years. Mr. Speaker, the Government has released a whole series of studies and reports on this issue. Many private agencies have also submitted briefs and recommendations. Joint consultations have been held, and the House of Commons Standing Committee on Labour, Employment and Immigration which I am proud to chair has also made recommendations in this field.

Today, years after problems have been identified and solutions advocated, Parliament is about to come up with concrete measures. Unfortunately, this desire for action stems from a series of irregular incidents rather than from humanitarian motives, or quite simply because of the need to update an old statute.

In 1987 the Government introduced Bill C-55, an Act to amend the Immigration Act.

The changes in the refugee determination process which are proposed in this bill are such that it would be practically impossible for a great number of legitimate refugees to apply for refugee status. Not to mention that the provisions of the bill probably go against the United Nations Convention on the Status of Refugees, which Canada has signed and ratified, as well as against our own Charter of rights and freedoms. In July, 1987, after 174 Sikhs claiming refugee status had landed on the coast of Nova Scotia, the Government announced that it would tighten its legislation.

There are, I am sure, other rational and appropriate solutions to this problem, solutions that would not have us break an international agreement on refugees and that could not be challenged in court on the basis of the Canadian Charter of rights and freedoms.

Years of reports, debate and recommendations have brought to light such principles and methods as would allow Canada to determine refugee status in a swift and equitable way in response to applications of would be refugees.

[*English*]

Short-term problems stem from long-term inadequacies of policy. Canadian immigration policy is tighter now, on a proportionate basis, than it has been at any time in our history, except during the Depression years. If our over-all immigration levels are low, our refugee numbers are laughable. For example, last year 1,000 places were allotted to the continent of Africa. The result of this overly restrictive stance has been to create a good many illegal immigrants and, second, to establish a market for smugglers and con artists. That is why we are here today. It piles yet more people into the hopper of an already heavily backlogged system. It forces periodic amnesty to be declared to clear the backlog, thereby encouraging still more desperate attempts to jump the queue, which starts the cycle all over again.

The best way to put the smugglers out of business is to dry up the demand for their services. The best way to stop the queue jumping is to shorten the queue. In short, if we want more orderly borders, we need more liberal borders.

Some Hon. Members: Hear, hear!

Mr. Jourdenais: I did not use the word "liberal" as a Party, I used it as a liberal policy to do it.

Establishing a quicker, clearer process at the same time would also help to cut the backlog and hence reduce the incentive to overload the system in hopes of an amnesty. Instead, the Government intends to tighten the admission of refugees via Bill C-55, which will guarantee that the process remain arbitrary, confusing, and endless.

There may be a case for this type of rough, frontier justice if immigration were harmful to the country. We need look no further for evidence to the contrary than ourselves, our parents, and their parents. We may also look at the success of the Tamils in the year since their arrival. Yet, the same myths that immigration raises unemployment, depresses wages, and others such myths that are less respectable still persist today. Those were the myths that were used to try to keep out our grandfathers.

There is no natural population level for Canada. If there were, it is remarkable that it should so often be assumed to be the present level. Moreover, there are economic benefits to having more people, especially more immigrants. Larger populations mean economies of scale. Regular infusion of skills, resourcefulness, and entrepreneurial drive that immigrants typically bring to Canadians can only be healthy. Unless immigration is markedly increased, a declining fertility rate will mean an aging, dwindling population in years to come. Our immigration problem is too few people, not too many.

No one knows what the correct level of immigration is, or what it should be. It is a safe bet that it is very much higher than it is at present. To bring us up to our historical average as a proportion of population would mean an intake of 275,000 people per year. However, if we are to welcome greater numbers of immigrants in years to come, then the Government must begin now to prepare the way. It must educate the public on the real value of immigrants who arrive on our shores and stop racism. They do us a favour by coming to Canada; it is not the other way around. It must appeal to our highest selves, not appease the instinctive fear of a stranger at our door.

• (1650)

The recent increase in the movement of asylum seekers from the Third World into the countries of western Europe and North America has become a serious preoccupation of Governments in those regions. These movements, when seen in the context of a parallel migratory flow from the poorer nations toward these same countries, have given rise to concern for Governments and populations alike.

Many affected countries have reacted with a variety of legal and administrative measures aimed at stemming the flow. These measures include the introduction of visa requirements for nationals of particular countries and the imposition of sanctions on transport carriers for transporting illegal immigrants from these or any other country.

The United Nations High Commissioner for Refugees is concerned that measures taken to maintain such movements affect asylum seekers who are in need of protection. Such concern may not arise if the measures were to be limited to countries which do not normally produce refugees. However, when they are applied to persons leaving countries which produce refugees, they may have very serious consequences for the protection of refugees.

In this context it should be noted that persons wishing to leave their country of origin in search of asylum elsewhere may often not be able to depart in a regular manner and in possession of full documentation. Similar considerations often apply to persons who, for reasons of personal security, are compelled to leave another country where they originally had been considered to have found protection.

With regard to sanctions against transport companies carrying aliens without proper documentation, they give rise to serious concern that no distinction is made between aliens in general and asylum seekers in search of international protection.

Some Hon. Members: Hear, hear!

Mr. Jourdenais: This note underlines the dramatic consequences of such measures for refugees and asylum seekers in need of protection.

[*Translation*]

Mr. Speaker, I do not think the Minister of Employment and Immigration (Mr. Bouchard), the distinguished and dedicated Member for Roberval, intended to tar with the same brush our friends in the Church and the con men and criminals we should banish from our shores. That is the main reason why Clause 9, especially, should be amended.

Mr. Speaker, I support the principle of having a system that is fair and just for everyone, and which gives all prospective Canadians, both refugees and immigrants, the same opportunities. However, we must not act with undue haste. Some major changes must be made, and we will have to take another look at this Bill and do some fine tuning to prevent abuse. Believe me, we are all human and we all make mistakes. We will not all be sitting in this House ten years hence, and we must be sure this principles are upheld. Our successors may make mistakes as well, so we must provide for that eventuality.

If these amendments, which are necessary, are accepted, I will feel even better about the rest of the Bill. We can no longer let our system be abused by criminals who sell their services, when according to our concept of justice, everyone has the right to immigrate freely to our country, subject to certain conditions. In fact, we should put the perpetrators of this unjustified abuse, who use our laws to their own advantage, in prison for life.

Mr. Caccia: Mr. Speaker, I want to thank the Hon. Member for La Prairie (Mr. Jourdenais) and I want to ask him whether he has any amendments to propose or suggest today. I would refer more particularly to Section 95.1 which affects those who aid or abet the coming into Canada of persons who are not in

possession of a valid and subsisting visa or passport and who belong to Canadian organizations such as churches and other types of organizations. How would he go about amending this Bill to reflect the principles he just described?

Mr. Jourdenais: Mr. Speaker, to answer the Hon. Member's question, I mentioned in my speech just now that one clause, I believe it was Clause 9, should be amended specifically to protect church people in Canada. I said earlier in my speech that I had examined the Bill last night. I had to because I was very busy yesterday and I had not been able to look at the Bill. I believe the concept of Bill C-84, and I imagine that is the Bill to which you are referring, was necessary, and we must be able to enforce these provisions to prevent people from taking advantage of legislation that was passed in 1976 but did not provide for the kind of incidents we have seen in 1987. I think Bill C-84 will match Bill C-55, and as far as I can see, the only clause we could amend is Clause 9. So I leave Clause 2 and if I remember correctly, you referred to Section 95.1

[*English*]

Mr. Marchi: Mr. Speaker, I should like to commend the Hon. Member for La Prairie (Mr. Jourdenais), who is also the distinguished Chairman of the Standing Committee on Labour, Employment and Immigration. In addition to simply commending him, I should like to express a great deal of gratitude from our vantage point. The Hon. Member was not only correct and appropriate in the remarks he placed before the House of Commons this afternoon, but I think he also exhibited the courage and conviction to stay the course and to speak up for what is just and what is right despite being a member of the Government.

Those words will not be lost on this Chamber. Those words will not be lost on those Canadians who are looking very particularly at the House of Commons these days. They will understand that while Members on all sides clearly favour an end to abuse, there are also Members of Parliament, including Members on the government side, who are vigilant and wish to pass a proper and just piece of legislation.

Therefore, I think the Hon. Member has done this House and the interest of a progressive immigration policy a great service this afternoon, and I would appreciate his continued support.

In the dying minutes of the debate today, while the Hon. Member articulated some concerns about and amendments to Bill C-84, and in light of the fact that he said this Bill goes together with Bill C-55, perhaps he could share with the House any comments he may have in terms of amending Bill C-55, so that we have a package which is truly reflective of the spirit of Canadians in the last 15 years to 20 years when it comes to dealing with refugees and immigrants?

• (1700)

[*Translation*]

Mr. Jourdenais: In response, and to thank the Hon. Member for compliments which were not really necessary, I acted simply, first like a man, a human being. I followed the dictates of my conscience. I have been doing that ever since I first came here, and I want to take this opportunity to thank my Party colleagues precisely because I am allowed to express my opinion even though it is not aslways consistent with their will and their views.

With respect to amendments to Bill C-55, I have about a minute left so I will not have time to elaborate, my colleague would know that we have already debated a number of them. To satisfy your curiosity, there is one concerning the pre-screening test. We will discuss it when Bill C-55 comes up for debate.

The Acting Speaker (Mr. Paproski): It being five o'clock, the House will now proceed with the consideration of Private Members' Business, as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*Translation*]

ORGANIZED CRIME

ESTABLISHMENT OF ROYAL COMMISSION

The House resumed, from May 4, 1987, consideration of the motion of Miss Nicholson:

That, in the opinion of this House, the Government should consider the advisability of appointing a Royal Commission to investigate organized crime in Canada and to include in its report observations and recommendations on:

1. the extent to which organized crime is present and active in Canada, particularly in such activities as drug trafficking and loan-sharking;

2. the extent to which organized crime is connected to the institutions of Canadian society;

3. action taken by the governments of other countries to investigate and curtail organized crime activites;

4. legislation to enable the Government to identify and appropriate the proceeds of organized crime;

5. effective and appropriate punishment in instances of organized crime murder conspiracy; and

6. possible guidelines for enforcement agencies in dealing with witnesses against organized crime; and the amendment of Mr. Kaplan (p. 5709).

Mr. Marcel R. Tremblay (Québec East): Mr. Speaker, for a few minutes I want to deal with organized crime and that part of Motion M-44 which proposes the establishment of a Royal Commission to investigate and make recommendations on legislation to enable the Government to identify and appropriate the proceeds of organized crime.

First of all, Mr. Speaker, I should like to commend the Hon. Member for Trinity (Miss Nicholson) for her interest in this matter. I am sure all my colleagues realize how important it is

for society that our legislation provide for the confiscation of the proceeds of organized crime.

A number of criminal activities—illegal drug trafficking, to name one—are often organized and carried out much like major corporation business operations. Those activities generate tremendous profits that are then used to finance other criminal activities and to infiltrate legitimate businesses.

It is estimated that organized crime includes all types of criminal activities that come under the general heading of continuing agreements between people for gainful purposes. It is believed that one of the most effective ways of reducing that kind of crime is to eliminate the profit motive by getting at the gains produced by it.

Although organized crime can derive tremendous profits from illegal activities, Canadian law as it now stands has no provisions for freezing, seizing or confiscating monies gained from crime. In 1976, for the first time in Canada, legislative measures were passed to deal with the possession of illicit gains. Section 312 of the Criminal Code makes it an offence to have in one's possession property unlawfully obtained by whatever means.

Investigations and prosecution of offences under Section 312 unfortunately proved ineffective because investigation powers and procedures capable of identifying, freezing and seizing criminal proceeds are not adequately developed, either in law or in practice. For instance, money deposited into a bank account and real property cannot be seized.

In cases where gains from criminal transactions cannot be identified, there is often no way to prevent the divestiture of property before judicial proceedings are completed.

The confiscation of proceeds cannot be ordered under Section 312 where the prosecution of an offence under that section leads to a guilty verdict.

The efficacy of confiscation procedures depends on the possibility of seizing property to ensure that it can be preserved until proceedings are completed.

The Acting Speaker (Mr. Paproski): Order, please. The Hon. Member for Quebec East (Mr. Tremblay) has the floor.

Mr. Tremblay: Thank you, Mr. Speaker, for allowing to reinstate a degree of silence in this dignified Chamber.

As I said, the efficacy of confiscation procedures depends on the possibility of seizing property so that it can be preserved until proceedings are completed. That kind of procedure already exists in civil law where there is a danger that the property in dispute disappear before the court makes a determination as to how it should be disposed of.

The system of search warrants under the Criminal Code provides for the seizure and retention of all things that can be classified as evidence of an offence, instruments used to commit an offence; or the subject of the offence itself.

Those provisions do not apply to the proceeds of criminal acts unless they are indeed property or monies derived from the committing of an offence.

When it is impossible to seize the holdings physically, for instance when the proceeds have been put into real estates, shares or maybe bank deposits, the provisions of the Criminal Code are not far-reaching enough to allow for the seizure and freezing of these proceeds and no provision of the current penal code can prevent the accused from disposing of them.

I should like to remind my hon. colleagues that the Minister of Justice and Attorney General of Canada (Mr. Hnatyshyn) recently introduced in the House a Bill to amend the Criminal Code, the Food and Drugs Act and the Narcotic Control Act to deal specifically with the proceeds of crime. Bill C-61 provides our courts with new powers to seize the proceeds of crime and the police with new judicially-controlled investigative powers allowing for the search of people and premises and the seizure of assets. Finally, the Bill would provide third parties having an interest on a seizable assets with protective and redress mechanisms.

The Bill will create new offences in order to fight against the laundering of the proceeds of organized crime, illegal drug trafficking as well as the possession of property obtained through drug offences. If the Bill is adopted, it will provide an efficient tool for the fight against organized crime.

I recognize that the motion moved by my colleague the Hon. Member for Trinity (Miss Nicholson) is well-founded, but in view of the Bill introduced recently by the Government to fight against organized crime and especially against the accumulated proceeds of crime, I must oppose motion M-44.

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I welcome this opportunity to take part in the debate this afternoon on motion M-44, moved by the Hon. Member for Trinity (Miss Nicholson), and to speak to the amendment proposed by the Hon. Member for York Centre (Mr. Kaplan), that the Royal Commission report to the House within six months of its appointment.

Mr. Speaker, this motion deals with one of the important issues of the day. It is worded as follows:

> That, in the opinion of this House, the government should consider the advisability of appointing a Royal Commission to investigate organized crime in Canada and to include in its report observations and recommendations on:
>
> 1. the extent to which organized crime is present and active in Canada—
>
> 2. the extent to which organized crime is connected to the institutions of Canadian society;
>
> 3. action taken by the governments of other countries to investigate and curtail organized crime activity;
>
> 4. legislation to enable the government to identify and appropriate the proceeds of organized crime;
>
> 5. effective and appropriate punishment—
>
> 6. possible guidelines—

Mr. Speaker, we have had some very striking examples in this country of illegal activities, and we have been able to deal

with these in very effective ways. I am thinking of the tainted meat scandal in Quebec and the colourful saga of the Dubois clan. There was an inquiry which at the time made it possible to put a stop to these activities and at the same time inform the public of their existence.

I believe that in 1987, a similar approach, and I am thinking of a Royal Commission of Inquiry, might prove beneficial. I know opponents of this procedure argue that the cost is too high, the process takes too long, and so forth. The amendment proposed by the Hon. Member for York Centre (Mr. Kaplan) to have the report submitted within six months of the Royal Commission's appointment would seem to deal with these concerns, at least with the concerns raised at the time. As for the financial side of the matter, I would like to deal with this briefly later on in my speech.

Mr. Speaker, in June the House spent a lot of time debating capital punishment, and so far hardly anything has been done to reduce the crime rate. We were promised a number of measures and studies, but we have yet to see anything tangible from the Government or the Committee on Justice and Solicitor General. I know that the Hon. Member for Ottawa West (Mr. Daubney), for instance, who chairs the Committee on Justice, has proposed to review the whole prison system and the whole problem of criminality.

Mr. Speaker, this issue is important, and the Hon. Member for Trinity (Miss Nicholson) should be congratulated on her initiative, which could be more effective, progressive and useful in the long term in attacking organized crime than the Government initiative of launching a debate on capital punishment, which, as we all know, was resolved by the decision of the House not to reinstate capital punishment in Canada. However, we are still waiting for this Government to take some practical action to reduce the crime rate and provide a feeling of security for Canadians in their own country.

As for the monetary aspect, Mr. Speaker, the cost of criminal activities has been estimated at $2.2 billion in Ontario, and at $10 billion in Canada as a whole. This is to reply to the economic argument that a Royal Commission is costly. We have to realize that the hidden costs of criminality, since criminals operate out of the public eye, amount to $10 billion a year. I imagine that a Royal Commission could cost us a few million dollars and that such an investment would surely yield a lot in return.

What we have to ask, obviously, is this: Would the economic advantages of attacking this problem and preventing abuses not benefit all Canadians? The answer is obviously yes. Naturally, if we can stop the rise of crime by keeping Canadians better informed about criminal activities, we could save substantial amounts and put a stop to these criminal activities.

I have not heard as yet the exact figure of what a Royal Commission would cost. I do not know whether it is available but at any rate, I think that those costs can easily be determined on the basis of other Royal Commissions. But I suggest, Mr. Speaker, that ultimately, there will be spinoffs and we will save money.

The Canadian people and the general public often do in a naive way, if you want, things that they consider quite trivial and that take place every day. For instance, in a tavern, they will bet on a hockey or a football game without being concerned with the consequences, even though that is in fact illegal. Because you are dealing with people who make a buck through bets on football or baseball games, or any other sport event, and those dealings take place in taverns or elsewhere and are organized by groups of people who are benefiting from those investments, I think that Canadians should know that illicit groups grab an enormous amount of money, taking advantage, as I said earlier, of that laxity, that lack of interest that some people have occasionally for common practices, bets in this case, and other events as trivial as a horse race or a baseball game. They think as many other people that they do not harm anybody, when they make a $2 bet on a horse or a football game. But in fact, Mr. Speaker, those two dollars are unlawfully laundered by illegal agencies and groups to their profit. This is how some unlawfully earned amounts of money are gradually embezzeled and used for illegal activities. Those funds will then be invested in other illegal activities which will bring about more money for those involved. That is why in Canada, every year, organized crime rakes in some $10 billion from unlawful activities. Being outside traditional economic systems, all the money does not benefit Canadian society very much. Indeed, it contributes to social degradation. Criminal activities generate human misery and, if I may say so, are the greatest misery inflation factors in Canada. The rich do not play those games and bet those two dollars, Mr. Speaker. More often than not, those with low or average income are attracted by such games, fall victims to and enrich profiteers.

For those reasons, Mr. Speaker, and I could cite many more but I think my time is almost up, I believe the motion brought forward by my colleague, the Hon. Member for Trinity (Miss Nicholson), is highly justified and timely. That is why I will vote for it, and I urge my colleagues in the House, regardless of their political affiliation, to do likewise.

In conclusion, Mr. Speaker, let me congratulate the Hon. Member for Trinity (Miss Nicholson) once again for her initiative, and I hope the Government will act on it in the near future.

• (1710)

[*English*]

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, I am pleased to rise to speak to the amendment put to the motion of the Hon. Member for Trinity (Miss Nicholson). In doing so, I would like to commend her for bringing the issue of organized crime to the attention of the House. I fear, however, that the proposed Royal Commission to investigate organized crime might have an effect opposite to the one

presumably desired by the Hon. Member who put the motion forward.

Some Canadians, perhaps influenced by the American media, have vastly inflated views and ideas of the extent of organized crime in Canada and of the extent of organized crime involvement in Canadian social, economic and political institutions. I certainly do not want to minimize the threat posed by organized crime in Canada, particularly in relation to drug trafficking, and indeed I cannot help but feel that in this area and some other areas of criminal activity, the matter of capital punishment ought not to be forgotten.

I note that the previous speaker made reference to what he termed the futility of such a debate. I certainly take issue with that statement and suggest that ultimately, society will revisit that area in relation to this very topic which is under discussion today. In any event, I am confident that the combined law-enforcement efforts of all Governments in Canada are becoming increasingly effective in controlling organized crime.

As well, I think it should be noted that there is no evidence of widespread organized criminal involvement in Canadian institutions. In my view, therefore, there is little benefit to be derived from establishing a royal commission to delve into these matters.

Again, contrary to the views of the previous speaker, the Hon. Member for Ottawa—Vanier (Mr. Gauthier), I frankly fail to appreciate the spin-off dollar value about which he spoke relating to the establishment of a royal commission. Obviously, royal commissions are extremely expensive, and because the rules of evidence at such commissions are less rigorous than those in courts of law, the evidence adduced before such commissions cannot be used in court proceedings. Therefore, such proceedings would at best be of little value to law enforcement.

Moreover, I think it is possible that a royal commission could unnecessarily alarm Canadians by creating the impression that organized crime was not being adequately addressed by Canadian authorities and by the courts. In addition, one cannot help but be concerned that a royal commission could tend to deflect both attention and resources from ongoing intelligence and enforcement efforts and possibly retard the investigation and prosecution of these cases.

• (1720)

Just as important, the proposed royal commission might constrain ongoing federal, national, and international initiatives aimed at organized crime control. As I noted earlier, the federal, provincial and municipal Governments are already deeply involved in and heavily committed to controlling organized crime. National intelligence systems are in place and are being upgraded regularly. Police forces are combining their knowledge, experience and investigative skills in joint forces operations targeting major organized crime figures.

Major institutions, such as the Canadian banking community, are examining ways and means of minimizing the extent to which they can be used to launder money. Both federal and provincial government Departments are increasingly exploring the extent to which statutes other than the Criminal Code can be applied to the prevention or control of organized crime. Police training, both provincially and nationally, is being upgraded to ensure that officers have the knowledge and skills necessary to detect organized crime and to gather evidence required for the successful prosecution of major cases. These efforts are not widely appreciated and reported on in the Canadian media. In Canada we tend to proceed more quietly and with less fanfare than in the U.S.

In my view, the approach of Canadian law enforcement authorities to organized crime has been and is very effective. It focuses efforts and resources and reflects excellent co-operation between all jurisdictions in the prevention, detection, investigation and prosecution of organized crime figures. It is particularly concerned with the rights of persons who become innocent and unwitting participants in organized crime.

Law enforcement policy and activities operate to preserve the confidence of Canadians in the integrity of social, political and economic institutions as the major influences constraining the corruption that organized crime attempts to promote. Key to this is the integrity of Canada's police, courts and other law enforcement institutions as our front line defence against organized crime.

It has been stated that the criminal underworld in a given society is a direct reflection of the integrity and morality of the institutions of government and business. We must sustain policy and programs to ensure that Canada will never become a country in which the underworld can take root. This demands continued vigilance by governments and law enforcement authorities.

I believe this Government recognized the Hon. Member's legitimate concern respecting organized crime. Canada continues to act in concert with the provinces to enhance enforcement efforts. A royal commission would add little to the mechanisms already in place or under development to deal with organized crime. Rather, this House should support and encourage the federal and provincial Governments in their law enforcement activities, including the expeditious handling of legislation designed to make the law more effective in dealing with organized crime.

While I am confident that the motion put forward by the Hon. Member for Trinity reflects serious concern over the extent of organized crime in Canadian society and the availability of measures to facilitate law enforcement efforts, I would like to assure her that members of the Canadian police community, and other dedicated criminal justice professionals, are acting competently in their response to the problem. They have the confidence of this Government and merit the support of all Members of this House, and Canadians generally. It is for those reasons, I believe, it would not be in the best interests

of Canadians and our efforts against organized crime to establish at great expense a royal commission which I believe would be of little use in attacking the problems and perils posed by organized crime to Canadian society.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I am disappointed in the speech given by the Hon. Member speaking on behalf of the Minister of Justice (Mr. Hnatyshyn). We have heard the speech before and it did not address the important points brought forward in this debate. There is a sense of complacency, a feeling that everything that needs to be done is being done. I think that assertion has to be challenged on two grounds.

First, this is a legislative Chamber. We pass laws here. That is the prerogative and responsibility of this House, not of the police or the administrative arm of justice, but of legislators. It is clear that legislative change is required. The President's commission in the U.S. came forward with recommendations requiring major statutory change. Why would we abdicate our responsibilities when there is a clear need in that country to make changes? The Hon. Member seems to be assuming that everything that can be done, except in the area of reform legislation, is being done. I for one do not believe that we should have others take on our responsibilities. That is why I believe the proposal of the Hon. Member for Trinity (Miss Nicholson), as amended, is a proper response to the problem by a Member of the national legislative Chamber of this country.

My second ground is that one has to accept almost as a matter of faith that the problem is being handled. Yet what evidence is offered to support that claim? I heard nothing that would give one any sense of confidence that the worldwide problem of the laundering of drug money has somehow bypassed Canada. Yet that assertion has been made. One of the real values of a royal commission would be to tell us what is going on. I think it is particularly appropriate because of the changes instituted in other countries to deal with this problem. If they tighten their control, that will put pressure on the Canadian financial system if we have not made similar reforms. That kind of dirty money will find an outlet. If other countries apply new laws, then it is almost automatic that organized crime will try to find other countries to access. If we have turned a blind eye to the problem, it follows that we would become a target for that kind of penetration by organized crime in its efforts to find a safe haven for its immense financial resources.

I have another comment to make. I do so with some reticence but it has to be said. The Government's defence for not supporting this resolution is that it will cost too much. I read somewhere in the last couple of weeks that the legal fees the Government is paying for the defence of one of its former Ministers in front of a royal commission is now close to $1 million. The defence fund for Mr. Stevens was originally $200,000 and has now gone up substantially, to say nothing of the cost of the commission itself which I think has come close to $3 million. That was to investigate the alleged wrongdoings of one Minister of the Government. The Government is now claiming that it does not want to spend any money to look at the widespread problem of organized crime which affects a wide variety of activities for reasons of economy. I do not think that is a fair and proper balance of responsibilities. I am not necessarily condemning the actions of the Government with respect to the royal commission for Mr. Stevens and his actions.

• (1730)

The Acting Speaker (Mr. Paproski): Order, please. It is the Member for York Peel (Mr. Stevens).

Mr. Axworthy: I am sorry, the Member for York Peel (Mr. Stevens). However, I am pointing out that the Government was prepared to do that but seems to be saying that we cannot afford that with regard to organized crime and its financial implications in Canada.

I also do not agree with the argument that money spent on a royal commission would be taken away from law enforcement. It may well be that a royal commission, finding efficacious ways of dealing with the problem, could save a lot of money in law enforcement by learning where and how to implement effective measures. Rather than sailing blindly into this problem, we would know where to go.

I believe that the amendment which was introduced by the Whip of our Party is a real effort to ensure that there are limitations. The Hon. Member for Trinity is not prescribing a long-term pension plan for a royal commission. This is something which would be quick and to the point, would address the problems, and would pass the results back to the Government.

I wonder why there is this reluctance, this hesitancy to come to grips with the issue. Is it because it would expose things which the Government does not want exposed? I raise this not in an accusatory way but in a questioning way. It may be that there is some anxiety that a royal commission would reveal that we are not taking the proper measures to meet the problem and that a careful examination of the problem would reveal real weaknesses.

This is a Private Member's Motion with no partisanship attached to it. It is a clear reflection of an important interest. I remind Members of the debate which ensued in this House last spring on the issue of capital punishment. I listened to and read most of the speeches on that issue. All Members on both sides of the issue stated that they believed that their constituents were concerned about the possibility of increased crime or violence in society. We differed on the solution to the problem as it applied to capital punishment.

This measure is directed against one part of that problem. It is designed to deal with a part of that issue, to come to grips with a grueling and expanding difficulty, and to allow independent judgment to be made and recommendations to

follow. I hope that the Standing Committee on Justice and Solicitor General will deal with other aspects which were raised in that debate with regard to the judicial and the penal systems.

I think we must confess that we do not know much about organized crime. It is something we see in movies and read exposés about by former members of the gang. However, we have never examined that problem effectively in this country. This is an opportunity to open the lid on a very crucial and important problem which has been examined in the United Kingdom, the United States and other countries. I believe the Member has taken a very important initiative as a private Member. I hope that in the spirit in which it was brought forward and in the interests of this Parliament of protecting its prerogative to look at new legislation and important issues, we will support the Member in her efforts.

Mr. Darryl L. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I rise with very serious thoughts tonight in the House of Commons. Having been elected only in September, 1984, I take very seriously the remarks of my more experienced colleague, the Member for Winnipeg—Fort Garry (Mr. Axworthy). I would like to congratulate my hon. colleague, the Member for Trinity (Miss Nicholson), on the motion she has presented. It is very important for us. I come from Quebec and perhaps I should speak in French.

[*Translation*]

Sometimes I feel I ought to speak in French. At the same time, Mr. Speaker, I would like all Canadian men and women to understand what such a measure means to us. So I will speak in English from time to time, and perhaps I will say a few words in French as well. But French-speaking men and women of Canada must know how important Bill C-61 is to us.

[*English*]

Organized crime is usually defined as the activities of a group of persons who seek to operate outside the control of the Canadian people and their governments. It can involve hundreds of criminals working within structures as complex as those of any large corporation, subject to laws which may be more rigidly enforced than those of legitimate governments. Its actions are not those of legitimate governments, but of conspiracies.

The core of organized crime activity is the supplying of illegal goods and services—gambling, loan-sharking, narcotics and other forms of vice—to countless numbers of citizen customers. Organized crime is also extensively and deeply involved in legitimate business. This is the danger. Here it applies illegitimate methods—monopolization, terrorism, extortion and tax evasion—to drive out or control lawful ownership and leadership and to exact illegal profits from the public. To carry on its many activities secure from governmental interference organized crime corrupts public officials.

Organized crime wants money and power. It is different from law-abiding organizations and individuals with those same objectives in that the ethical and moral standards the criminals adhere to, the laws and regulations they obey, and the procedures they use are private and secret. They devise them themselves, change them when they see fit, and administer them summarily and invisibly.

Organized crime affects the lives of thousands of Canadians, but because it desperately preserves its invisibility many—perhaps most—Canadians are not aware of how they are affected or even that they are affected at all. The price of a loaf of bread may go up by 1 cent as the result of an organized crime conspiracy, but a consumer has no way of knowing why he is paying more. We cannot allow this to happen, Mr. Speaker.

It is organized crime's accumulation of money, not the individual transactions by which the money is accumulated, that has a great and threatening impact on Canadian society. Organized crime in Canada exists by virtue of the power it purchases with its money. The millions of dollars it can invest in narcotics or use for lay-off money give it power over the lives of thousands of people and over the quality of life in the legitimate economic system that presently exists in Canada.

• (1740)

The millions of dollars it can spend on corrupting public officials may give it power to maim or murder people inside or outside the organization with impunity. It will give it power to extort money from businessmen and to conduct business in many fields without regard to administrative regulations, to avoid payment of income tax.

The purpose of organized crime is not competition with visible, legal government but the nullification of it. When organized crime places an official in public office it nullifies law enforcement.

I am very serious about supporting the motion that has been brought forward by the Hon. Member for Trinity. As everyone in the House is aware, the Minister of Justice (Mr. Hnatyshyn) tabled a Bill to deal with the problem of proceeds of crime. Bill C-61 proposes a number of amendments to the Criminal Code, the Food and Drugs Act, and the Narcotic Control Act, and addresses the problem of illegally obtained proceeds and assets by providing law enforcement agencies with the necessary powers to investigate, freeze and seize the proceeds of certain crimes and by providing the courts with the powers to confiscate the proceeds of these crimes.

I am sympathetic with the motion that has been brought forward by my hon. colleague, the Member for Trinity.

[*Translation*]

Mr. Speaker, I would like to stress again that it is not very often that we have the chance, the opportunity, to change and improve our laws.

Mr. Speaker, I believe, as the Hon. Member for Bonaventure—Îles-de-la-Madeleine, that it is important as Quebecers or as Canadians, that we recognize that it is our security

system and our body of laws which provide the means to fight the lawlessness we have in Canada, Mr. Speaker, and that the Government is here to guarantee our security and to protect Canadian men and women.

Mr. Nic Leblanc (Longueuil): Mr. Speaker, I am pleased to address the House tonight and speak about drug trafficking. As the father of two young children, I can tell you, as most fathers and mothers across the country, that the drug problem is one of the worst problems that exist in the world today. To solve that problem in Canada and around the world, it is necessary that Canada co-operate with other countries to guarantee a better control at the international level.

Mr. Speaker, the motion before the House today highlights drug trafficking and its connection with organized crime. I would like to talk about the various measures taken by this Government.

The previous Solicitor General led, in 1985, the Canadian delegation to the seventh United Nations conference on the prevention of crime and the treatment of offenders, held in Milan. Hon. Members and Canadians will be glad to know that Canada played a leadership role in the drafting of measures to fight international drug trafficking. Besides supporting United Nations initiatives, in particular the new convention on illicit drug traffic, we are co-operating with members of the Economic Summit in the fight against drug abuse.

On April 25, 1986, Canada ratified, along with France, the United States and Italy an agreement on drug control. That agreement is the result of efforts made since 1970 by the four-power Conference including representatives from the *Police nationale française*, the U.S. Bureau of Narcotics and Dangerous Drugs and Canada's RCMP. On March 4, 1986, Canada fully endorsed along with Italy the five-year agreement to prevent and eliminate the traffic in narcotics and dangerous drugs. Mr. Speaker, I think Hon. Members will be glad to hear that Canada will host here in Ottawa the coming four-power Conference next month.

I referred earlier to the development of a draft United Nations Convention on the illicit traffic in drugs. Canada co-sponsored, on the occasion of the 39th Session of the United Nations Commission on narcotic drugs held in February, 1985, a resolution on the starting up of the development of a draft convention against the illicit traffic in narcotics and psychotropic substances. That new convention is viewed as a necessary and effective tool for the implementation of the measures against drug trafficking. A Canadian delegation including representatives from the secretariat of the Department of the Solicitor General and the RCMP attended in February 1986 an extraordinary session of the United Nations Narcotics Commission, where significant progress were made as to the identification of matters to be included in the draft convention.

With the exception of certain matters concerning the control of ships and extradition, Canada generally supports the proposed provisions.

Canada views as a top priority the inclusion in the draft convention of a provision to allow each member State to trace, freeze and confiscate profits derived from drug trafficking. Most importantly, it will enact for its part domestic legislative measures making it easier to seize and confiscate those profits, especially those derived from trafficking in illicit drugs.

Another important proposed provision would be an essential tool against the manufacturing of forbidden drugs. It deals with the international control of the major precursors used in the manufacturing of forbidden drugs, for the purpose for instance of extracting heroine from opium and cocaine from coca.

Another still, dealing with controlled deliveries, that is the transportation of forbidden drugs under specified, known and police-approved conditions, is aimed primarily at extending the offence so as to allow the arrest and conviction of the major actors rather than simply seizing the drugs and arresting middlemen.

Controlled deliveries are an effective technique which, where successful, enables to identify the major conspirators and instigators and to go right up to the top of an international connection.

As far as mutual judiciary assistance is concerned, significant progress has been made in the area of international exchange of information aimed at fighting the illicit drug trade. Efforts from now on will be aimed at transmitting evidence and information that can lead to the seizure of profits derived from drug trafficking. Unlawfully acquired property to all practical purposes remains out of reach, by reason of conflicting national and international legal systems. The United Nations Narcotics Division decided to look at measures that could go against banking security rules that encourage the apparently legitimate accumulation of those illicit proceeds in countries recognized as tax havens. Meanwhile, Canada has ratified a treaty of mutual judiciary assistance it had with the United States and is currently negotiating similar agreements with Switzerland, the Bahamas and other Commonwealth countries.

The proposed convention deals with illegal drug trafficking by means of commercial carriers.

In most cases, air carriers and shipping companies are not held responsible for the illegal drugs hidden in luggage or on passengers, but they are held responsible when clearly their employees or crews are directly involved or facilitate the illegal activities through loopholes in their security procedures.

Another provision deals with cross-border co-operation.

Canada recognizes that co-operation between the various intelligence services within the international community is of vital importance and should be intensified in the future,

especially in the area of drug trafficking and the investment of its proceeds in apparently legitimate commercial enterprises. For the Government, encouraging co-operation between producing, transiting and consuming countries is therefore a priority issue.

The United Nations International Conference on the Fight Against Drug Abuse and Drug Trafficking will be held next June in Vienna. Hon. Members are certainly aware that Mr. Tamar Oppenheimer, the Conference's Secretary General, is a Canadian who once headed the United Nations Drug Division. Moreover, Canada will be represented at the conference by a Minister, demonstrating the importance the Government attaches to it. Various problems will be dealt with during this multidisciplinary meeting, including the reduction of the demand, the development of alternative crops, the use of drugs for medical purposes, the seizure of drug-related proceeds, the treatment and rehabilitation of drug addicts, and the increase of law enforcement resources.

Also, Mr. Speaker, I cannot overlook the efforts made by the RCMP and the other provincial and municipal police forces.

Indeed, each year at the Canadian Police College the RCMP offer training to police officers from every corner of the world and they send experts to various countries, those of the Commonwealth included, to teach the skills required to fight against the different types of crimes we are talking about. People responsible for enforcing law in Canada, especially RCMP officers, work in close co-operation with their counterparts in other democratic western nations to fight against every kind of crime, particularly organized crime which knows no boundaries. This fight requires special skills and costs a lot of money, and this creates difficulties in times of financial restraints.

Mr. Speaker, given everything that is being done now I doubt whether a Royal Commission on organized crime would serve a useful purpose.

• (1750)

[*English*]

Mr. David Kilgour (Edmonton—Strathcona): The motion before us, Sir, calls upon the Government to appoint a royal commission to look into organized crime in Canada and to include in its report observations on six different matters, all important matters, and I would like to salute the Hon. Member for Trinity (Miss Nicholson) for bringing forward this motion, which I wholly support.

Some people will say that as someone who used to prosecute organized crime and drug offenders I would not be very hard to convince, and I admit I have a long-time experience with that sort of thing. I believe this is a matter which the Government of Canada should consider.

Someone made the point earlier that the establishment of a royal commission might alarm Canadians. May I point out, with respect, Mr. Speaker, that we have had a royal commission on the question of alleged illegal activities of the RCMP and on just about every subject from A to Z. I think Canadians believe in royal commissions. Some people believe it is one of our national sports. I do not think that such a commission on this matter would alarm anyone. I think it would turn the white light of public focus on the activities of organized crime in this country.

I would remind you, Mr. Speaker, that Senator Kefauver's committee on crime investigation in the United States Senate in 1950 and 1951, before you were born, Sir, was very useful in focusing attention on the involvement of organized crime in United States politics. That is not one of the items the Hon. Member for Trinity has mentioned, but I think we would all like to know, as democratically elected politicians, whether there is any involvement by organized crime in politics at any level in this country.

One of the subjects the Hon. Member has proposed the Government should look at is the extent to which organized crime is present and active in Canada particularly in such activities as drug trafficking and loan-sharking. As a western Canadian, I have some statistics which might indicate possible answers to this question and it may be something the commission would look at. For the past six years, I am told, British Columbia has reported violent crime rates as high or higher than any of the 50 States in the United States. Vancouver's murder rate, which is low by U.S. standards, is now three times Canada's national average. My Province of Alberta as well as Saskatchewan and Manitoba now consistently post violent crime rates which rival those in Florida, New York and Maryland, the three states which top—am I out of time?

The Acting Speaker (Mr. Paproski): I will allow the Hon. Member extra time the next time this Bill comes up. I think he has at least seven minutes left in his speech.

* * *

MESSAGE FROM THE SENATE

The Acting Speaker (Mr. Paproski): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-22, an Act to amend the Patent Act and to provide for certain matters in relation thereto, with amendments, to which the concurrence of this House is desired.

I also have the honour to inform the House that a message has been received from the Senate informing this House of the recommended amendments, observations and recommendations on general patent law amendments as contained in the seventh report of the special committee of the Senate on Bill C-22, an Act to amend the Patent Act and to provide for certain matters in relation thereto.

• (1800)

For the benefit of Hon. Members, these messages will be printed in today's *Votes and Proceedings*, and copies are now available at the Table in both official languages.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ENVIRONMENTAL AFFAIRS—LYELL ISLAND LOGGING OPERATIONS—OBSTACLES TO SETTLEMENT

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I rise today to pursue a question that I asked some time ago with respect to logging on Lyell Island.

What I am doing today is not pursuing the question, because the question that I asked at that time has been overtaken by events. Since I asked the question, there has been an agreement to have a national park in South Moresby. That is something a great many Canadians take a lot of satisfaction from. I thought it would be useful to take this opportunity to congratulate all those who were involved in arriving at that agreement. I wish to cite a number of people who I know were instrumental in making that agreement possible.

Perhaps I should begin with the Haida people themselves who, through their own spiritual and historical attachment to South Moresby, were one of the great sources of strength to those people who worked for so many years to have an agreement to create a national park in South Moresby.

One also needs to cite the great host of people who worked in a voluntary manner to advocate the creation of a park. There are too many of those people to begin to name them. I will not attempt to name them, because I would be bound to leave someone out.

One also has to cite people in this Chamber who were instrumental in bringing that agreement to fruition. I congratulate the Minister of the Environment (Mr. McMillan) for his involvement in bringing that agreement to fruition. I congratulate the Prime Minister (Mr. Mulroney) for his involvement at the last minute, which one has to assume was instrumental in some way in making an agreement possible.

I congratulate the Premier of British Columbia, Mr. Vander Zalm, for having been converted to the cause of having a national park in South Moresby, and resisting the temptation to settle for a provincial park only in that area.

I congratulate the House for the part that it played in creating the appropriate political context for the people to act in who were pushing for a national park. I am thinking of the day when we made procedural history in the House. We had a motion before us moved by the Hon. Member for Skeena (Mr. Fulton), who as a Member of Parliament for that area has been involved in the struggle to get a national park at South Moresby for many, many years. I am thinking of the day when we agreed somewhat early on in the day that the motion by the Hon. Member for Skeena would be deemed to have been passed and that we could then debate the motion. That unanimous expression of the House of Commons that day created a political context, not only for those outside the House, but also for Mr. Speaker himself to lend his good offices to contributing in whatever way he could to the creation of a national park at South Moresby.

• (1805)

Because the House of Commons had spoken unanimously, he was free to be an advocate of something which by that time had transcended partisan politics. A great many people contributed in many ways, and I think it is useful to put this on record.

Many other things need to happen. We go from this victory for a very special part of creation to other battles which have to be won. One is reminded of the continuing controversy over the Stein Valley, over the Stikine River, and over the Khutzeymateen, an area which is special in respect of grizzly bears. Many issues yet remain to be solved. There will be lots of disagreement and debate in years to come about these matters.

However, I think it is appropriate to comment upon it when there is unanimous agreement in the House of Commons, when that unanimous agreement is followed by an agreement between the federal Government and a provincial Government—in this case, the Government of British Columbia—and when so many people have managed to put the best interests of the future above everything else and arrive at agreement.

Mr. Dan McKenzie (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, I am pleased to have the opportunity to respond to the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) on behalf of the Minister of the Environment (Mr. McMillan).

One of the first things the Minister did when he assumed his present portfolio was to announce his commitment to protecting South Moresby as a national park. At that time the provincial Government was still trying to decide whether to continue logging over all of South Moresby, let alone logging in certain areas of Lyell Island. However, that is all past history. Commercial logging will never again be seen on Lyell Island or elsewhere in the park area of South Moresby.

Since the time of the Hon. Member's question in October of last year, the Prime Minister (Mr. Mulroney) has also taken a key role in obtaining the co-operation of the provincial Government toward the establishment of the national park.

Indeed, on July 11 in Victoria, the Prime Minister and the Premier of British Columbia made an important announcement on this matter. I quote from the Prime Minister's speech on that day. He said:

> It is a great pleasure to join with Premier Vander Zalm in signing this historic memorandum of understanding between the Governments of Canada and British Columbia, for the creation of a national park and a national marine park in the South Moresby area of the Queen Charlotte Islands. The Queen Charlottes have been called Canada's Galapagos, and with good reason. In these islands are found flora and fauna unique in the world. The black bear guards its forests, the sea lion stands watch on the coast, and the bald eagle soars in the sky.
>
> This agreement is about preserving our heritage, it is about protecting our environment, and it is about a new climate of co-operation in our federal-provincial process. It is about meeting the concerns and the objectives of all interested parties in this matter. And all Canadians are interested and proud of the natural beauty which personifies British Columbia.

In speaking about the long and difficult negotiations on South Moresby in his speech, Premier Vander Zalm said:

> It was a good exercise, Prime Minister—because it showed that our Government and your Government—after all is said and done—always seem somehow to manage to reconcile and satisfy not only the interests of our two Governments—but the interests of British Columbians and Canadians.

Not only is there provision for an internationally significant area to be protected forever, but the federal Government will commit itself over an eight year period to paying the $32 million cost of park operations and development, to ensure that South Moresby becomes a world class tourist destination.

• (1810)

Residents of the Queen Charlotte Islands will also benefit substantially from a $50 million regional development fund set up to help diversify the local economy, and logging companies and others will be fairly compensated with the federal Government contribution of $24 million for that purpose.

The next step in the process is to negotiate a formal federal-provincial agreement to establish the park and enable the transfer of lands from the provincial to the federal Government and to outline the general terms for the regional development fund. Canada is working on this on a priority basis. The people of the Queen Charlotte Islands, the Province of British Columbia and, indeed, all of Canada, are anxious to see positive progress in South Moresby as soon as possible. The Government is committed to action on all fronts.

[*Translation*]

THE CONSTITUTION—PROMOTION OF FRENCH AND ENGLISH LINGUISTIC DUALITY—POSITION OF GOVERNMENT AND PROVINCES—INCLUSION OF SPECIAL PROVISIONS IN CONSTITUTION—PRIME MINISTER'S POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Last June 4, Mr. Speaker, I asked the Government a question concerning the provisions of the Meech-Langevin Accord, the 1987 Constitutional Accord, as it relates to linguistic duality.

Mr. Speaker, we know that section 2.(1)(a) of the Accord signed by the ten provincial premiers and the Prime Minister of Canada, acknowledges the obligation of the Parliament of Canada and the provincial legislatures, and I am quoting word for word, to preserve the fundamental characteristic of Canada referred to in paragraph (1)(a).

Mr. Speaker, this section recognizes the existence of French-speaking Canadians, centred in Quebec but also present elsewhere in Canada, and the existence of English-speaking Canadians, concentrated outside Quebec but also present in Quebec.

That is a basic point. For the first time in the history of Canada such recognition is given supreme status by being included in the Constitution. This is a major step for our country.

Better still, the signatories to the Accord went further by making it constitutionally mandatory for the Parliament of Canada and all provincial legislatures to preserve this fundamental characteristic.

• (1815)

This is a first step. But if they recognize the importance of our language duality by enshrining the principle in the Constitution, why was there not a will to allow it to develop by charging the provinces and the Canadian government with the additional obligation to protect and promote that basic feature? Why have we stopped half-way through that process? That was the heart of my question, the reason why I rose.

Since the agreement was signed, we heard many experts comment on the 1987 Constitutional Agreement. Most of them recognized that a strictly political problem prevented the addition of the obligation to promote language duality in addition to protecting it. Senator Murray, responsible for the matter and Minister in this government, recognized before the Committee that we tried but could go no further. This is too bad. It is too bad for the official language minority groups throughout Canada, either francophones outside Quebec or anglophones in Quebec, because the commitment is to maintain the *status quo*. Looking at statistics, the assimilation rate of the Canadian *francophonie* outside Quebec is rising constantly. On the other hand, the birth rate is very low, which means that if the French culture is not promoted outside Quebec, it may well disappear within a matter of years.

Mr. Speaker, the protection of minorities has been a commitment of the Canadian government for years. During the 1987 constitutional negotiations, the Canadian government bowed to provinces for political gains. It did not have the political courage to take on the obligation to promote language duality. We can understand and perhaps even explain that it could not convince the provinces to do that promotion. But that it does not take upon itself, as the Canadian government, not only the obligation to protect but especially the obligation to promote it, I find this, Mr. Speaker, a serious flaw in that constitutional agreement. The minorities, and I know what I am talking about, are disappointed. They were expecting more than that from the federal Government. In answers to questions here in the House and elsewhere the Government told us several times that it would promote linguistic duality through the Official Languages Act which, as you know, was tabled in the House last June.

Mr. Speaker, I say: Very well, so much the better! But I would remind Hon. Members that a statute is not the same thing as a constitution. It is very different. A constitutional obligation cannot be changed overnight. Near unanimity would be required to do so now. A statute can be changed, amended, repealed, indeed this is what we do here every day. I am afraid that it was a mistake not to have entrenched the obligation not only to preserve and protect, but also to promote linguistic duality, and this is why I wanted to know whether the Government intends to amend the Meech-Langevin proposal and to insert, at least at the federal level, the obligation to promote this duality.

Mr. Speaker, there is no need to recall in this House the examples we have had in past months and years of certain Federal agencies, such as the RCMP, which has often shown reluctance and even indifference about complying with the Official Languages Act even though it is a statute of Parliament. I believe that this obligation could be made much stronger by entrenching it in the Constitution instead.

I would ask the Parliamentary Secretary to explain to me whether the government might have changed its views and whether our large Canadian family, both French- and English-speaking, can expect to learn some time from now that the government will change its plans and propose an amendment to the Constitutional Agreement that does not obligate the provinces to anything, please note this, but that makes it an obligation for the Canadian government itself not only to protect but to promote. As suggested by the FFHQ, the *Fédération des francophones hors Quebec*, we could add a provision allowing provinces to concur in the promotion when they so wish, each province individually. We could have a provision today saying that, the government binds itself to promotion, and provinces would do so in the form of provincial resolutions passed in the province's legislature, under which they could bind themselves to not only protect but promote.

Mr. Speaker, I ask the Parliamentary Secretary to transmit to his government the comments I just made and perhaps even to give us an assurance that he will himself defend, as I do, the idea of trying to convince the provinces and the Canadian government to accept to promote language duality, which is essential to us as a people so that we can survive here as full-fledged citizens wherever we live in this country.

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I listened with interest to the comments made by the Hon. Member for Ottawa—Vanier (Mr. Gauthier) who has in the past devoted much of his energies and, in fact, still does, to defending the French fact, for which he is to be commended. In fact, all Conservative Members from Quebec follow his example.

Today, he raised a question regarding the wording of subsection 2(2) of the Constitution Amendment, 1987 which refers to the role of all legislatures in this country, including Parliament and the Quebec Legislature, to preserve Canadian Linguistic duality. This duality is described in subsection 2(1)(*a*) of the amendment.

The Hon. Member has asked about the federal Government's role in promoting Canada's linguistic duality in light of the proposed subsection 2(2) of the Constitution Amendment, 1987. I can assure the Hon. Member that Parliament's role is as strong as ever and the Official Languages Bill, Bill C-72, recently introduced by the government, in June if I am not mistaken, is a perfect example of how Parliament can promote Canada's linguistic duality. Such measures can only find additional suport in the proposed new constitutional recognition of Canada's linguistic duality.

The Special Joint Committee on the Constitutional Accord is of course examining all the clauses of the proposed Constitution Amendment, 1987 in detail.

One of its great underlying features is the co-operative approach to federalism and this government is confident that such an approach is in the best interests of all Canadians.

• (1820)

[*English*]

SOVEREIGNTY—CANADIAN AIRSPACE—PROPOSED TRANSPORTATION OF PLUTONIUM

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, as you probably know, Japan sends its nuclear reactor waste by sea to Europe for reprocessing to recover plutonium which Japan would like to have back for use as a fuel in a new model nuclear reactor. In 1984, one shipment of plutonium was sent by sea from Europe to Japan without mishap. In January of this year, Japan and the U.S. finished five years of negotiations on a draft agreement to transfer up to 226 kilograms of plutonium, which can be used for making nuclear weapons, from Europe to Japan twice a month for the next 30 years. The current plan is to transport the plutonium in jumbo jets from Europe, over northern Canada, to Anchorage, Alaska, for refuelling and then on to Japan.

According to Thomas Homer-Dixon and Carolyn Lee, Canadian Ph.D. candidates at the Massachusetts Institute of Technology, Canada was advised but not consulted during these negotiations. The agreement is to be ratified by both countries next month and if Canada openly declares now that it will not allow these shipments, the political difficulties in the context of Canada-U.S. relations would be much less than they would be if Canada raised them when the agreement is delivered to the U.S. Congress for ratification. Then the difficulties will be very great. Therefore, the window of opportunity is open now.

The total amount to be carried over Canada is equal to about half the plutonium in the U.S. nuclear arsenal. It is to be

shipped as fine powder particles less than one-tenth of a millimetre in size. It does not dissolve in water, stick to soil, and cannot be absorbed by plants. According to Professor Rathjens at MIT, if such a powder is ejected into the atmosphere, as it could be in a large fire resulting from an airplane crash, "much of it could remain airborne for many days and, depending on particle size and meteorological conditions, could travel hundreds or even thousands of miles".

The radioactivity of any plutonium powder released in a crash would increase for several decades as a portion of it decays into a more dangerous isotope. Plutonium has a half life of hundreds to thousands of years depending on the isotope. Although plutonium is relatively harmless if touched or eaten, studies show that inhaling even a minute speck can cause cancer.

Canada has absolutely nothing to gain by allowing two jumbo jets full of plutonium to fly over the Canadian Arctic every month for the next 30 years. On the contrary, we have everything to lose. Even one crash out of the over 700 flights anticipated could kill people as well as caribou, polar bears, and other Arctic wildlife through the slow death of cancer as a result of inhalation of the toxic plutonium dust. Even residents of Yellowknife or cities further south, perhaps including Edmonton, could conceivably be threatened depending on wind and weather conditions, location of the crash site, and the extent of destruction to the casks carrying the plutonium. These risks are avoidable if we say no now.

In a letter to the editor of *The Globe and Mail* on July 31, 1987, Nobel Prize winner John Polanyi points out that we are dealing with "a total amount of plutonium equal to about half of that in the entire U.S. nuclear arsenal, with all the risks of diversion to military use that this implies. If such traffic proves to be expensive and cumbersome, that is all to the good". He recommended that if this material is to be shipped, it must be by sea under satellite surveillance and escorted by a convoy.

Therefore, my questions to the Parliamentary Secretary are these. Is the Government aware that the time to say no is right now, because the window of opportunity is expiring soon, and that after the agreement is ratified in mid-September the opportunity will be lost?

• (1825)

Second, has Canada already given permission for these flights? That was not at all clear from the answers of the Parliamentary Secretary given two days ago. Third, can the Government, the Minister, and the Parliamentary Secretary assure Canadians that the Government will notify Japan and the United States that Canada will now allow the overflights of plutonium? If it has already notified these two countries, we will be glad to hear about that right now.

Mr. Gordon Towers (Parliamentary Secretary to Minister of State for Science and Technology): Mr. Speaker, in the matter of the suggested overflights of Canadian territory by aircraft carrying some form of plutonium, I would like to make perfectly clear the position of the Government. First, I would point out that there has been no ratification of any agreement and there have been no decisions made at this time on routing of the material.

I would also reiterate, as mentioned by the Minister of Transport (Mr. Crosbie) in March of this year, that the movement of all dangerous goods by air is subject to both international convention and domestic legislation. In the international arena, Canada is a signatory nation of the International Civil Aviation Organization, and as such Canada has a number of options available.

First, we can request that pre-notification be given and that approval be received prior to any overflight being taken. In this case we would insist that the most stringent requirements for safe packaging be met and that all safety and inspection requirements be met as well.

Our second option is to deny any overflight by filing a state variance with the International Civil Aviation Organization based on Canada's concern with any inadequate safety measures of such flights.

In the matter of Canada's input with respect to the U.S.-Japan negotiations, Canada made representations to the United States Government in May and August of 1986 and again at a very high level in April of this year to express our concerns in this matter.

In summary, the Government is monitoring this matter very closely. The permission of the Canadian Government would be required on a case-by-case basis before any such overflight could take place and no such overflights would be carried out without expressed Canadian approval. Canadian safety standards are among the highest in the world and any proposal would be fully scrutinized to ensure that these high standards are fully complied with, particularly in the area of safe packaging.

Finally, let me assure the Hon. Member that any decision taken by the Government would make the safety of Canada and Canadians the most important consideration.

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.29 p.m.

HOUSE OF COMMONS

Friday, August 14, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Thursday, August 13, consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, thank you for recognizing me and for giving me this opportunity to express my views on second reading of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof.

Mr. Speaker, this debate on second reading is important for all Canadians and for all Members of this House, since the way we approach this debate is an expression, as it were, of our political philosophy and goes to the very heart of what we want to be as a nation and as a society: that is, open and generous to all people throughout the world who face torture and are deprived of their freedom and who are seeking a country of refuge and a safe haven.

Our position on Bill C-84 arises from our concept of the kind of society we want to live in and the role that society can and must play on the international scene.

Today we are not just analysing Bill C-84, we are examining our own conscience. When our children and grandchildren look at this period in our history and see how Canadian men and women, and especially parliamentarians, reacted when a boat with some 100 refugees approached the shores of Nova-Scotia, they will judge us; and today, we should ask ourselves whether our children and grandchildren will be proud of what we as parliamentarians have done. Will they be able to say they are proud of their parliamentary ancestors? Will they be able to say that we acted firmly but also with compassion? Will they say that we acted fairly and humanely? I will leave this question for the time being, but I would like to get back to it later on.

Mr. Speaker, I realize, as I said before, that this is an important problem, but I do not think that today, August 14, 1987, this legislation is as urgently needed as the Government keeps saying. In fact, would you not agree that the emergency is a direct result of this Government's incompetence, a Government that failed to recognize the warning signs of the crisis with which it is faced today and whose extent it has grossly exaggerated? Mr. Speaker, the phony refugee problem has been with us for some time, and as the Hon. Member for York West (Mr. Marchi) said yesterday or the day before in his speech on second reading, and I quote: "Not only did the Government wait three years to introduce a solution to a problem that was discovered many years ago but it took 10 days from the time it declared an emergency to tell Canadians and parliamentarians when we would be coming back."

Mr. Speaker, the Government's record is appalling. First of all, in April, 1985, if I am not mistaken, we had the Plaut report. This was an impressive document, several hundred pages long, that was prepared by a group of experts and recommended the approach the Government should take to the refugee question. Although the document has been in the Government's possession since the spring of 1985, the Government has failed to follow through on any of the Plaut Commission's recommendations.

Secondly, Mr. Speaker, in late 1985 a parliamentary three-Party committee of the House tabled a report, a copy of which I have here. The committee examined the Plaut Commission recommendations and came up with unanimous recommendations of its own. In this document the three Parties—the Government Party and the two opposition Parties—made recommendations to the Government concerning the best way to settle the issue of illegal refugees crossing our borders and gaining entry into this country. Having already turned thumbs down on the Plaut recommendations, the Government again dismissed the recommendations advocated by a committee of this House.

Mr. Speaker, we were told this is an emergency, yet about a year ago a group of Tamils landed on the shores of Nova Scotia. A whole year went by without the Government, the Minister of Employment and Immigration (Mr. Bouchard) or anybody else doing anything about it. Now, all of a sudden, we are faced with this makeshift emergency.

Mr. Speaker, I think that the only sentence or the only point which the Government singled out of the Plaut Commission report is the comment which appears as a conclusion on page 215. Here are the words of Rabbi Plaut: "I conclude this report by recalling the remarks made by the United Nations High Commissioner for Refugees in the Summer of 1984. To a

large extent the ability of states to react positively in situations involving refugees depends on the frame of mind of the public."

He also stressed the fact that, unfortunately, there is irrefutable evidence that in recent years public opinion has failed to make the distinction between the very special plight of refugees and the situation of many millions of other foreigners who have attempted to cross borders into countries other than their own. Such confusion led to prejudice towards refugees and dampened the sympathetic attitudes in official circles towards them. We Canadians would be well advised to heed this word of warning.

Mr. Speaker, the Government did heed the warning all right, but it gave a completely different interpretation to the action advocated by Rabbi Plaut, especially so with respect to his caveat. The arrival of a boatload of Sikhs on the shores of Nova Scotia was seen by the Government as an opportunity to rouse public opinion, not to prepare it to react generously to real refugees. Government officials used the incidents which occurred in Nova Scotia to stir public opinion just so they would have an excuse to introduce a stiff measure likely to appease the most conservative wing of the Party in office. Talk about emergency, 10 whole days elapsed before the House was recalled to consider Bill C-84! Had the matter been really urgent, had the Government known what it was doing when the Prime Minister (Mr. Mulroney) pushed the panic button, it seems to me we would not have been kept waiting for so long before coming back to the House to debate the bill before us.

Mr. Speaker, the Leader of the Liberal Party and Leader of the Opposition (Mr. Turner) told the House about the true reason for recalling Parliament, namely to solve the problem of Bill C-22 on pharmaceutical products. Yesterday, the Minister of Employment and Immigration attacked the Liberal position on this issue. Our position is quite clear. As we have maintained in the House for weeks and months, we are opposed to Bill C-22. The Liberal Senators are not alone in their opposition as all Liberal Members of this House have vigorously objected against Bill C-22 in its original form. Today, Government Members are doing their best to create a division between the Liberal Senators and the Liberal Members of this House. We have worked together. We are against the Bill as introduced. I would like to point out to the Hon. Member for Roberval, the Minister of Employment and Immigration, that the Quebec Liberal caucus is against the original Bill, and tell him that the real reason for recalling Parliament is to try to make us swallow Bill C-22, which goes against the interests of most Canadians.

Mr. Speaker, Bill C-22 will be coming back to the House and we have made our position clear. The previous Liberal Government created the Eastman Commission and our position is that the Government should follow the recommendations of the Eastman Commission to the effect that copyrights on new pharmaceutical products should be protected not for 10 years, but for four to five years. We shall continue to defend this position and the Government will have to accept it because we believe that the legislation it has introduced goes against the interests of the Canadian people.

Let us now come back to Bill C-84, Mr. Speaker. When we look at the basic issues, we have to say clearly that no Liberal Member can approve the abuses resulting from fraudulent claims, cheating and, in some cases, a real racket in human lives. We object to such abuses and we are willing to legislate to provide more appropriate controls and penalties for the offenders. However, this does certainly not mean that we approve Bill C-84 as introduced. This Bill is reactionary and excessive. It exploits unreasonably the present climate of legitimate frustration in Canada caused by the mismanagement of this Government as it attempts to use a difficult situation to try to increase the Government Party's popularity in the polls. Bill C-84 attacks the basic freedoms of Canadians. In other words, Bill C-84 tries to kill a gnat with a canon.

Mr. Speaker, no one questions the fact that the abuses must be eliminated and the system improved. However, does this mean that the legislation should go against our Charter of Rights, our traditions of national development and our traditional immigration policy which is at the very root of the history of this country?

Canada has always welcomed immigrants. The abuses must indeed be corrected. However, it is unacceptable to exploit this situation for partisan purposes, Mr. Speaker.

I would now like to deal more in detail with a few items. Under proposed Section 95.1 in Bill C-84, any individual, any Canadian, any church, any priest, any nun who works in a country where there is no freedom and who is in contact with his or her order here in Canada, all those people helping refugees come to Canada are liable to the same penalties as the so-called immigration consultants whose only motive is to get rich on the backs of the weak and people deprived of any freedom.

Would Canadians accept that a social worker, a priest or a nun be put in prison as a common crook? The Minister says the act must be the same for everybody. But that act is being passed by the Minister of Employment and Immigration, by this Government that treats church people, social workers and charitable institutions that were set up to help people in need as if they were common crooks and smugglers.

Yesterday, I raised the matter of the Stastny brothers. In his answer the Minister claimed I was exaggerating.

Mr. Speaker, I read Section 95.1 again. Can they suggest for instance that the Czech hockey players who left their country on the occasion of a hockey tournament in Vienna to come to Canada and play with the Nordiques were in fact people who wanted to get out of their country? Is it possible to suggest they had their passports with them, knowing what is going on in those totalitarian countries? They jumped into the Nordiques' car and there was a wild chase through Vienna, followed by Czechoslovakia's secret police. Well now, if Marcel Aubut and his assistant were not in breach of Section 95.1 as now proposed, Mr. Speaker, I don't know who can be!

The Minister stated yesterday the section would be interpreted generously. But he will not interpret the act—the courts will, and his immigration officers. How could he say that yesterday from his seat?

Mr. Speaker, as the proposal now stands, Marcel Aubut and Gilles Léger would have been liable to imprisonment for five years. What would have happened to Mr. Peterson, the brother of Ontario's current Premier, who helped the Russian dancer Baryshnikov enter Canada to get out of the Soviet Union—when he brought him in his car from a hotel from which he had escaped to some cottage, in order to protect him while waiting for the Canadian Goverment's answers? Was that not a person, a Canadian helping a political refugee? Can they claim that Baryshnikov had his passport or his visa in his pocket? The fact he did not would have made Mr. Peterson liable to five years' imprisonment.

Does that make sense? Is that the goal pursued by the Government? This is beyond me. And when I hear Hon. Members and the Minister suggest this is a wrong interpretation—please, read that section again. Read that clause again taking into account that it is not necessarily the present or future minister that will have to interpret the Act, but the courts which have to make decisions based on the statute as it stands.

Mr. Speaker, obviously, those who take advantage of the credulity of the destitute, raking off thousands of dollars per person, deserve to be punished and this is why we oppose the Bill as it stands. I ask the government to be more specific and not to put in the same boat social workers, charitable organizations and gangster trafficking in human lives.

Section 103.02(5) provides that an immigration officer may without any warrant collect evidence that an individual is violating the Immigration Act.

However, should we, Mr. Speaker, in order to be fair and firm, trample the rights of citizens, churches and organizations advocating human rights? If a warrant is required to make a search at the place of alleged members of organized crime, why should we allow a search among charitable organizations helping refugees to survive? They are bunched together with traffickers in human lives. Immigration officers are given the right to make a search without a warrant, a right denied to police officers fighting against organized crime. I find such a clause unacceptable and it is repugnant to all liberal minds. Those steps are worthy of a totalitarian regime and not of a great democratic nation.

The Bill provides also for special detention certificates. The Government would like to extend arbitrarily from 48 hours to seven days the detention period, with a possibility for the Minister to add three additional weeks without the so-called refugee having the right to meet an adjudicator. Mr. Speaker, this flies in the face of basic human rights. Again, I feel these are excessive means to reach a goal which is altogether honourable, that of preventing abuse, discovering frauds and punishing profiteers.

Finally, I should like to call the attention of the House on a comment made yesterday by my colleague from York West: If this Bill is adopted as is, it will give rise to a whole series of appeals and recourse before our courts under the Canadian Charter of Rights and Freedoms. What will be their impact on our system? What will happen, six or 12 months from now, when appeals are made everywhere on the basis of the Charter thus leading to an eventual bog down of the process? Mr. Speaker, I should like to indicate to the House what may possibly happen. Our system could become even more chaotic and put even more to the test the patience and confidence of Canadians. Let us draft a Bill which will be sheltered as much as possible from appeals to the courts and accusations of human rights violations, failing which we might be faced with the same problems 12 months from now. And I ask the Minister this: What would you do if two other boats arrived tomorrow morning, filled with real refugees? Now, Mr. Speaker, we must be realistic and Canada has a role to play. I am not saying that we should accept all those men and women who claim to be refugees. That has never been our position on this side of the House. But we believe in universal access, as defined in the international agreements we have signed and, as a Government or a country, we cannot choose arbitrarily those who have the right to submit applications. I was here yesterday when the Hon. Member and Minister of National Health and Welfare (Mr. Epp) indicated that he was against this notion of universal access. I do not know whether the Minister realizes that he is going against the International Conventions which we have signed, because Canada has adhered to this notion of universal access, which does not mean allowing all migrants entry to this country in whatever number whenever they please, but the possibility for a potential refugee seeking refugee status to have access to due process to determine whether he is a true refugee. After that, a country may decide to accept his application or not.

Mr. Speaker, by taking such stringent measures, the Government could weaken its position and become powerless when faced with the false refugee problem. It reminds me of a decision of the Quebec Minister of Finance a few years ago. At the time, drivers using some restricted highways had to pay a 25-cent toll. In an effort to increase considerably his revenues, the Minister of Finance doubled the tolls paid in Quebec on these limited access highway. The negative reaction was such that politically it became indefensible, so that now we have a system where drivers no longer pay tolls on these highways. I say that this Bill goes in the same direction. The Government is using such excessive means that it may end up with an even more difficult situation.

Mr. Speaker, I conclude and say that I am against any abuse of the system and I condemn all those who try to benefit from the miseries of others. But I also object to a bill which was drafted on the spur of the moment, which does not take into account the realities of the situation and our historic and

world-wide reputation as a haven, which ignores the Plaut Commission recommendations as well as the unanimous recommendations of the parliamentary committee which studied the question. I agree with the Government that we must put a stop to abuses, but I simply cannot endorse any of the methods which may very well compromise the rights of genuine refugees and of those who try to help them. I also condemn a Government which has failed to anticipate a problem which had long since been in the making and about which the former administration had given a mandate to the Plaut Commission. The Conservatives did not act on the 1985 recommendations. Today, panic-striken and inspired by opportunism, they are urging the House to adopt a piece of legislation which, far from solving the problem, will make an already deplorable situation even worse and tarnish Canada's international reputation.

• (1020)

Mrs. Mailly: Mr. Speaker, it may be that the Hon. Member for Laval-des-Rapides (Mr. Garneau) considers our country's rights and sovereignty as a pesty fly which prevents him and his colleagues from acting as they see fit and destroying our national values. But Canadian rights are not like a fly in the estimation of this Government, they are the very foundation of this country. Hogwash is what we are getting from him, as usual. Listening to him is always a disappointment. He had a leader who was wont to resort to this method of talking nonsense to make a point, but at least there was an element of truth in what his leader Pierre Trudeau would say. But the Hon. Member knows full well that, among other things, for 10 years already we have had a statute which forbids these people to take such illegal steps. What he recommends we let priests and ministers do is already illegal. He also knows very well that we have a very special program for refugees from eastern countries. He knows there are all kinds of programs and services for people like Baryshnikov and all the other Russians and Czechs and other people who want to come to this country. There are special programs. However, that is not the issue here. My question for the Hon. Member is the following. In 1986, the Hon. Member for Outremont (Mrs. Pépin) said it was entirely unacceptable to have an immigrant reception system that penalized bona fide immigrants and a refugee system that penalized bona fide refugees, and that the people who should be punished were those who were trafficking in human misery. Why is the Hon. Member rising in the House today to tell us this unlikely story, a reflection of his Party's contradictory stance? It is entirely beside the point, and he knows that. He is getting political mileage out of people's lives. Today, these smugglers bring people to our shores who are exhausted, sick and ill-fed and maybe even have lice. Are we supposed to wait until people are brought in half-dead? Is the Hon. Member waiting for people to die, for what happened to the Mexicans who were locked up in a boxcar and were dead on arrival? Is that what he wants to happen before we pass legislation to prevent these traffickers from operating?

Mr. Garneau: Mr. Speaker, it is of course difficult to engage in debate with the Hon. Member for Gatineau (Mrs. Mailly). One is never sure what she said after she has said it. That being the case, I would like to repeat what I said, and I hope that this time, she will understand. We have said time and time again since the very beginning that we have no objection and, in fact, are prepared to support legislation that would genuinely be aimed at traffickers and smugglers, the people who traffick in human lives. However, we want this legislation to differentiate between those people and people who are working for humanitarian causes.

Mr. Speaker, as I said earlier, the Minister of Employment and Immigration (Mr. Bouchard), the Minister of National Health and Welfare (Mr. Epp) and the Hon. Member for Vancouver all said yesterday that everyone must be equal before the law, with which I fully agree, but the fact is that we are now making the law. We are the ones who will group together under Bill C-84 the racketeers in human lives and the religious, social and humanitarian groups that work to help refugees to find a haven and new freedom in Canada. When we put in the same category the activities of racketeers and those of these other people, we have to remember that it was not Church groups who put these peoples on the train to die, as we heard the Hon. Member say.

I would like to come back to Section 95.1 since the Hon. Member referred to it. This section is new. It says, for instance:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offence and is liable
>
> (*a*) on conviction on indictment, to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years, or to both

Mr. Speaker, this section is quite clear. What choice would a judge have in hearing the case of Marcel Aubut, to whom I have referred, or of the brother of Premier Peterson, or others who provided assistance to people like Baryshnikov or the Stasny brothers? In such cases, is is not absolutely clear that these individuals have knowingly induced, aided or abetted the coming into Canada of other people? This is what the section states and there would be no choice.

This is why I invite the Hon. Member for Gatineau to listen to these views instead of being always so negative, to recognize that they are founded and to make the appropriate adjustments to avoid putting in the same category racketeers and people who work for humanitarian causes.

Mr. Caccia: Mr. Speaker, I have a question for the Hon. Member for Laval-des-Rapides (Mr. Garneau), whom I wish to thank for his very clear comments.

• (1030)

[*English*]

We have as a nation endorsed Article 14 of the Universal Declaration of Human Rights. That declaration provides that everyone has the right to seek and to enjoy in other countries asylum from persecution. This article does not allow a right to refugees to be granted asylum, but it does underline that they have a right to seek asylum. This is called universal access.

Yesterday, the Government, through the Minister of National Health and Welfare (Mr. Epp), revealed its intention of breaking this United Nations Convention when, on page 8043 of *Hansard*, the Minister said:

> I do not believe that universal access is the manner through which Canada should take the number of refugees which we have said we will.

Would the Hon. Member for Laval-des-Rapides comment on the statement of the Minister of National Health and Welfare?

Mr. Garneau: Mr. Speaker, in my remarks a moment ago I had an opportunity to comment on that in French. I am very pleased to do so in English as well.

The statement made by the Minister of National Health and Welfare (Mr. Epp) yesterday was unbelievable. He said, at page 8043 of *Hansard*:

> I do not believe that universal access is the manner through which Canada should take the number of refugees which we have said we will.

I do not know if the Minister was speaking on behalf of the Government, but that statement is in direct contradiction to our commitment under the United Nations agreement. One can see in the Plaut report all the documentation that Canada had signed as a member of the United Nations agreement.

Universal access means that any refugee can claim to come to Canada. It does not mean that he will be accepted, but universal access means that his refusal or acceptance should be determined through the due process of law. What the Minister stated yesterday is in direct contradiction. He does not want to accept the idea of the due process of law to separate the type of person that Canada can accept. In saying this, he is in direct contradiction with this country's obligation in terms of its commitment within the United Nations.

Mrs. Mary Collins (Capilano): Mr. Speaker, I am pleased to join in the debate this morning on Bill C-84, an Act to amend the Immigration Act. It deals primarily with deterrence and the detention of illegal immigrants. We have come back to Parliament this week to deal with this particular legislation along with Bill C-55, to respond to the real concern of Canadians that we are not in control of our borders.

This legislation does not concern legitimate immigration or genuine refugees or human rights of those living under repressive regimes. It deals with the protection of our own constituents, from Capilano to Newfoundland, against abusers, exploiters, and criminals; scofflaws who would have contempt for the laws of Canada. These kinds of people consider us easy marks for their schemes of fraud, piracy, and murder. This legislation is carefully aimed at a small minority, the smugglers and the conspirators who, unfortunately, have existed since the dawn of time.

Many Members who have already spoken in the debate have talked about the problem we are facing in Canada with the increasing numbers of persons who are seeking access to our country by our shores and through our airports by pretending to be refugees, but who obviously are not. That is the group we are trying to address by having tougher laws.

Canadians honestly feel, given the instances we have had in the past year, that Canada is becoming a patsy, an easy mark internationally. They are angry mad about it and do not want to be treated that way. It is a feeling of violation. For example, if one has a party in one's home, one invites guests and prepares for the hospitality. When there is a bunch of gatecrashers, one is very unhappy and wants to make sure they are removed. There is also the law to deal with them if they harm one's property.

Similarly, Canadians feel that there are gatecrashers at our borders who are trying to come in illegally but we do not have the tools under our present laws to deal with them effectively. Canadians want laws established that will deter such people. Such a mechanism is obviously the best remedy. Rather than having people arrive and go through all the processes, we should make sure there are already tough laws so that they are not induced to come here.

One obvious way to achieve this goal is by ensuring that those who are trying to organize that kind of illegal immigration to Canada, and those aiding and abetting it, are subject to very heavy penalties. Another method is by establishing a measure, such as the one in this Bill, requiring transportation companies to take much greater care in who they allow on their airlines or ships coming to Canada so that we are not faced with people arriving here without documentation and claiming refugee status. The fact is that in most cases such people are not genuine refugees.

We know that over the past year about 70 per cent of those who were claiming refugee status were not genuine refugees and are clogging access for real refugees. In fact, the number has risen this year so that about 90 per cent of those trying to get into this country as refugees are really not convention refugees about whom we are all concerned. It is that abuse that has brought us back here today.

Canadians are demanding that we as parliamentarians do something about it because they do not want to be used. That is why I am pleased to be debating Bill C-84 today and to have had the opportunity to debate Bill C-55 earlier. They have to be considered as a package to deal with the total problem.

• (1040)

The main element of Bill C-84 is to provide deterrence. It provides for increased fines for smugglers and particularly for those who would organize groups of 10 or more because those are the kinds of incidents with which we have been faced over the past year. It requires transportation carriers to have documents of all those travelling in such carriers.

Yesterday in Question Period, the Hon. Member for York West (Mr. Marchi), I believe, talked about what a terrible thing it would be if the airlines collected people's documents, that that would make us the same as the Soviet Union. That is nonsense. What we are asking airlines to do is to ensure that people, first, have valid travel documents, that is passports or visas, and, second, that they do not get torn up on the way or given to someone else before the person actually gets on the plane.

I think what is interesting is that Air Canada, our own airline, already has that system in place. It is a very practical system. When one checks in with Air Canada, depending on where you are coming from, you provide a passport or visa. Air Canada makes a record of it on its computers so it has the number of one's passport or visa. As we know, when one checks in one has access to various shops. Unfortunately, some of the other airlines do not do a further check, so what happens is that people give their travel documents to someone else in the airport and those travel documents just circulate around. Air Canada has overcome that problem. Now just before one gets on a plane the documentation is again checked so they know one has documentation when one boards the plane. Because Air Canada already has the passport numbers, and because the documentation was checked before boarding, one would assume the documentation would be with the individual as he leaves the plane, although I suppose it could be flushed down the toilet. But if an individual presents himself on arrival without any travel documents, Air Canada will have the numbers by which those documents can be traced, and that to me is a very sensible way of doing things.

It would seem that if other airlines used such care and diligence we would not have the kinds of problems we are having at the present time. Although I believe the boat incident has received the greatest publicity, we know that the greatest number of illegal aliens are coming in through our airports. That is really where the problem needs to be tackled.

A lot of airlines have said they do not want to bother about checking these passports. They know they are supposed to do it but they do not. However, they are going to have to bother now or they are going to be fined. It will not be worth their while not to do it. I believe that if this particular provision of the legislation is enforced, it will prove very successful in cutting down and deterring these people from even trying to board an airplane in this manner. The same thing, of course, would apply to ships.

Another aspect of the legislation deals with detention. I believe Canadians feel justifiably frustrated that someone can land on our shores without documentation. We do not know who they are or anything about them, but they can be released into society. We do not know if they have a criminal record or if they are potential terrorists. We do not have the tools at present to correct that situation.

With respect to the Halifax situation, we could keep the immigrants for seven days. There were hearings. It was very difficult to detain these people until we had appropriate information about them so that we could be confident we would not have a security risk. Under this legislation we will be able to detain people until their identity is known. As well, for those who have a criminal record, the Minister will have the power to send them right back and not give them access to the refugee determination system. That is something for which Canadians have been asking.

Earlier in the week I spoke on Bill C-55. I talked about Canadians wanting us to do these things. I had the feeling that people were sort of scoffing at these feelings of ordinary Canadians; like what do they know about these things and what rights do they have. In my own view of democracy, I feel we are here as legislators, as the vassals of Canadians. We are not above them. We are not elitists. The Government is not above and separate from the rest of Canadians. We are here as their representatives. We are not always right. We do not pretend to be. However, we do the best job we can to ensure that the deeply held concerns of Canadians are represented and that we deal with them effectively.

The other day I read some letters from some of my constituents on this issue. I would like to share with you a few more, because I think it puts into focus the reason we are here and the deep-felt concerns my constituents in Capilano have on this issue. One letter in part states:

> Having people enter the country in this manner and allowing them to stay is setting a potentially catastrophic precedent; it serves no one's interest and certainly does not serve common sense.

I agree.

Another letter states, and I quote:

> . . . greater punishment must be handed down to those who knowingly break our laws as the captain, et cetera, did in this case and who now according to the news is getting off with a very light fine. Our laws are a joke to many of these people for they know the fine will be light compared to our hefty handouts.

We are increasing the fines to a half million dollars and 10 years in jail, so we are certainly responding to that kind of concern.

I read from a third letter:

> In the future the immediate impounding and subsequent sale of the mode of transport; heavy fines and long prison terms should be given to the principals responsible for organizing these groups.

Again, we are responding to each of those requests. We have a provision in this Bill whereby the Government can seize the vessel, boat or plane and put it up for sale. There are heavy fines and long prison terms for those persons responsible for organizing these groups. That is in Clause 95.

Finally, I would like to share a letter from a constituent of mine. It was written to the Right Hon. Leader of the Opposition (Mr. Turner), but I received a copy. I feel he might be interested in what the people in Vancouver are saying. The writer states:

> Firstly I am very disappointed with the approach of your Liberal caucus, whereby you have been attempting to delay progress on the new Bill C-55 which would finally bring some semblance of fairness to a terrible Immigration Act put forward by your predecessor in 1976.

I say "hear, hear" to that.

The letter continues:

> There should be no doubt in the minds of any Government M.P. in the Government or in the Official Opposition that the solution of this problem should take the highest priority,—

In our view, it is taking the highest priority but, unfortunately, in the mind of the Right Hon. Leader of the Opposition (Mr. Turner), especially when he spoke the other day in Parliament, it does not seem to be the highest priority. He asked why we even bothered to recall Parliament. Mind you, Mr. Speaker, I am having great difficulty in understanding the position of the opposition Party. The 174 persons arrived on the shores of Nova Scotia earlier in July. On July 17 the Leader of the Liberal Party said:

> That boat might well have been apprehended and could have been turned back because this is not a legitimate refugee process.

This was said on CBC, the *National*. The reporter asked: "Do we know that now?", and the Right Hon. Leader replied:

> Well, we know that the boat apparently comes from Europe and I don't know of any country in Europe that's persecuting people. I mean, this is not a boat that came from a country of origin.

I agree with him on that. However, two days later on July 19 on CBC Radio, *Cross Country Checkup*, the Right Hon. Leader of the Opposition was asked:

> But, Mr. Turner, how do we know that some of these people wouldn't qualify under the Canadian system?

The Right Hon. Leader of the Opposition replied:

> Well, they're not—if they came from Europe they were not fleeing a situation where they were facing prosecution or imprisonment or death.

He went on to say:

> Well, I think the burden of proof—in situations where you've got a commercial enterprise and obviously a fraudulent effort to manipulate and bypass our regular refugee or our immigration policy—is on the boat.

His colleague, the Hon. Member for York West, the Liberal critic for immigration, said the following day, I suppose after hearing those comments:

> I have some difficulty in appreciating that position, in its entirety, because our position has been for the last two years, and one that he's advocated as, is that there needs to be a processing.

A week later the Right Hon. Leader of the Liberal Party said:

> The people on board could have been examined given some due processing, either at sea, or at port.

My heavens, Mr. Speaker, quite honestly I think the first instincts of the Right Hon. Leader of the Liberal Party were right. I think he felt as outraged as we all did, but then all of the members of his caucus got together and said, no, we cannot say that. Now they are back here saying, good heavens, we cannot do any of these things. We are contravening all our international obligations. We have the wringing of hands as they talk about the church groups and so on.

• (1050)

I do not know the position of the Liberal Party, but this has been typical in some other instances as well. When debating Bill C-55 this week the Leader of the Liberal Party had the temerity to say that public opinion on the refugee issue has been manipulated by the Government. That is nonsense. Has my colleague here, or my colleagues over there, somehow been manipulating Canadians? Canadians are outraged. They came to us and requested some action. That is what we are here to do.

The other point I wish to make is that during the debate we had a great discussion about proposed Section 95, and how terrible it is that the church groups will not be able to help refugees come across the border. I hope that my hon. colleagues are aware that the present Immigration Act provides for an offence. Section 95 states:

> Every person who . . .
>
> (m) knowingly induces, aids or abets or attempts to induce, aid or abet any person to contravene any provision of this Act or the regulations,
>
> is guilty of an offence . . .

In the regulations under the Immigration Act there is a requirement that every immigrant shall be in possession of a valid and subsisting passport issued to that immigrant, or a valid and subsisting identity or travel document. In other words, under the Immigration Act a passport, a visa, or a travel document is required. Anyone who aids or abets someone to enter Canada in contravention of that is presently contravening the law.

What has been added in proposed Section 95.1 is not new. It presently is an offence to aid or abet someone to enter Canada without an appropriate travel document. What has been done is increase the penalty for that particular offence. It is the people who are organizing the illegal immigrants that we wish to stop. We have the offence on the books. Has it been a problem for the church groups? No. The church groups are dealing with legitimate convention refugees.

Under the regulations it states that Subsection (1) does not apply to a convention refugee who is in possession of a valid subsisting immigrant visa where, in the opinion of the visa officer who issued the immigrant visa, it would be impractical to require that person to obtain a passport, or an identity or travel document. The provision is presently in the Immigration Act to deal with the convention refugee.

The other thing many of the opposition Members have missed is what now happens with the church groups, or should

happen according to the law; that is, they bring these persons to the border. Usually this is to the Canada-U.S. border. They have these persons present themselves to an immigration officer. That is legal. What is illegal is if they are brought into Canada and do not go through that process. That is what we are trying to stop. The fears of the members of the opposition Party are phoney and false. That will be discussed in the committee.

I have looked at the legislation, and it seems to me to be totally fair. In my view, and in the view of my colleagues, anyone who breaks the law should be treated in the same way. The ministers in my riding would not counsel their parishioners to break the law. The churches should not say that they are above the law. There are ways within the law whereby they can help the genuine convention refugees.

I would hope that we could move quickly on the passage of Bill C-84 and respond to the concerns of Canadians.

The Acting Speaker (Mr. Paproski): On questions and comments, the Hon. Member for Spadina (Mr. Heap).

Mr. Heap: I listened very carefully to the Hon. Member for Capilano (Mrs. Collins), particularly when she was speaking on the matter of the amendments in proposed Sections 95.1 and 95.2. I wish to ask the Hon. Member to confirm that it is not illegal to assist a person to come from the United States to the Canadian border to a Canadian immigration office. It is not illegal to do that, regardless of the person's possession of papers or travel documents?

In Section 95 of the present Canadian legislation which takes precedence over regulations it states:

> Every person who
>
> (a) comes into Canada at any place other than a port of entry and fails to report to an immigration officer for examination as required by subsection 12(1),
>
> is guilty of an offence . . .

In Section 95(f) it states:

> Every person who . . .
>
> (f) eludes examination or inquiry under this Act . . .

It goes on to detail the different ways in which a person may elude, cut short, or escape examination.

In other words, it focuses on a duty to immediately come to an immigration office for examination in accordance with the Act. Under Section 95 only in the case of a person who eludes or fails to report, or in the case of a person who aids or abets someone in alluding or failing to report is it an offence.

Therefore, I am asking the Hon. Member if she considers that we should maintain Section 95 as it is, and that the proposed Sections 95.1 and 95.2 ought to be brought into line with that Section? Whether the person is doing it for profit, or whether it is a church person, as an Anglican priest I agree with her 100 per cent, that there should be no special privilege for church persons, clergy, or lay of any denomination whatsoever. That has gone with the middle ages. Does the Hon. Member agree that any person who brings in a refugee claimant, or what might be thought to be a refugee claimant, and who brings that person immediately to the immigration office, is acting legally according to our present law and should not be made illegal in the amended law?

Mrs. Collins: It is my understanding that it is not an offence to counsel a person to present himself to an officer to tell the truth. It would be an offence to counsel a person to present false documents, or in some way not to tell the truth. It is not an offence to transport a person to Canada for the purpose of presenting that person to an immigration officer. In my understanding, this section does not change that. This section has stiffer penalties for those who would organize or abet people to attempt to enter Canada without proper documentation, or false documentation. If they are convention refugees, as the regulations now allow for, they would not necessarily have to have that documentation to begin with.

The Acting Speaker (Mr. Paproski): Before I call it eleven o'clock, I advise the Hon. Member that she will have five minutes left for questions and comments after Question Period.

It being 11 o'clock a.m., pursuant to Standing Order 19(4) the House will now proceed to Statements by Members, pursuant to Standing Order 21.

• (1100)

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ENVIRONMENTAL AFFAIRS

STEIN VALLEY, B.C.—PRESERVATION OF WILDERNESS AREA

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the Stein Valley, as you probably know, is the largest undeveloped watershed in southwestern British Columbia. Wildlife and recreation are great here because there are no roads.

The Stein River supports salmon and sports fisheries. The valleys of the Stein and its tributaries are covered with forests. The Stein's lower reaches are important to native cultural traditions. Archaeological sites and outstanding Indian pictographs give the Stein a cultural significance of exceptional value.

The Lillooet Tribal Council and the Lytton Indian Band are making a strong case to preserve the Stein. Between August 1 and August 4 they hosted the third Voices for the Wilderness Festival in the headwaters of the Stein. It was attended by 1,500 people, including David Suzuki.

The federal Government should play an active role in resolving the conflict over the future of the Stein Valley. I urge the Minister of Indian Affairs and Northern Development

(Mr. McKnight) and the Minister of the Environment (Mr. McMillan) to impress upon the British Columbia Government the value of the Stein and to find a solution which will respect native rights and preserve this great wilderness resource for future generations.

* * *

TRADE

CANADA—UNITED STATES NEGOTIATIONS—PROTECTION OF CANADIAN AGRICULTURE AND HORTICULTURE

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, the trade talks with the United States are important to all Canadians. Having guaranteed access to the world's largest market can be of enormous benefit to Canadian industry. Most Canadians look forward to the draft agreement in October.

Of vital importance to our negotiators in that agreement is the protection of Canadian agriculture. No agreement could be acceptable without recognition of that vital sector of the Canadian economy.

An essential element of any protection for agriculture must include protection for the tender fruit industry. We cannot have our fruit farmers exposed to a completely open border or to the threat of American dumping.

Closely related to the tender fruit industry is, as well, our wine industry. Some 16,000 jobs are directly or indirectly dependent upon the Canadian wine industry. It must have the support of our negotiators and, indeed, all Canadians. Our trade negotiators must ensure that any agreement with the United States recognizes the vital importance of the wine industry to Ontario and to all of Canada.

* * *

PROVINCIAL AFFAIRS

BRITISH COLUMBIA WELFARE SYSTEM

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I am ashamed the Province of British Columbia has one of the worst welfare systems and is now introducing even more regressive policies.

Recently the British Columbia Supreme Court ruled that the social service system discriminates against young people under the age of 26 who receive a lower rate of social assistance. Did the B.C. Government immediately raise rates by at least $25 to equalize payments regardless of age? No. Instead, it decided to give a token increase to youth and to have those over 26 years of age pay for this with reduced welfare rates, forcing all recipients to sleep in slums and to eat at food banks.

This kind of anti-human, punitive policy should not be subsidized by the federal Government which pays 50 per cent of welfare costs. I call upon the federal Government to review and reform the Canada Assistance Plan to ensure that welfare rates across Canada are at least equal to the poverty line.

* * *

CANADA POST CORPORATION

BLOOMFIELD STATION, N.B.—OPPOSITION TO SERVICE CHANGES

Mr. Bob Corbett (Fundy—Royal): Mr. Speaker, the community of Bloomfield Station in my riding has joined with numerous other rural communities across Canada to express its opposition to Canada Post's renovation of rural postal service.

I have had meetings in Bloomfield with residents and community leaders. I had meetings with Canada Post officials, and Canada Post has met with the community. The residents of Bloomfield were not satisfied with the answers Canada Post gave them.

Post Office officials were totally unprepared to answer the questions. In fact, many key questions such as those referring to the total cost of implementing this new system, the cost difference between the old and the new service, and the location of group boxes being installed were among some of the important questions left unanswered.

In the past I have supported changes to postal service in my constituency, but Bloomfield Station, in the words of its residents "is not a sleepy little town that can be whitewashed" by Canada Post.

I strongly support the people of Bloomfield in their opposition to Canada Post's disruption of the traditional service to which this community is accustomed. It is unlikely that the savings gained by changing to this new system will amount to anything significant, certainly not worth the disruption to the traditional life of the community.

* * *

AGRICULTURE

TAX REFORM—PROPOSED ACCRUAL ACCOUNTING SYSTEM

Mr. Maurice Foster (Algoma): Mr. Speaker, when the Nielsen Task Force Report on Agriculture came out last winter it recommended that the Government force accrual accounting on farmers instead of the cash basis that has always been available to them. The report said that the Minister of Finance (Mr. Wilson) could extract $1 billion more in income tax from farmers if the Minister switched to the accrual method.

Sure enough, when the Minister of Finance tabled his White Paper on Tax Reform there was a provision to force farmers to use the accrual accounting method where farmers are claiming

losses from other income. He is obviously determined to get the $1 billion in income taxes that the Nielsen Task Force report recommended.

At its semi-annual meeting in Fredericton, New Brunswick, last month the Canadian Federation of Agriculture unanimously passed a resolution calling for the retention of cash accounting for farm filers who wish to use it, and for the retention of the income-averaging provisions.

I call upon the Minister of Finance and the Minister of Agriculture (Mr. Wise) to back off and stop this new tax grab on farmers, many of whom face an already desperate financial situation and who are struggling to survive without more income taxes and a more complicated accounting system.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

SITUATION IN ABITIBI REGION

Mr. Guy St-Julien (Abitibi): Mr. Speaker, for a number of weeks the Leader of the Liberal Opposition and Member for Vancouver Quadra (Mr. Turner) as well as the Hon. Member for Shefford (Mr. Lapierre) have been attempting by every means to put fear into the minds of people in the Abitibi concerning regional development, suggesting the Abitibi region and Quebec have been abandoned. This Government has been showing leadership since 1984, and thanks to our business people and workers in the Abitibi, our area ranks first in Quebec for the decline in unemployment.

Opposition Parties should look at the situation of Abitibi now and I challege them to compare the years 1985-1986-1987 to 1982-1983-1984.

This Conservative Government has been meeting its obligation in Abitibi. Hon. opposition Members should review the regional projects completed to date and travel to that great remote area—they will be astonished at our performance.

Mr. Speaker, I was elected to defend my area, and you may rest assured that Abitibi will not be penalized by the change in DRIE's direction. And together with business people, chambers of commerce, city counsellors and the local population, we will remain vigilant.

[*English*]

FARM CREDIT CORPORATION

INTEREST RATE INCREASES

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I am concerned about the future of the Farm Credit Corporation. Future prospects for the organization are going down as its interest rates are going up. That is certainly not a positive move for beginning or expanding farmers.

I would like to give the House an example of some of the increases. The five-year fixed interest loan is now 11.5 per cent, a jump of 1.5 percentage points. A new farmer seeking a loan of over 15 years' term will have to pay 12 per cent.

FCC has been criticized by farm groups as lacking in policy direction. It is time that the Government decided what role FCC is to play in the farm credit field. The organization is supposed to aid producers seeking capital for mortgages or expansion, but with these recent increases it will drive customers away.

Last year the lending agency introduced commodity-based loans. However, if commodity prices increased substantially then so would the principal of the loans. Acceptance of the program has therefore been very slow.

For the last few years the Manitoba Agricultural Credit Corporation has successfully offered farmers the option of buying down their interest rates to an affordable 8 per cent. Why could the Government here not direct FCC to follow this lead?

* * *

[*Translation*]

TAX REFORM

OPPOSITION TO TAX ON GOODS AND SERVICES, INCLUDING FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, this Government imposed 25 new taxes or tax increases since they were elected in 1984, thereby reducing the purchasing power in the lowest income brackets. With its tax reform proposals, tabled in this House on June 18, 1987, the Government is increasing the burden of Canadians by levying this time a general tax on goods and services, including food.

Mr. Speaker, I have had an opportunity this last month to consult people in my constituency and to urge Canadians to strongly oppose that provision. I have a number of petitions, as you know, bearing the signatures of people who strongly oppose that and urge the Government not to proceed with a tax on food, to set aside a measure that is absolutely regressive and unfair to people in my constituency.

• (1110)

[*English*]

MINES AND MINING

MODERNIZATION OF ALUMINUM SMELTING PLANTS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, Jonquière, Bécancour, Kitimat, although off the beaten path, these centres of the Canadian aluminum smelting industry play an important role in the Canadian economy. Our aluminum producers, with some government assistance, have used a period of low prices and poor demand to modernize their plants so that they number amongst the most productive in the world.

With increasing demand and improving prices the industry now stands poised to reap the benefits. These benefits will be enhanced, not only for primary producers but also for downstream manufacturers of aluminum products once we successfully complete the free trade negotiations with the United States thereby opening up huge new markets for the Canadian aluminum industry.

* * *

WESTERN DIVERSIFICATION FUND

NORTHERN MANITOBA—PROJECTS AWAITING APPROVAL

Mr. Rod Murphy (Churchill): Mr. Speaker, Manitobans are very skeptical about what the Canadian Government is going to do with the western diversification plan so far as it affects native people. The federal Government has so far refused to sign the Northern Development Agreement extension.

Native people are waiting for funding under the Native Economic Development Fund which has been frozen as part of the DRIE freeze since June and no new projects have been approved since that time. As a result, native people in northern Manitoba are waiting and waiting and waiting for projects to be approved.

So far the province has picked up on a short-term basis a lot of the shared cost programs. This should not be necessary. Get off your rumps and do something for the native people of northern Manitoba.

* * *

POLITICAL PARTIES

NEW DEMOCRATIC PARTY'S FUND RAISING CAMPAIGN

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, I guess to start off I must say that I see the wolf in sheep's clothing this morning. I got a letter from Bruno Gerussi in which he is looking for contributions for the NDP and its Leader. I remember when the NDP used to be against what they called income tax breaks for small businesses.

It says in this letter that the contributor will receive a generous income tax deduction for the contribution, 75 per cent of a $100 contribution or 50 per cent on $550.

I really wonder what is going on with the NDP. First their literature was fluorescent orange and now it is down to blue and green.

I remember between 1980 and 1984 interest rates were at their highest, there were bankruptcies across the country, and unemployment was at its highest. I really wish the NDP would come clean with Canadians. Are they with Bob White or John Bulloch? Let Canadians know where you stand.

ORAL QUESTION PERIOD

[*English*]

IMMIGRATION

UNITED NATIONS CONVENTION ON REFUGEES—MINISTER'S STATEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, yesterday the Minister of Health said in this House that the Conservative Government does not recognize that any individual has the right to claim refugee status in Canada and be entitled to a fair hearing. The Deputy Prime Minister knows that statement flies in the face of the UN Convention on Refugees which has been supported by Canada since 1951.

Does the Deputy Prime Minister support the statement of his colleague and can he say whether the Prime Minister has informed the UN that we have changed Canada's traditional policy, one which is accepted by every progressive nation in the world?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, we will not violate our international obligations. We need be given no lesson on our commitment to Geneva and what we signed there in concert with other nations. Neither will we violate our commitment to our Charter of Rights and Freedoms, and that is clear.

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Minister of Health said yesterday that "we", meaning the Government of Canada, have already stated our varying points on universal access. He said he does not believe that universal access works and went on to deny what the Minister has just said.

[*Translation*]

GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, Canada for decades has been recognizing the right of refugees to non-removal under the Geneva Convention. But I am putting once more the question to the Deputy Prime Minister who can speak on behalf of the Government of

Canada: Is the Prime Minister in agreement with the comments made by his colleague the Minister of National Health and Welfare? Does he not agree that in so doing, the Minister of National Health and Welfare puts us in the category of the most oppressive countries in the world?

[*English*]

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, we have before the House for debate a new refugee determination process. The current process is absurd. It has not functioned, it is unfair and chaotic. What we have before us is a fair and expeditious method of identifying and welcoming real refugees. Not everyone in the world requires our protection. Five billion people should not be allowed to make a claim here.

There are people with manifestly unfounded claims. There are people who have refugee status elsewhere. There are individuals who have lived a sufficient length of time in another country and can be returned to that country or seek protection of that country. Bill C-55 will make sure that in three to seven days those individuals can go back to where they came from and start the process, if indeed they would like to immigrate to this country, under the fair and just criteria that everyone else has to meet.

AMENDING LEGISLATION—MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister has not responded to the question. Everyone in this House recognizes that Canada needs a credible refugee policy. However, does he not recognize that in the proposed legislation, in Bill C-55 and Bill C-84, his Government has come up with the most paranoid piece of legislation ever brought forward in this country and places us in a class equalled only by the Soviet Union?

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Does he recognize that he is placing us in that position?

Mr. Mazankowski: That is absolutely false and you know it.

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, we are saying no to illegal aliens and yes to real refugees.

Queue jumping is intolerable. It is unfair that an individual who is not a legitimate refugee can jump to the head of the line. That undermines a legitimate immigration policy. It incites further abuse.

We can understand the frustration of a lot of Canadians who have waited desperately to bring in their families. As the Minister of Employment and Immigration indicated this week, we will allow more families to come to this country because we will open up the family class and hopefully be allowed to increase immigration levels when Cabinet allows that decision to come forward in the fall.

POSSIBLE EFFECT OF NEW LEGISLATION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the same Minister. The Prime Minister dramatically recalled Parliament for a so-called emergency but he has not had one minute to participate in the debate and render his opinion on this new legislation.

Given that the Minister prides himself as a tolerant man and protector of civil liberties and minority rights, does he not believe that Bill C-84, under which Jim Peterson, the brother of the Premier of Ontario, could have been fined or imprisoned for assisting Mikhail Baryshnikov in escaping the Soviet Union to come to this country, is repugnant to the Canadian sense of justice and, if left unamended, would bring court challenges that would paralyse his new policy and render it even more chaotic than it is today?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the Hon. Member is wrong. He does not understand the current immigration law. For 10 years there has been a process under Section 95(m) of the Immigration Act which I would ask that Member to reread. It says that anyone who aids and abets can be prosecuted. However, I ask the Hon. Member how many church people have we prosecuted in 10 years?

• (1120)

On the other side, we have taken that general law and made it more specific in Clause 95(1). In doing so we will get to those who are organizing the clandestine movements of people, those who traffic in human misery. That process must stop.

Mr. Marchi: Mr. Speaker, the Minister has just admitted that this law will have the potential to convict clergy, civil libertarian groups and any other Canadians. He must learn that the end never, ever justifies the means.

[*Translation*]

REQUEST THAT GOVERNMENT ADOPT POSITION OF MEMBER FOR LA PRAIRIE

Mr. Sergio Marchi (York West): Mr. Speaker, I wish to direct a supplementary question to the same Minister.

If the Minister will not accept the reasons put forward by the Opposition, is he at least planning to follow the advice of one of his own colleagues, the Hon. Member for La Prairie (Mr. Jourdenais), who is not only Chairman of the Standing Committee on Immigration, but also Chairman of the Committee on Immigration within the Conservative caucus, and who asked yesterday the Government to bring major amendments to this Bill, in order not to violate the Canadian Charter and break our commitments to the United Nations?

Does he feel also that the opinions of his Conservative colleagues are both illegitimate and irresponsible too?

[*English*]

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, I am wondering if the Hon. Member for York West

is indeed speaking for the whole of his caucus on this issue. Certainly others of his Party have indicated clearly how pleased they are with the deterrent and detention aspects of the new Bill we brought forward.

Why does he not listen to what the Hon. Member for Spadina said which is that anyone and everyone who is guilty of a violation should indeed be convicted? This new Bill is a deterrence to all those who want to traffic in and mass-market human misery. There will be convictions, with fines of up to $500,000 and 10 years in jail.

On undocumented arrivals, we will not arbitrarily detain but will have the right to hold those people until we know who they are and where they come from. If those people are brought to Canada, we will charge the transportation companies $5,000 per person. Indeed, we are authorizing them to collect documents and have them available to us when they arrive.

BILL C-84—APPLICATION OF CLAUSE 95(1)

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is for the Minister of Employment and Immigration. The Minister of State for Immigration, in reply to the most recent three questions, said two things. First, he said that the Government was only interested in getting at clandestine entries into Canada and, second, that he favoured the principle that everyone obey the law. We favour both those points, but my question—

Some Hon. Members: Hear, hear!

Mr. Broadbent: We will see if the Conservatives will be clapping after I ask my question which is directed to the Minister. Will he answer the question he refused to answer yesterday? According to Clause 95(1) of the proposed law, a priest who accompanies a genuine refugee claimant who has no documents or passport to the Canadian border will be committing an offence. Will the Minister acknowledge that that is the case? If it is true, will he accept an amendment so that such a priest will not be violating the law?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I answered that question yesterday. I will repeat, for the Leader's sake:

[*English*]

Finally there is an opinion on immigration on the NDP side. We have not heard one word from you, Sir, for one month on immigration. We have not heard one word for one month on this issue and today, suddenly, you get up.

I said yesterday that it is not an offence to counsel a person to present himself to an officer and tell the truth. I said yesterday that it is not an offence to transport an illegal alien to Canada for the purpose of presenting that person to an officer. It is an offence to aid persons to evade legitimate immigration controls either at the port of entry or in Canada. I think that is very clear.

MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, if the Minister had been in the House two days ago he would have heard me making a speech condemning his Bill. If he had been around a month ago when the shipload of people arrived off the coast of Nova Scotia, he would have heard me say publicly that we had a moral obligation to accept those people into the country. I cannot account for the Minister's ignorance. That is his responsibility.

Since the Minister just refused to refer to the appropriate clause in the appropriate Bill, will he now acknowledge that Clause 95(1) of Bill C-84 would in fact make susceptible to the full force of the law a priest who accompanies an honest refugee, who does not have documentation or a passport, to a Canadian border? Will he honestly admit that the law his officials have given him and he has presented to the House would make a priest guilty of a criminal offence under those circumstances? Will he admit that and will he change it?

Some Hon. Members: Oh, oh!

Mr. Shields: You should have asked the question Shirley Carr gave you.

Mr. Broadbent: You will stay at the level you are in the polls if you keep that up.

Mr. Shields: Shirley Carr writes better questions, Ed.

Mr. Murphy: Let the Minister waffle.

Mr. Speaker: The Hon. Minister.

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, as I said earlier, the law is very clear, and the legislation has been in existence for 10 years. For 10 years, the law has said that people who violate the Immigration Act may be prosecuted. This has not changed, and in the past 10 years, none of the volunteer groups, church groups or other organizations have been prosecuted under the Act, and the purpose of the Act is quite clear. I said this again yesterday and earlier today, that anyone who brings people before Immigration Officers who are the only people with the authority to judge whether a person is a refugee or not—only people employed for this purpose by the Department of Immigration have that right. All these people who are brought before Immigration Officers, and I say this for the benefit of the Hon. Member for Oshawa, the officers who have to decide whether they are refugees or not, these people will not be prosecuted under the Act. They are not breaking the law in this case.

[*English*]

UNITED NATIONS CONVENTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister knows it is up to the courts to interpret the law as it is written. The proposed law the Minister has put before us

would make criminals of all kinds of Canadians who, under present law, are not made criminals. That is the reality.

I would like to turn to another clause since the Minister has refused to deal with that one. Will he now inform the people of Canada that the United Nations High Commission on Refugees has in fact informed the Canadian Government that the proposed law the Government is introducing contravenes a Convention of the United Nations which up to this point Canada has had the proud record of supporting?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, we have read the letter from the UN High Commissioner for Refugees and we are keeping in touch with him. We intend to provide an appropriate response. However, the Bill is entirely in line with the commitment we made as a result of signing the United Nations Convention on Refugees, and we have all the explanations we need. Once again, I am not going to let someone else teach me how to—

[*English*]

I just want to recall something. The last time you had something to say other than your speech yesterday, Sir, on immigration, was in Vancouver. You said that we also are in the process of tightening up the law so that if we find out that refugees are not bona fide, we kick them out of the country. That is what we put forward, Sir.

Mr. Broadbent: That's right. That's perfectly right.

Some Hon. Members: Oh, oh!

Mr. Broadbent: You ought to go back to high school. That's pathetic, just pathetic.

Mr. Crosbie: You're talking out of both sides of your mouth as usual.

Mr. Masse: You're on the spot now, Ed.

Mr. Broadbent: We're on the spot?

• (1130)

Mr. Speaker: Perhaps the Chair can be of some assistance. I recognize that when issues are strongly felt, memories regarding the proper rules of procedure become short. The use of the word "you" has been creeping back into the Chamber and Hon. Members will know that, strictly speaking, the Chair should interrupt when that form of address is used. Of course the Chair does not want to interrupt when important matters are being discussed, but I think there has been too much of it and I will be interrupting from now on.

PHARMACEUTICAL INDUSTRY

LEGISLATION TO AMEND PATENT ACT

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. He has justified changes to the Patent Act which will substantially raise the price of drugs for Canadians by saying that there will be an increase in research and development.

A study commissioned by the Department of Regional Industrial Expansion says quite conclusively that under a free trade agreement there will be little possibility of increased investment in research and development. That study was commissioned by officials in his own Government. We know at the same time when the Minister reintroduced the Bill last June he dropped whatever guarantees there were in the original legislation that would require that investment.

Given the conclusions reached by federal officials that under free trade there would not be further investment, is it not prudent and proper that, as the legislation comes back to this House, the Government as a first step should introduce a clause that would clearly guarantee the jobs, research and development and investment that he consistently promises? Should we not have that clause in the Bill?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, there are so many errors in the Hon. Member's preamble that I do not have the time to correct them. Prices will not rise as he stated.

The justification for the Bill is fairness and to get research and development here and make sure Canada participates in the very important biotechnological revolution. We must be there.

It is immoral for any responsible politician to suggest that we should let other countries do the research and we will simply buy what they have later on, presumably by selling our natural resources. That is unfair to Canadian scientists and student scientists who want to work in this area.

There is already a public commitment of $900 million. I have a note in my hand from the Hon. Member for Burlington saying that a company in his riding wants to make an investment of $30 million. That is not part of the $900 million. They want to know what to do because they cannot justify it if Bill C-22 is not passed.

We have built into the legislation a policy review by Government in four years and Parliament in 10 years. We will have annual monitoring of the research performance of these companies reported to this House. It contains all the safety mechanisms needed to ensure that we get these benefits. We will get them if the Liberal Party will co-operate.

GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would point out that the Minister absolutely refused to deal with the question and the fact that there are reports from officials in his own Government which clearly contradict all those statements.

If analyses are available that the investment will not take place under free trade, regardless of the commitments we have received from groups like Principal Investors and others that he knows well, we want to know why the Government is submitting primarily to pressure from the U.S. administration to get this legislation through and refusing to listen to and acknowledge the kinds of arguments put forward by senior citizens, church groups and others who represent all Canadians. They are saying do not raise drug prices simply to give in to your American masters.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member keeps saying drug prices will rise and he knows that is false. If he chooses not to accept the public statements by numerous drug companies, if he chooses not to listen to the academic community across the country, our research scientists and Canadian owners of the new biotechnology which are depending upon this legislation for their future, let him talk to his former colleague, Judy Erola. She can go through it item by item and verify every dollar of that $900 million I have been talking about. If he does not believe me, does he accept the word of his former cabinet colleague?

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IMMIGRATION

BILL C-84—REQUEST THAT CLAUSES 95.1 AND 95.2 BE AMENDED

Mr. Dan Heap (Spadina): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. *The Globe and Mail* reports today that U.S. immigration law exempts a person from prosecution if he or she brings a would-be refugee across the border and takes him directly to immigration authorities. In light of the statement that the Minister made yesterday, which is not law but which he repeated today, will he agree that Bill C-84 ought to follow that same reasonable principle and amend his proposed Clauses 95.1 and 95.2 in accordance with that principle?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, if I am not mistaken, the House has specific procedures for this sort of thing which specify when and where amendment proposals may be made. I have always said I was prepared to consider amendments. And when I do, I will see what can be done. I am not saying we will accept or reject them, but I think there is a specific procedure. The Hon. Member for Spadina is asking whether I am willing to propose amendments. I imagine he intends to make a proposal in the legislative committee, and we will see what happens.

[*English*]

CONFORMITY WITH EXISTING LAW

Mr. Dan Heap (Spadina): Mr. Speaker, this is a matter about which the public is extremely concerned as you can see from the media and the representations we have received. If the Minister will not bring it into line with American law will he at least put to rest a possible public misunderstanding by saying that he is willing to bring Clause 95.1 and Clause 95.2 into line with the existing Canadian law which means that it is not an offence to bring a person across the border to immigration officers?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, for the third time since yesterday, I repeat that it is not an offence to counsel or transport an illegal alien in Canada for the purpose of presenting that person to an officer. I think that is very clear. It is not an offence. That is already in the Bill.

* * *

• (1140)

FINANCIAL INSTITUTIONS

PRINCIPAL GROUP—ISSUANCE OF BANK BOOKS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs and is with regard to the serious situation throughout Canada involving the Principal Group of companies and their associates.

Can the Minister inform the House when he became aware that the Principal Group Ltd. gave the depositors in First Investors and Associated Investors bank books with the Principal Group logo on which bank books were depicted "Principal Savings and Trust"—regulated, by the way, by the federal Government—and also saying, "Member Canada Deposit Insurance Corporation"? Does the Minister of Consumer and Corporate Affairs now believe that that was a deceptive practice in which Principal Savings and Trust was a major participant?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, in my view the question posed by the Hon. Member is posed in the wrong capital city, in the wrong legislature, and to the wrong Government. As I have said to the Hon. Member before, there are 30 different companies in the Principal Group. They are all provincially regulated. None of them are federally regulated. One of them is insured by the CDIC.

All communications of the Canada Deposit Insurance Corporation with its member companies are confidential as

was affirmed in the last piece of legislation, Bill C-42, which was passed in June. Therefore, I am not privy to the documents to which the Hon. Member is referring. The CDIC may be privy to them, but I am not.

The Member has made reference to other communications saying that I have apparently received them. I have not received them and, therefore, ask him to withdraw that allegation.

Mr. Dingwall: Mr. Speaker, I say with great respect that the Minister is acting irresponsibly in carrying out his responsibilities to the taxpayers of Canada, particularly those depositors who were insured by the Canada Deposit Insurance Corporation. He is now saying that they can participate in a fraud against the Canadian people.

PRINCIPAL SAVINGS AND TRUST—CONDUCT OF BUSINESS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, the Minister admitted yesterday on the floor of the House of Commons that he was aware of the capitalization problems of Principal Savings and Trust in May. What test did he use to satisfy himself that there were no deceptive practices and no false statements and that no fraudulent practices were being carried out by Principal Savings and Trust? Will he now live up to his responsibility, or is he going to pass it on to the Alberta authorities?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, it would be totally unacceptable to the fabric of the country for the federal Government to invade the complete jurisdiction of the provinces over financial institutions which they regulate. The CDIC is an insurer, not a regulator. It is like an automobile insurer. Automobile insurers do not set the traffic laws of a province.

I made contact today with the Alberta Treasurer and hope to speak to him later today to make it clear to him that I encourage the Alberta Government to take all possible actions to protect investors, help these people, and ensure that Alberta continues to be a province with a good reputation as a place to invest.

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AGRICULTURE

NEW BRUNSWICK POTATO GROWERS—REQUEST FOR STABILIZATION PAYMENT

Mr. Bob Corbett (Fundy—Royal): Mr. Speaker, my question is directed to the Minister of Agriculture. The Minister is aware that the potato farmers of New Brunswick have been waiting since 1985 for a stabilization payment. Despite the best efforts of the New Brunswick Minister of Agriculture, Hazen Myers, and despite a statement by the Prime Minister in the fall of 1986 that the matter would be dealt with expeditiously, the farmers of New Brunswick have not received a nickel.

Will the Minister tell the potato producers of New Brunswick that, just as he found in excess of $1 billion for the prairie grain producers, he will not forget them and will get those badly needed dollars to them right away?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I certainly appreciate the continuing representations made by my colleague, the Member for Fundy Royal, on behalf of the potato farmers and indeed all people in the agricultural community. I must remind him though that the grain and oil seeds farmers in his province of New Brunswick were recipients of their portion of the Special Canadian Grains Program.

I appreciate as well the representations that are being made to me by my provincial counterpart in New Brunswick, the Hon. Hazen Myers. I want to inform both the Hon. Member and my provincial counterpart that we are actively considering this matter. I hope to be in a position to make a positive announcement in the near future. I want them to rest assured because the record will show that we deliver on all of our promises.

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THE CONSTITUTION

LAKE MEECH ACCORD—EQUALITY RIGHTS

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is directed to the Deputy Prime Minister in the absence of the Prime Minister. Constitutional experts from the National Association of Women and the Law, LEAF, the Ad Hoc Committee on the Constitution, and also from the Canadian Advisory Council on the Status of Women, after intensive study have all concluded that equality rights may not be protected under the proposed Constitutional Accord.

In view of this and the new information raised at the committee which appears to substantiate this view, will the Government take another look at the Accord and, if there is any risk at all, amend the legislation to ensure that equality rights will be fully protected?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Government is, of course, quite concerned about these issues. The Minister of Justice addressed himself to this question yesterday. There are always experts who are able to support any side of an issue. There is more than one way to interpret any constitutional document. However, the constitutional experts whom we have consulted and rely upon assure us that in their opinion there is no danger to equality rights for women or for anyone else in the amendments which were agreed to at Meech Lake.

With regard to the Government reviewing the situation, a most capable parliamentary committee is now receiving

submissions. We have great confidence in it and will, of course, look at the recommendations in its report when it has concluded its deliberations.

REQUEST FOR MEETING ON ISSUE

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I will address my supplementary question to the Minister who responded. Women across Canada watching the proceedings of First Ministers' Conferences on TV realized that there was not one woman present in all the deliberations and policy decision-making which was going on.

Remembering the Government's commitment to equality and to involving women in equal roles, will the Government show its commitment by undertaking a meeting with relevant women's groups to hear their expert legal opinions with regard to a possible threat to equality rights? I can tell you that they have some very competent lawyers.

Mr. Speaker: I know that the Hon. Member has an important question. I am sure that the Minister will respond. I have indicated that it is not appropriate in this Chamber to use the personal "you". I know the Hon. Member would want to co-operate. The Hon. Member will complete her question.

The Hon. Minister.

Hon. John C. Crosbie (Minister of Transport): I think I have the gist of the question, Mr. Speaker. It was the 11 First Ministers who agreed upon the so-called Meech Lake amendments. It is not the fault of the Government that none of those 11 First Ministers happened to be women. Doubtless, it is most desirable that in the future some of the First Ministers, if not all of them, be women. We would applaud that if it occurred.

Some Hon. Members: Hear, hear!

Mr. Crosbie: In fact, I would volunteer my wife as a perfectly suitable candidate. She is my First Minister already, Mr. Speaker.

Some Hon. Members: Hear, hear!

Mr. Broadbent: She would be a lot better in here.

Mr. Crosbie: In response to the Hon. Member's request, we now have a joint parliamentary committee meeting and considering these very questions. We will have to wait to see what it reports.

With respect to the Hon. Leader of the NDP, it is good to see that he is still able to mutter after the trimming he got earlier in the Question Period.

Some Hon. Members: Oh, oh!

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

REQUEST THAT MINISTER GIVE UPDATE ON SITUATION

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is directed to the Minister of DRIE.

For a number of days I have been warning the Minister that his Department is about to collapse and its incompetence is making Quebec entrepreneurs suffer.

Today, we heard that 400 Quebec companies were waiting for replies from his Department. The President of the Association of Industrial Commissioners has confirmed that the situation is the same across the province.

My question to the Minister is this: When is he going to stop misleading the House and misleading the Canadian public? When will he stop bragging about a Department that is on the brink of bankruptcy?

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State Responsible for Science and Technology): Mr. Speaker, the Hon. Member's statements this morning are patently false.

I told him this week, and I want to repeat it today, Mr. Speaker: Under the Liberals, the Department spent a little over $700 million, of which about $250 or $260 million went to Quebec.

Under the Conservative Government, Mr. Speaker, and I am referring to this year, we are going to spend over $850 million, including more than $350 million for Quebec, which means $100 million more for Quebec, Mr. Speaker.

The second point I want to make, and in fact, I made it earlier this week, is that the situation at the Department is being monitored. We are receiving more applications because of the improved economy and the popularity of our programs.

Since June 1987, Mr. Speaker, we approved over 28 projects worth $42 million in Quebec alone, and we did so over a period of only six weeks. I don't want to hear anyone telling me this Department is bankrupt.

SITUATION OF DEPARTMENT

Hon. Jean Lapierre (Shefford): What I am asking the Minister is this, and I ask him to have the honesty to tell the truth to the House as his officials have already admitted the facts of the situation.

There are unprocessed applications everywhere in his Department. The Minsiter has no money to keep future commitments and this is why these applications are not being processed. It takes longer and longer to complete the evaluations, from what the industrial commisioners in Val-d'Or, Drummondville and Saint-Hyacinthe are saying. All these people cannot be lying, but someone is not telling the truth. Mr. Speaker, I ask the Minister to be honest enough to

recognize that his Department is having problems, that it is unable to deliver the goods and that it should stop misleading manufacturers.

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I would like to quote a comment contained in the very article to which the Hon. Member referred, where we can read: "Contacted in Sherbrooke, the Regional Executive Manager for the Department, Mr. Bégin, recognized that the waiting periods are now a bit longer than usual, but pointed out that all previous financial commitments are being met." It is obvious that we are receiving a greater number of applications because our programs are popular, because we have an economic recovery and because this Government is sensitive to the needs of the population. These are the reasons.

Mr. Speaker, instead of stating obvious facts which only show the level of commitment of this Government, my colleague would do better to direct his energy towards convincing his colleagues to support Bill C-22, which would bring hundreds of millions of dollars of investments to Quebec.

Some Hon. Members: Hear, hear!

* * *

• (1150)

[*English*]

TRADE

CANADA—UNITED STATES NEGOTIATIONS—TARIFF ON FROZEN DINNER PRODUCTS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is directed either to the Minister for International Trade or the Minister of Agriculture. In the House motion on bilateral trade talks, we protected agricultural marketing systems. Yet rumours abound that that protection did not continue to include products such as chicken and turkey in frozen TV dinners which now have a tariff of 17.5 per cent. Is that tariff on the table, even though erasing it would have the negative impact of reducing production of those products in this country by as much as 15 per cent?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, the Hon. Member should take some satisfaction in knowing that the positions we expressed in the March 16 debate, I believe, and in other statements subsequently both by myself and my colleague, the Minister for International Trade, have not changed.

POULTRY PRODUCT TARIFFS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, it was never clear in those statements whether the tariffs on poultry products outside the actual marketing systems would be protected. Will the Minister assure the House that if these tariffs are lifted, some 1,800 families affected in the case of chicken and turkeys will have some protection for their jobs or some reimbursement as their jobs and product are being replaced by U.S. product?

Hon. John Wise (Minister of Agriculture): Mr. Speaker, I remind the Hon. Member of the terminology I used on March 16 and have used subsequently. I have indicated that the supply management system in Canada would remain. I have also indicated that the underpinnings that would be required would have to remain.

We recognize that if that is the case, then it could cause some difficulty with the food industry, Canada's largest manufacturing industry and the largest single employer. Therefore, some complementary measures must remain in place if we are not going to put in jeopardy the financial viability of Canada's food industry. Those details are quite rightly being worked out with the Department and those people who represent that industry on the SAGIT.

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FINANCIAL INSTITUTIONS

PRINCIPAL GROUP BANKRUPTCY—FEDERAL GOVERNMENT ACTION

Mr. Jim Edwards (Edmonton South): Mr. Speaker, my question is directed to the Minister of State for Finance. Thousands of Edmontonians, Albertans, and indeed Canadians, face serious financial loss through the bankruptcy of the Principal Group. When I return to Edmonton this week-end, may I ask the Minister what I can tell those of my constituents who demand to know what the Government of Canada has done, is doing, and what it proposes to do, and when?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I am pleased that my hon. friend asked that question so that he can return to his constituents this week-end with the appropriate information. First, with regard to the CDIC insured institution, I can inform him that the CDIC will be in touch with all those depositors and reimbursement will be flowing hopefully within three weeks.

Second, as regards allegations of misrepresentations, it is very important to realize that there is now a judicial inquiry in Alberta. They can direct their allegations to that judicial inquiry but, as in all matters of this sort, be it provincial or federal, they can also direct their allegations to the Marketing Practices Branch of Consumer and Corporate Affairs federally.

Finally with regard to protecting investors, helping these people, and insuring that Alberta remains a good place to invest, they should contact the Treasurer of Alberta, just as I am doing today.

INDUSTRY

FIRESTONE PLANT IN HAMILTON—REPAYMENT OF FEDERAL FUNDS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. I am very pleased that he agreed to meet with me this morning, some several weeks after I requested a meeting. I am also most pleased that after I raised in the House the fact that there was no document signed between Firestone and the Government to protect the $13.5 million grant, the document has finally been signed by the Minister.

However, I want to ask him why, in finally putting his signature to an agreement with Firestone that will permit it to begin moving equipment out of the company next week, he did not include a clause that would guarantee repayment of every single penny to the federal Government if a new purchaser is not found?

Hon. Michel Côté (Minister of State for Science and Technology): Mr. Speaker, my colleague knows, because I told her this morning, that this money has been put in escrow in a trust account so that in the meantime we can try to find an alternative purchaser. We can keep all our options open so that we can provide assistance for the new buyer in order to make sure that the workers in her region are taken care of. That is our responsibility.

REQUEST FOR REPAYMENT GUARANTEE

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the Minister does not seem to understand my question. I understand that money has been put in trust and will be made available to a new buyer. My question is clear and simple. If no new buyer is found, why did the Minister not include as a condition in this document that all moneys must be repaid to the federal Government? Why is he giving Firestone *carte blanche* to start moving equipment out next week without even getting a guarantee in this document that it will repay that $13.5 million grant if no new buyer is found?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, first, I must make a correction. The equipment we have allowed the company to move is simply surplus equipment which is not being used for current production. We have ensured that all the equipment which might be needed by a future buyer will remain in place. As for the amount, $13.5 million have been placed in trust until February, 1988, by which time we shall have had all the time necessary and every opportunity to take legal action if we so desire. All options are open to the Government.

[*English*]

IMMIGRATION

ENTRY OF EAST ASIANS BY SHIP—QUERY CONCERNING PROSECUTIONS

Mr. Howard Crosby (Halifax West): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. It concerns the entry of 174 East Asians into Canada. Members of the Opposition are apparently not aware that Mr. Rolph Nygren is spending one year in the Halifax County Correctional Centre for the simple offence of aiding and abetting that illegal entry into Canada.

• (1200)

Is the Minister prepared to prosecute any other persons who aided their illegal entry into Canada? And in the presence of obvious evidence of avoiding entry at a proper port of entry and destroying documents of identification, why were some of the East Asians themselves not prosecuted for illegally entering Canada?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I remind the Hon. Member that Bill C-84 addresses these issues. In my opinion, the fines and prison terms that are provided to deter people from abusing the system are much harsher and much clearer than before, and I shall have no hesitation in taking legal action against anyone who attempts to use illegal means to bring people into Canada, exactly as we have done for captain Nygren, but this will depend on the fines imposed in each case.

[*English*]

Mr. Speaker: I want to advise the House that as the time for Question Period has nearly elapsed, there will be two single questions from the New Democratic Party. I will recognize the Hon. Member for Vancouver—Kingsway and I will then recognize the Hon. Member for Hamilton Mountain.

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VETERANS AFFAIRS

ELIGIBILITY OF MERCHANT SEAMEN FOR PENSIONS

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, my question is directed to the Minister of Veterans Affairs. I want to congratulate him, by the way, for being chosen by *Chatelaine* magazine as being one of Canada's 10 sexiest men. I am tempted to ask him how he does it.

Some Hon. Members: Oh, oh!

Mr. Waddell: Before he preens too much, the magazine also chose Michael Duffy of the CBC.

My question is a serious one, however, and it involves the merchant seamens' pensions and the task of trying to get them

a fair deal. The Minister is aware that under the regulations they had to serve 180 days. They had to make one voyage through dangerous waters. I have received lots of letters and calls from people who are 17 days short, who cannot prove the fact they were there for 180 days because of the records and because they were minors at the time.

Will the Minister undertake to have another look at this law with the possibility of amending it or rendering decisions which are more favourable to these veterans?

Hon. George Hees (Minister of Veterans Affairs): Mr. Speaker, I thank the Hon. Member for a very constructive question. As always, the Department of Veterans Affairs is willing to look over any legislation which comes under our jurisdiction to see if it can be improved in order to give veterans a fairer break. If the Hon. Member, or any other Hon. Member, knows of cases where they think an applicant is not receiving a square deal, please bring it to my attention and I will give it my own personal attention. Thank you very much.

Mr. Speaker: The Hon. Member for Churchill.

Mr. Murphy: I have a problem. The Minister of Labour has disappeared on me so I cannot ask my question.

Mr. Speaker: The last question, then.

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AIR TRANSPORT

PROPOSED TRANSPORT OF PLUTONIUM THROUGH CANADIAN AIR SPACE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, my question is directed to the Minister of Transport. On two occasions this week, two different Parliamentary Secretaries in this House have given assurance that plutonium will not be flown from Europe to Japan over Canada without Canadian permission. That is not clear and not good enough. The assurance Canadians want is that Canada will under no circumstances allow the overflight of plutonium. Therefore, can the Minister give the assurance today in this House that plutonium overflights will not be allowed this year, next year, or ever?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, if the Hon. Member does not want to understand the situation then, of course, there is nothing we can do to persuade him otherwise. Canada has several options. The question is premature at the moment. There is no agreement signed as yet. There are no dates or routes for such flights yet established. Both Japanese and U.S. officials confirm that we will be consulted as is required under the international agreements.

We will have two options when this does become a relevant issue and a decision must be made. We can request that pre-notification be given and that we give approval prior to any overflights being undertaken, if we wish to do that. Or we have a second option, if we are not satisfied with the safety of the procedures, that is to deny any overflight by filing a state variance with the International Civil Aviation Organization.

When we know exactly what is being proposed and how it is proposed to be done, then we have all the necessary powers to make a decision as to what is best for Canada in accordance with our international obligations. The hon. gentleman can relax and be assured that Canadians will be well protected.

Mr. Caccia: Supplementary?

Mr. Speaker: I regret, but the time for Question Period has elapsed.

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to the six following petitions: Nos. 332-2678, 332-2696, 332-2720 and 332-2734 to 332-2736 inclusive.

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[*English*]

HISTORIC EVENTS

FORTHY-FIFTH ANNIVERSARY OF DIEPPE RAID

Hon. George Hees (Minister of Veterans Affairs): Mr. Speaker, on August 19 we will mark the 45th Anniversary of the Dieppe raid, the most grievous day of the Second World War for Canada. On that day, together with representatives of this House and the Senate, I will have the honour of accompanying back to Dieppe some of those who were part of that controversial and costly day.

Nearly 5,000 men of the 2nd Canadian Infantry Division sailed from England for Dieppe. Only 2,200 came back. There were 900 Canadian fatalities. For nearly 2,000 others, Dieppe meant that the rest of the war would be spent in prisoner of war camps.

Dieppe saw all three of our services in battle together for the first time. They represented our country nobly. The number of Canadian graves we will be visiting tell of a terrible mission.

Next Wednesday we will be paying tribute on behalf of Canada to those whose efforts made possible the gaining of

vitally important information which was invaluable to the success of the all-out invasion of Europe two years later.

Some Hon. Members: Hear, hear!

[*Translation*]

Mr. Gaston Isabelle (Hull—Aylmer): Mr. Speaker, as critic of the Official Opposition I want to echo the words of the Minister of Veterans Affairs (Mr. Hees) and pay tribute to those who took part in the Dieppe raid.

As the Minister reminded us, next Wednesday, August 19, will be the 45th Anniversary of the Dieppe raid which is considered to have been Canada's most costly World War II fight: 913 Canadians killed and 1,946 made prisoners, more prisoners than during the 1944-45 11-month campaign of northwestern Europe.

But this cruel sacrifice was not in vain because the experience gained as a result of this feat of arms at Dieppe made it possible for the allies to launch with tactical perfection history's most important landing on the beaches of Normandy on June 6, 1944, the beginning of the great victory of the allies against Nazi oppression.

Mr. Speaker, on a monument standing in the City of Dieppe one can read: "On August nineteenth, nineteen forty-two, on the beach of Dieppe, our Canadian cousins marked out with their blood the way towards our final liberation, thus predicting the victorious return of September first, nineteen forty-four.".

All these heroes fell and gave their lives for freedom, Mr. Speaker, and I am sure that all generations of Canadians will forever remember what they did for them.

• (1210)

[*English*]

Mr. Jack Harris (St. John's East): Mr. Speaker, I, too, am pleased to say a few words about Dieppe. I congratulate the Minister of Veterans Affairs (Mr. Hees) on his statement. I am sure that next week's pilgrimage will do much to remind Canadians of a very significant day in our military history.

The Minister and my friend from the Official Opposition have described the landing and the terrible losses that ensued. I want to speak briefly about what happened when the shooting stopped and the battle was lost.

There, in Dieppe, were nearly 2,000 young Canadian soldiers in shackles. They were shackled because the enemy misinterpreted an order found on a Canadian officer. For these Canadians, the Second World War was a few hours of hell and many months of confinement, not knowing who was winning the war or whether they would even live to see the end of it.

Let us remember also that a number of our Dieppe veterans were part of the death marches near the end of the war, when the enemy tried to keep prisoners of war away from the advancing allies.

I give credit to the Minister for introducing legislation last year that increased the level of compensation for the basic disability pension from 20 per cent to 25 per cent. I am sure that the Minister will continue to enjoy the support of Members on all sides of the House in his efforts to have those pensions increased in the near future.

As we near the 45th Anniversary of Dieppe let us remember the widows and dependents of those men we regard as heroes. Let us remember also the survivors who spent some of the best years of their lives behind barbed wire. Surely, they have earned not just our gratitude but our utmost generosity.

Some Hon. Members: Hear, hear!

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[*Translation*]

STRIKING

PRESENTATION OF 26TH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the twenty-sixth report of the Standing Striking Committee.

[*Editor's Note: See today's Votes and Proceedings.*]

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[*English*]

IMMIGRATION ACT, 1976

CONCLUSION OF SECOND READING STAGE OF BILL C-84

Mr. Scott Fennell (Ontario): Mr. Speaker, there have been discussions between all Parties regarding an agreement which states:

That, notwithstanding any Standing Order of this House, when the House resumes Government Orders this day, it shall proceed with consideration of the motion for the second reading and reference to a Legislative Committee of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof;

That the hour for Private Members' Business shall be suspended and the item scheduled for today in the name of the Hon. Member for Bow River shall be dropped to the bottom of the list of the order of precedence on the Order Paper; and

That, not later than 2:55 o'clock p.m., if necessary, Mr. Speaker shall interrupt the proceedings and put forthwith, without further debate or amendment, all questions necessary to dispose of the second reading stage of the Bill, and any recorded division, if requested, shall be deferred until 6 p.m. Monday, August 17, 1987, and upon completion of the said proceedings today the Speaker shall adjourn the House until the next sitting day.

Mr. Speaker: The question I am obliged to put to the House at this time is the following one. Does the Hon. Member have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, our intention is to provide our consent to proceed in this way. However, I would like to ask a question of the mover of the motion. We are doing this based on the assumption that the legislation will be referred to a legislative committee and that that committee will have the opportunity to carry out full and complete hearings, receive an adequate list of witnesses to appropriately scrutinize the Bill. Can the Parliamentary Secretary provide us with that assurance? I ask the question so that there is a clear understanding of what the procedure will be.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am pleased to advise that the normal procedures will ensue. The committee will be struck as soon as possible. The Chairman will meet with the representatives of all three Parties and the normal list of witnesses required to fully air the problems that either side may see in the Bill will be called. One would hope that the witnesses on their behalf, on their side of the story one might say, will make every effort to meet the committee's wishes so that we can move quickly with the committee stage of this matter and return the Bill to the House for third reading.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): A clarification, Mr. Speaker. A few minutes ago we concurred in the report of the Committee appointing members to the legislative committee on Bill C-84. I presume that after the vote held on Monday at six o'clock the committee will be able to meet on Tuesday if it so wishes.

[*English*]

Mr. Speaker: The House has heard the terms of the motion. Is it agreed?

Some Hon. Members: Agreed.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

PETITIONS

OPPOSITION TO ADDITIONAL TAXES

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I have a few petitions which I would like to table today. Constituents of the area and visitors to the Ottawa Byward Market this summer were invited to sign these petitions.

The petitions state that, whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical, dental supplies, snack foods, candies and soft drinks; and whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food; and whereas food constitutes a vital element of day-to-day life; and whereas the imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, the unemployed, low income taxpayers, youth, et cetera, the petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

SUPPORT FOR PROPOSED AMENDMENTS TO IMMIGRATION ACT, 1976

Mr. Bob Horner (Mississauga North): Mr. Speaker, I have the honour, the duty and the great pleasure to present to the House a petition signed by more than 2,500 Canadians calling for the speedy passage of Bill C-55. The petitioners ask that Members of the House implement measures to prevent abuse of our immigration system.

I urge all Members to respond to the will of Canadians and to pass Bill C-55 and Bill C-84 without delay.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 142, 146 and 160.

[*Text*]

NATIVE PEOPLE EMPLOYED BY DIAND

Question No. 142—**Mr. Parry:**

For (*a*) 1977 (*b*) 1987 to date, how many aboriginal people did the Department of Indian Affairs and Northern Development employ, directly and on a full time basis, nationally and regionally, and what percentage of the total employees of the Department did this constitute?

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): (*a*) In July, 1977, there were 122 native people employed by the Department of Indian Affairs and Northern Development out of a total of 11,656 employees. The figure for total number of employees included Parks Canada personnel, who were later transferred to the Department of the Environment.

The number of native employees may not be totally accurate, as only those who identified themselves as such, are included. Natives were not accurately identified in the Department's information banks until 1980.

(*b*) The information on present native representation rates is as follows:

Region	No. of Employees	No. of natives
Alberta	527	117
Atlantic	176	26
British Columbia	417	61
Manitoba	628	191
National Capital Region	1440	109
N.W.T.	195	34
Ontario	778	230
Quebec	397	86
Saskatchewan	494	114
Yukon	325	48
Total	5377	1016

Over-all per cent — 18.9 per cent.

DEPARTMENT OF EMPLOYMENT AND IMMIGRATION—GRANTS IN TORONTO AREA

Question No. 146—**Mr. Redway:**

Since September 4, 1984, did the Department of Employment and Immigration make grants and/or loans to persons or corporations, non-governmental organizations and governments within metropolitan Toronto and, if so, in each case, in what amount and for what purpose?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Yes.

	Amount	Purpose
Grants	$8,590,906	Employment Creation Program. This program was one of several measures announced to reduce unemployment and provide support for areas that had been seriously affected by the economic recession and by high interest rates.
Loans	$12,539,063	Loans issued to Immigrants to pay for the transportation and accompanying costs to their final destination in Canada. Also, Recoverable Adjustment Assistance Loans were issued to Immigrants for their basic needs.

INVESTIGATION OF ELECTION EXPENSES

Question No. 160—**Mr. Marin:**

Was any cost incurred by the taxpayers for the investigation by the RCMP into the electoral expenses of the Hon. Member for Gaspé, including lawyer and legal fees and, if so, what is a breakdown of the amounts?

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): In the performance of his mandate, the Chief Electoral Officer reports directly to Parliament and not through a Minister. Questions can be put directly to the Chief Electoral Officer.

[*Translation*]

QUESTION PASSED AS ORDER FOR RETURNS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, if question No. 158 could be made an Order for Return, the Return would be tabled immediately.

The Acting Speaker (Mr. Paproski): The questions enumerated by the Hon. Parliamentary Secretary have been answered. Is it the pleasure of the House that question No. 158 be made an Order for Return?

Some hon. Members: Agreed.

[*Text*]

DEPARTMENT OF THE ENVIRONMENT—GRANTS IN TORONTO AREA

Question No. 158—**Mr. Redway:**

Since September 4, 1984, did the Department of the Environment make grants and/or loans to persons or corporations, non-governmental organizations and governments within metropolitan Toronto and, if so, in each case, in what amount and for what purpose?

Return tabled.

[*Translation*]

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

The Acting Speaker (Mr. Paproski): Shall the remaining questions be allowed to stand?

Some hon. Members: Agreed.

• (1220)

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

The Acting Speaker (Mr. Paproski): The Hon. Member for Capilano (Mrs. Collins) had five minutes left on questions and comments. Are there any further questions or comments?

Mr. Caccia: Does the Hon. Member for Capilano (Mrs. Collins) wish to comment on the fact that one year ago the Tamil boat arrived in Newfoundland, and it has taken one year for her Government to introduce this type of legislation?

Mrs. Collins: I am not sure what the Hon. Member's question is.

In February of this year the Minister introduced new regulations with respect to visa requirements. Those regulations have been very effective in dealing with people from certain countries coming into Canada. Because they are required to have visas, that has stopped the flow from certain areas.

In looking at both Bill C-55 and Bill C-84, I am sure that my hon. colleague will agree that it was not an easy task to develop those pieces of legislation. It required a great deal of consultation with interest groups, and review, to ensure compliance with the Charter of Rights and our international obligations. Therefore, it has taken some time to draft Bill C-55. It was introduced in May. I am sure that the Hon. Member will also recall that when Bill C-55 was introduced one of his colleagues from the Liberal Party immediately moved a motion for a six-month hoist. It was evident that the opposition Party was not interested in getting on with the legislation. Now we have returned and we are proceeding with both Bills.

The Acting Speaker (Mr. Paproski): On debate, the Hon. Member for Vancouver East (Ms. Mitchell).

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, we have been recalled in the middle of the summer recess in hysteria and panic to debate a Bill which we believe is flawed and dangerous. It is a Bill that was produced in haste by the Government to cover up its own inefficiency and inability to reform the refugee processing system in Canada. This system needs reform, but it needs to be done in a sensible, systematic and a fair manner.

There is no question, reform is long overdue. Reform is needed to deal with a backlog of refugee claimants. The procedure has become so complex that sometimes people have been waiting longer than three years for a decision as to whether or not they will be accepted as legitimate refugees and allowed to remain in Canada, or whether they will be deported to their homeland.

Over the last year, and even prior to that, the Government had the opportunity to improve the backlog of refugee claimants, and to improve the system. During the Liberal regime we received an excellent report from Rabbi Plaut. These proposals have never been considered. During the past year we also received excellent proposals from the all-Party Standing Committee on Labour, Employment and Immigration. These proposals were very practical, well thought out, and agreed upon by all Parties. These proposals suggested procedures to speed up dealing with refugee claimants, and yet make sure that it is a fair procedure.

Recently, we heard criticisms of the Bills before us from the present Chairman of the Standing Committee on Labour, Employment and Immigration. His views are very much opposite to those of the Government. Suggestions continue to come from church groups who are expert in this field, and immigration organizations and NGOs across the country.

All those proposals would have reformed our refugee processing system. They would have reformed the system by speeding up the procedure so that it would be no longer than three months, yet provide fair hearings with a review or an appeal.

However, this summer the boat people came to the shores of Nova Scotia. Although this has not changed the position of the Government, because it had already decided not to act on the recommendations of parliamentary committees, it has changed the impetus and the hysteria with which the Government has decided to deal with this issue.

We all have our own views, and we can talk about motives, but that does not take us very far. The fact is that both the Government and its spokespeople, and I must say certain back-benchers and even the media, have inflamed this whole situation of 174 people who came unannounced to the shores of Nova Scotia. Every night with the news broadcasts there were dramatic pictures, I suggest because there was little other news during the summer doldrums, and there is no question that Canadians became very concerned. We have all received hundreds of angry phone calls to our offices. People were and still are concerned. I am sure we all agree that they have legitimate concerns.

However, the fact that the 174 newcomers wore turbans and ceremonial knives, had dark faces, and came from a strange religion, unfortunately inflamed racism in many people. I am very, very sad that many calls to my office reflected this. In their hysteria, I am sure that few people stopped to question whether or not some Sikhs from Pakistan who came via Europe still may be legitimate refugees. We do not know that. That is why we need to have hearings.

The reaction of the Government and back-benchers escalated the hysteria, called for a special session of Parliament, and encouraged these feelings and prejudices. I will not accept the racism that I heard in the voices of many people who called my riding office.

However, I do understand and sympathize with the many frustrations and anger felt by many people because they believed people were taking advantage of Canada's humanitarian policies and were entering Canada under false pretences. The Government encouraged this conclusion. We did not know the facts, so people were being judged as guilty. We still do not know the facts and the full circumstances of these people.

Why did the Prime Minister (Mr. Mulroney) make judgments in advance of obtaining the facts? Did he know whether or not there were legitimate refugee claimants present when he classified the boat people who came recently as "illegal aliens"? He repeatedly used this term in a generalized, negative, and derogatory fashion. Why did he reverse his views? Once again, what does this say about our Prime Minister? Last summer, when referring to the Tamils, he stated in very strong terms that we should never turn our backs on refugees, and we would never turn them away from our

shores. He was right. We should not turn refugees away from our shores.

The Government has added greatly to the confusion. It has created misunderstanding in the public. It was the Government's obligation and responsibility to try to give facts and support Canada's humanitarian approach to refugees. I believe that the Government and the two Ministers were probably feeling very insecure and frustrated about their inability to cope with the refugee problem which had been building and building, a problem which certainly requires reform.

• (1230)

I would like my constituents to know that the New Democratic Party is as concerned as they are that there should not be abuses of our immigration policies. When abuses are proven, and I stress the word "proven", of course they must be dealt with.

We have laws that provide that people who are not legitimate refugees as defined by the UN Conventions do not have the right to stay in Canada and therefore will be asked to leave or, if necessary, will be deported. However, we must also be very concerned, and I know my constituents and members of my Party are as well, about the many desperate people in the world.

Many desperate people are indeed taking advantage of our system, trying to come into Canada as refugee claimants, because they know how difficult it is to come as landed immigrants. There are real problems in that regard, and a tremendous backlog as well. I am sure there are ways to deal with that. For example, it would be very helpful to have more than one immigration office in India.

We are concerned about the long delays Canadians experience when having relatives join them from other countries as landed immigrants or assisted relatives. However, I think it is very important that the Government make clear to people that refugee claimants fall under an entirely different category than landed immigrants.

I must say that the Minister of State for Immigration (Mr. Weiner) just added to the confusion and prejudices people have been expressing when he implied the other day that alleged refugees are jumping the queue. Alleged refugees do not affect the people who are lined up to come in as assisted relatives, nor do they have anything to do with the people who enter Canada under the entrepreneurial class or other classes of regular landed immigrants.

We want a fair, efficient immigration policy, a policy that is consistent with UN objectives. We want a policy that is able to respond generously to the pressing needs of an over-populated world. We in Canada are so lucky and we must look beyond our borders, particularly to those from regions experiencing extreme violence, war, poverty and infringements of human rights.

We want refugee claims to be processed quickly but we want refugees to have full hearings, legal counsel and opportunity for appeal. We want procedures for doing this that conform to our Charter of Rights and to UN requirements.

Just as we cannot support Bill C-55, we also cannot support Bill C-84. Bill C-84 really does not deal with the concerns I have mentioned. It is a hastily drafted piece of emergency legislation designed to deal with refugee claimants who arrive in Canada without documents by means of so-called smugglers.

We of course believe that unscrupulous agents who exploit people for profit, and there are many, and those who advise alleged refugees to give misleading information, should be punished and should probably be punished with increased penalties. However, proposed Section 95.1 in the Bill would also penalize well-meaning church people and humanitarian agents who voluntarily take it upon themselves to assist very desperate people who seek sanctuary in Canada. As was pointed out in Question Period today, we are concerned because many people would be subject to very serious penalties for breaking the law of Canada, people who are working to assist legitimate refugees.

Many refugees who are fleeing violence or persecution in their homelands do not have documents. I worked in refugee camps in Vienna, Austria, which were flooded with Hungarian refugees in 1956. None of those refugees had papers. I know very well that people coming by boat from Indo-China would not have adequate documentation to prove their identities. Refugees leave under very difficult circumstances. We must have a clause in this Bill that covers that sort of thing and does not says, simply and flatly, that if a refugee does not have papers we will not even talk to him but will ship him away from our shores.

I know that many Latin American people who do not speak English come to the British Columbia border. These people are under considerable stress. They are very worried about their families and about what may happen to them at the hands of their home Governments if they are sent back. They would find it very difficult to present their cases at the border and that is why we are so concerned about Bill C-55 and the limitations it puts on people who appear at the border requiring advocates, lawyers or interpreters. Many of these people will not have time to present their cases.

Bill C-84 provides for indefinite detention of newcomers who have no identification and has no provision for competent legal counsel. Of course, we agree, as would any reasonable person, that there must be security checks, and any person who may represent a threat to Canadians or who does not pass valid security tests should not be allowed to remain in Canada. However, we feel that this testing should be done by qualified security officers who are trained to do this. It should not be dealt with by a judge, and I believe, as some of my colleagues said the other day, the judges would be the first to agree with

that. Of course, proven criminals, and again I stress the word "proven", must be deported.

We are also concerned about the policing role this Bill will impose on airline ticket agents who, under this Bill, will be expected to decide whether or not a person is eligible to come to Canada. It is not up to ticket agents in other countries to be policemen for Canada. This is another part of the Bill that needs serious reconsideration and amendment.

The flaws in this Bill are many. We have heard from many immigration experts here in the House about those flaws in detail and we will be looking at them from the point of view of making amendments. That is why it is so important that we get the Bill to committee so it can be worked on carefully.

The new Bill will allow the Minister to order a ship bearing potential refugees out of Canadian waters without any determination of status. This might make the Minister look tough, but is it sound? Of course not. This would allow for the potential repeat of the past injustices in history for which we all must be very ashamed.

The House will recall that in 1913, Canada turned away a shipload of Sikhs from the Port of Vancouver, Sikhs who were fleeing from religious prosecution in their homeland. We forced them out to sea without adequate food and water and many of them died as a result. In 1939, Canada turned away a boatload of Jews who were sent back to the gas chambers.

Just recently, refugees from El Salvador who came to the United States were sent back by that country to their homes, and this legislation would repeat that. Of those people who were sent back, 50 of them were traced and most of those are dead. Is this the kind of thing we as Canadians want to happen because we have impulsive, punitive and poorly thought out legislation?

• (1240)

Most Canadians think it cannot happen. The Minister obviously thinks that. This proposed new law, administered by a very nervous Government, could allow things to occur which deny our obligation to accept legitimate refugees and to have a fair hearing for all those who come to our shores. The Bill is an over-reaction prompted by the Government's desire to project a tough new image. My colleagues, particularly our immigration critic, have pointed to proposed Sections 95.1 and 95.2 which must be amended.

I want to use my remaining time to appeal to the House and Canadians to not allow one incident to turn us away from our humanitarian traditions regarding refugees and immigrants. We have so much to share compared to other regions in the world. We are far away and protected by the oceans that surround us. We are rarely flooded with the masses of refugees, as happened in Austria in 1958, ASEAN countries in 1949, and African countries today. Very poor countries accept everyone without selection because they have no choice. They cannot be as selective as Canada in picking only the people who are healthy or those we think can adjust, or those with relatives or sponsors to assist them.

We cannot let one incident, which may have involved legitimate refugees—we do not know yet—close our doors to Latin Americans and Asians who are living under considerable hardship and who may fear for their safety. We must uphold our principle of fair hearings with appeals while we form a refugee determination policy to speed up the process and deal with abuses as well as dealing effectively with more immigrants.

Bill C-84 would impose abuses of our own and we cannot agree with it.

The Acting Speaker (Mr. Paproski): Questions or comments.

Mr. Friesen: Mr. Speaker, one of the rewarding things in this debate is that I have heard so much concern for the churches in the last few days. It is cheering and heartening for me to think that there is such an increased interest, particularly on the part of opposition Members, in the welfare of our churches. I hope all of them will be there next Sunday and all of them will give generously when the offering plate comes around. I hope they match their protestations here with their behaviour on Sunday.

I want to highlight a couple of things that the Hon. Member for Vancouver East (Ms. Mitchell) pointed out. She said, despite coming from Europe many of these people may still be refugees. I agree. However, she will understand that if these people are fleeing persecution or other similar circumstances, it is their obligation to claim refugee status in the first safe country they come to. If they are already in Europe, I am assuming western Europe, she would agree that those countries are generally considered safe countries in which to apply for refugee status. Therefore, it is their obligation to claim refugee status there.

She said we need a system that will deal quickly with the backlog, with a full hearing and counsel, as well as an appeal procedure that meets UN requirements. The Bill does all of those things. I almost came to believe that she was supporting the Bill when she listed these requirements because it meets them.

She also said the Bill would penalize church people because they might help people come in without documents. I think she will agree that there are two basic reasons why people might not have documents. One is that they have destroyed them. The second is that they are coming from a safe country where they have entered illegally, otherwise they would have documents. I think she would have to agree with that.

Finally, she said we cannot take the system away from our qualified security services and turn it over to the courts. She is repeating the distortion presented by her leader the other day. I remind her that proposed Section 41(1) in the Bill states:

Notwithstanding anything in this Act, where the Minister and the Solicitor General are of the opinion, based on security or criminal intelligence reports received and considered by them, that a person, other than a Canadian citizen or permanent resident, is a person described in paragraph 19(1)(d), (e), (f) or (g) or 27(2)(c), they may sign and file a certificate to that effect with an immigration officer, a senior immigration officer or an adjudicator.

That is not turning the security system over to the courts. We have an investigation by qualified security officers supplying their reports to the Solicitor General or the Minister. They have to submit a document to the courts and the person in question can make an appeal to the courts, which is exactly what we are obligated to do under the Charter. I hope that the Member will in all honesty and fairness accept the fact that the Bill provides exactly the kind of security she is looking for and therefore will support it.

Ms. Mitchell: Mr. Speaker, I certainly will not respond to the very patronizing initial remarks of the Hon. Member which do not do him any credit.

Mr. Friesen: Oh, of course not. You will be in church Sunday.

Ms. Mitchell: I certainly would not disagree that it is desirable for the people to have proper documents and to register in the first country they arrive in. No one would disagree with that. The fact is that not everyone comes under those circumstances.

The other fact that the Member does not deal with and which underlines again his attitude and the philosophy of this legislation is that we are so willing to prejudge everything. We want to keep those ships away from our shores before we even know who is on board. We are not willing to give a fair hearing to them and I think this whole question of prejudgment is very undemocratic. We object to it.

I gave my arguments earlier on the other points he raised and I think I will leave it at that.

The Acting Speaker (Mr. Paproski): There being no further questions or comments, debate.

Mr. Gerald Comeau (South West Nova): Mr. Speaker, I am going to begin my remarks with a few thoughts on the subject of definitions. I believe that is a good place to begin because when we get down to the nitty-gritty we are attempting to bring a greater definition to the policy we follow with those coming to Canada from abroad. Differences and distinctions are very important in this discussion, the differences between legal immigrants and illegal immigrants. The distinction needs to be made and must be made between genuine refugees and those who only pretend to be refugees.

There is no need for haziness or vagueness about the word "refugee". The Geneva Convention of 1952 gives us a very precise definition. A refugee is a person who cannot return to his or her country because of a well-founded fear of persecution on the grounds of race, religion, national social group or political opinion.

There is no lack of people who match that description. The world has known more than its fair share of oppression, bigotry and senseless hatred. There is certainly no lack in Canada of a desire and indeed determination to hold out a helping hand to those in trouble. We have a good record in this respect.

• (1250)

A river of refugee immigration, fed by many streams, flows into this country and will continue to do so. Since World War II half a million refugees have joined us in this country. Each year we accept thousands more—genuine refugees, people who match the Geneva Convention definition, people living in refugee camps or in actual flight from danger.

In 1986 and 1987 the Government of Canada will sponsor and resettle 12,000 refugees, some from camps, some actually rescued at sea, some whose immigration interviews actually took place in jails. In addition to this, there are thousands of refugees rescued by private Canadian sponsors.

There is in fact no limit whatsoever on the number of people who can come to Canada this way. Indeed, when emergencies have arisen the limit has been ignored. One example we can all remember is Canada's response to the plight of the boat people from Vietnam and Cambodia. There are people in my own riding who escaped persecution in Vietnam. In that short period of time we accepted 60,000 Indo-Chinese refugees. There are other programs, other streams of refugee immigration reaching our shores.

Canada's policy is sane, compassionate and flexible. It expresses the generosity and empathy of a nation of immigrants. It is the right policy for Canada. The integrity of that policy is a matter of tremendous concern to genuine refugees throughout the world.

That, Mr. Speaker, brings me to the purpose, the *raison d'etre*, for Bill C-84. We are here today not only to protect legitimate Canadian interests but, more basically, to protect the interests of genuine refugees throughout the world. Let us be clear on this point. We are confronting a veritable flood of counterfeit refugees, not just the highly publicized boat landings of a few hundred, but tens of thousands arriving by more conventional means. The pressure of this illegal flood impairs our ability to help genuine refugees. We cannot and will not stand by and see a policy which is so important to so many frustrated and made untenable by unscrupulous opportunists. That is what would happen if we allowed the systematic violations of the past few years to continue unabated and probably to grow.

Let us attach a few numbers to that problem. Only six years ago the number of people arriving in Canada and claiming refugee status was about 1,600. By 1981 the figure was up to 3,450. Last year the figure was 18,000, and for 1987, judging by present trends, we expect it to grow to 30,000.

Canadians would not begrudge even one of the 30,000 if indeed they were refugees, people in fact in danger. However,

the truth is that many of these claims are not genuine. Last year, for example, seven out of ten people claiming refugee status were found not to be refugees at all. They were people who claimed that status in order to move ahead of others who were willing to abide by our laws and follow the legal procedures. They were, in effect, queue jumpers.

We have all stood in line with others waiting to see a movie or to be served at the bank. We know how we feel when someone jumps the line. It is absolutely frustrating and damages the whole line. This is what is happening.

In addition to that 70 per cent there were people who, although they had been refugees from their native land at an earlier time, had in fact found safe haven in third country. One must ask oneself about the motivation which drives people, not refugees fleeing for their lives, but people who have found safe haven in one country, to embark on an illegal expedition to Canada. The answer, I am afraid, is that Canada has become a country where loopholes are so large that they can get away with it. We are seen as a soft touch. With each well publicized violation that impression becomes stronger.

We know, for instance, that following the boat incident of last year there was a dramatic increase in the number of illegal aliens entering Canada. The Government, as you know, responded by introducing Bill C-55. We began the process of putting in place a determination system which would be both fair and effective. This Bill is needed to provide immediate protection from abuse of the system.

This legislation has been called tough. Yes, it is tough. Once we comprehend what is at stake we understand that it has to be tough. It is tough because of the interests it protects. As I said, these include the interests of genuine refugees. It is tough because the people at whom it is aimed are in a dirty but lucrative business. A slap on the hand will not deter them at all. It is tough because lives are at stake. We have seen in the U.S.-Mexico border boxcar incident how this traffic in human misery can lead to tragedy. We do not want it to happen in Canada.

For those who may not have visited the East Coast of Canada, Mr. Speaker, foundering in a dory in the middle of the night with fog, bad winds and so on, is an extremely dangerous affair. There are some very powerful fishing vessels plying those waters. One shudders to think what may happen to vessels full of men, women and sometimes children, if we were to continue to condone this type of thing. This Bill is designed to stop this kind of nonsense.

The penalties for the middle man in illegal immigration are tougher. Anyone who considers getting into that line of work will now have to consider the possibility of facing 10 years in prison and a fine of up to $.5 million. If they are thinking of disembarking people illegally in Canadian waters, an act as irresponsible in human as in legal terms, that act, too, will carry its own severe penalties.

As I have said, the vast majority of those who arrived in Canada improperly documented did not float ashore but arrived on scheduled transportation carriers. It is not supposed to be able to happen that way. It has been the responsibility of the companies selling the tickets to check the travel documents. Some transportation companies have been dodging that responsibility.

It is not hard to guess at plausible reasons for this. One reason is the difficulty that the carrier encounters in making these checks. Another is a sort of built-in encouragement to look the other way. Without stiff penalties, if people go through undocumented, nothing much is lost.

This Bill addresses both problems. It imposes fines on transportation companies which bring people into Canada who do not have the required documents. There will be a fine of $5,000 for each such case. At the same time, steps are being taken to make it more feasible for the carriers to meet their responsibilities. Under this Act they would be empowered to actually collect and hold documents for careful examination and to return them to their owners upon arrival in Canada. I would like to repeat that under this Act they would be empowered to collect and hold documents. It does not say that they have to do it, but it empowers them to do it. These are common sense precautions and requirements which can easily be fulfilled by legitimate immigrants.

Another important feature is improved ability to identify people applying for refugee status. Knowing who you are dealing with is the crux of the problem. One obvious reason is that we need to be able to differentiate between those who genuinely need haven and those who are faking it.

Another reason is security. There are millions of genuine refugees in this unhappy world, Mr. Speaker, people who need our help. There are also a few extremely dangerous people, including some terrorists. We may not be able to prevent the illegal entry of every last one of them, but we should not make it any easier for them by being careless or hasty about identification. This Act provides some reasonable periods of detention until identification is made.

The other great need which this Bill addresses is the need to speed up decisions. As matters stand now, it takes up to five years to decide on the validity of a claim for refugee status. This feature by itself invites abuse. Accurately or inaccurately, it encourages the illegal entrant to get in and then play it by ear for half a decade. The Bill before us will move the process forward faster. However, it is equipped with many safeguards to protect the legitimate claimant. The procedure for making the decision conforms with the Charter of Rights. Individuals have the right to counsel. There is provision for an appeal by leave to the Federal Court on questions of law.

• (1300)

No one can be removed from Canada without the concurrence of the refugee board member. The board itself will be an

independent and expert body equipped with up-to-date information on the situation in other countries.

I support this legislation because it protects the interests of a community, Canadian and worldwide, which really does need protection. It protects the interest of the potential immigrant waiting in another country who has gone through the drill of interviews and collection of documents, who has patiently waited and has followed the laws that we in this House have passed. I support this legislation because it protects the interests of the legitimate refugee. I urge my fellow Members to support this Bill and to protect this country's ability to minister to the needs of those who are in real need and real danger. I invite my colleagues in the Opposition to be adult once and for all and to support this Bill.

Mr. Heap: Mr. Speaker, in his remarks the Hon. Member referred to Bill C-55 and the provision of a refugee board member at the initial screening of refugee claimants. I heard him say that no refugee claimant will be removed from the country without the approval of the refugee board member.

I want to suggest to the Hon. Member that he has not read the law carefully. The law provides indeed that there will be a refugee board member plus an adjudicator as the two decision-makers in the initial screening. It is true that it takes a unanimous decision of that pair to remove the person, and that either person, acting within his jurisdiction, could have the authority to send the claimant on to the refugee board. So far so good.

However, I wish the Hon. Member would read Clause 48 of the Bill very carefully. Clause 48 limits the powers of those two decision-makers, whether it be the adjudicator or the refugee board member, in determining whether the person is eligible. The first matter they can examine is only the question of eligibility, and not the merit or validity of his claim.

One of the major bars to eligibility will be the question of safe country. The Government has never defined safe country. It has never announced any agreement with any country to accept these people on terms that the Hon. Minister of State for Immigration (Mr. Weiner) said would be required, namely that they would give the claimant full protection against being returned to the country he fled. Nevertheless, there is the provision that if the person comes from a country listed by the Cabinet as a safe country, the refugee board member does not have the power to send that person on to the refugee board. He may want to and may think he should, but that law does not give him that power. This seriously qualifies the generous statement that the Hon. Member made in his remarks.

The second test will be concerning what country he comes from and whether that is considered a refugee-producing country. If he comes from a country that is not considered to be refugee-producing he will not even be heard. Will the Member undertake to read Clause 48 and consider whether, in fact, it supports the statement he made?

Mr. Comeau: Mr. Speaker, I began my speech by going into definitions. I will continue in somewhat the same line by defining a safe third country. This might help the Hon. Member.

The Governor in Council will be empowered to establish a list of countries which are safe for persons claiming convention refugee status. When an individual appears at a port of entry seeking Canada's protection pursuant to the Convention, the adjudicant and/or the member of the refugee division cannot review the Cabinet decision that a country is safe.

The adjudicator and members will be required to determine whether, if removed from Canada, the claimant will be allowed to return to that safe country or would have the right to have that claim determined there.

This decision will be made on the basis of evidence presented regarding the individual's status and duration of stay in the safe country and regarding any bilateral or multilateral agreements to which Canada and that country are parties governing the return of individuals including refugee claimants who are not admissible to Canada.

I believe this is the kind of definition the Hon. Member is seeking.

Mr. Heap: No, it is not. It does not meet the point at all.

Mr. Comeau: I think I have answered the Member's question.

Mr. Caccia: Mr. Speaker, in his concluding remarks, I understood the Member for South West Nova (Mr. Comeau) to urge Members of the House to be adult and support this Bill. Does this mean, according to the set of values and principles to which he adheres, breaking away and disregarding the protocols and UN conventions to which Canada has adhered?

Mr. Comeau: I believe if the Member were to check with the Geneva Convention to which he refers he would find that this Bill actually adheres to the Convention quite well. It follows all the conventions. I am not sure to what the Hon. Member is referring.

Mr. Caccia: Mr. Speaker, is the Hon. Member aware of the fact that two days ago the United Nations High Commissioner of Refugees wrote a letter to the Minister of Employment and Immigration (Mr. Bouchard) drawing to his attention that this Bill, if adopted as it is proposed, will break the protocols in the conventions to which we have adhered?

Mr. Comeau: Mr. Speaker, I believe the Minister addressed that question today. The Minister will be writing a letter to the Commissioner stating that his interpretation is wrong.

Mr. Langdon: Mr. Speaker, I respect the Hon. Member for his sincerity and attempt to grapple with legislation seriously. The Hon. Member referred to the tremendous increase in refugees trying to establish their status here in Canada. The

implication and perhaps the explicit point which the Hon. Member made was that this was somehow reflective of attempts to fool Canadians and make us victims of fraud.

Is there not another explanation, that throughout the world there has been a tremendous acceleration in refugee movement? Whether one considers Africa or Latin America, especially Central America, one finds an incredible movement of people. It is not because of economic causes but because of persecution, vicious Governments, because of exactly the kind of incredible control and domination over people the Conservative Party is supposed to stand against.

• (1310)

The Acting Speaker (Mr. Paproski): Order, please.

Mr. Langdon: I will finish up very quickly. Would the Hon. Member give me and the House his understanding of why he feels there has been such a great increase in refugee movements throughout the world? Why should we not expect that Canada is going to experience that also?

Mr. Comeau: Mr. Speaker, I am starting to understand from the opposition Parties that they have absolutely no clue at all as to what Bill C-84 is all about. This Bill is about 174 people arriving in the middle of the night on the shores of Nova Scotia and about 175 people arriving in Newfoundland in the middle of the night in small dories in fog and bad weather, placing their lives in danger as well as the lives of other people, Canadian citizens, who were fishing in those waters. The present system as it exists encourages this to happen. This is what this Bill is all about. Opposition Members have absolutely no clue at all about what we are trying to do.

If these things are allowed to continue it will only encourage more illegal immigrants and the problem will increase. We must put a stop to it. There are ways to come to Canada, not surreptitiously, coming to Canada's shores in the middle of the night.

I urge Members opposite to look at what the Bill is trying to accomplish. I ask them to come and speak to the people of my riding and find out how my constituents feel about 174 people arriving in the middle of the night when they themselves have been fishing in those same waters all night. How do you think they felt after having fished all night to find in the morning that they could have run into a boat carrying 175 people? They say: "Oh, my God, I could have hit those people".

If one is a genuine refugee there are ways to come to Canada. I think I have explained what this Bill is all about. Please try to understand that this is to put a stop to the abuse of the system. It is to put a stop to the encouragement that the *status quo* gives to these people to continue this abuse.

The Acting Speaker (Mr. Paproski): The time for questions and comments has now terminated.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we have had three days of debate with some high points and some low points. I would like to start by congratulating the Progressive Conservative Member for La Prairie (Mr. Jourdenais) the Chairman of the Standing Committee on Labour, Employment and Immigration, who spoke yesterday. He made a number of interesting points, three of which stick in my mind.

First, he said that the changes in the refugee determination process which are proposed in this Bill are such that it would be practically impossible for a great number of legitimate refugees to apply for refugee status. How about that statement, I ask Members opposite and the Minister of Employment and Immigration (Mr. Bouchard)?

Second, the Hon. Member for La Prairie made the point that there are other rational and appropriate solutions to these problems which would not have us break our international agreement on refugees and could not be challenged in court on the basis of the Canadian Charter of Rights and Freedoms. This was pointed out by a colleague of the Hon. Member, the Hon. Member for South West Nova (Mr. Comeau), who denied there is any substance to this particular very serious flaw in this piece of legislation.

Third, the Hon. Member for La Prairie made the interesting point that the best way to put the smugglers out of business is to dry up the demand for their services. The best way to stop the queue jumping is to shorten the queue. In other words, if we want more orderly borders, we need more liberal borders. I am sure the Hon. Member for La Prairie was not speaking politically when he used the words "liberal". He meant it in the small "l" manner. However, he definitely made an interesting point. The Hon. Member for La Prairie is a member of the Party in power and he had the courage to rise in this Chamber yesterday and make these points, which fly in the face of all the statements made during Question Period today and yesterday by the two Ministers for Immigration.

That was the high point of the debate so far. Let me now deal with the low points. Yesterday afternoon we were lectured by the Minister of National Health and Welfare (Mr. Epp). In order to understand the import of what he said, let me give Hon. Members some background because it is very important. We as the nation of Canada have adhered to Article 14 of the Universal Declaration of Human Rights, as have many other nations. In that declaration we have agreed that we should allow the right to seek asylum in Canada to anyone who wants to seek asylum in Canada. We signed that declaration as well as a protocol to that effect. This concept or principle is called, in the language which has unfortunately developed on the Hill, universal access. Universal access was dealt a major blow yesterday by the Minister of National Health and Welfare when he rose in the House and said, as reported at page 8043 of *Hansard*:

> I do not believe that universal access is the manner through which Canada should take the number of refugees which we have said we will.

That is what the Minister said. What a shame! What a disaster! A Minister of the Crown comes to this House and virtually announces that we are abandoning the cornerstone of

our international commitment to allow individuals who could be legitimate refugees to apply within the country. It is in a way a revelation that we would break our commitment to the United Nations.

We would not mind if the Government had the honesty and decency to come to the House and tell us it intends to abandon its commitment to the United Nations, including Article 14. At least it would be going through the front door. It should announce that to us, to the media and to the Canadian public and we will fight it on those grounds. However, to come here and to do it in a sneaky manner in some camouflaged language through this Bill is really the last thing we would have expected from the Ministers of Immigration and from the Government as a whole. What a shame! What a disgrace! That was the lowest point in the debate so far.

I bring this to your attention, Mr. Speaker, for two reasons; first, because it was a Minister of the Crown who made that statement in the House and, second, because we have just been informed that the High Commissioner for Refugees at the United Nations wrote a letter two days ago on August 12 from Geneva to the Minister of Employment and Immigration. He wrote the letter to the Minister drawing to his attention the fact that the Bill seriously impacts on our commitment.

• (1320)

We all know how careful international diplomatic language is. We can, I am sure, read between the lines with respect to what the United Nations High Commissioner really means when he says in his letter: "Certain provisions of the proposed legislation, however, give rise to serious concern inasmuch as lack of procedural safeguards could risk exposing bona fide asylum seekers and refugees to forcible return to territories where their lives or freedom would be threatened". This is careful but clear language. It says that Bill C-84 puts us in a corner with very strange company. As Canadians we do not want to be put into that situation. I am sure that the UN High Commissioner would not have written such a letter on the same day that the Bill was introduced in the House had he not been advised about the gravity of the situation. To be more precise, it was really the day after since the Government asked members of the Opposition to agree to forgo the usual 24-hour waiting period between first and second reading.

The United Nations High Commissioner, Mr. Jean-Pierre Hocké, makes his point at length in his letter. Time will not permit me to go into all of it. However, I can assure Hon. Members that very consistently in six paragraphs he reinforces his preoccupation and seeks from the Government of Canada a reply that will reassure him that we are not going to pass this Bill in the form in which it is now written. So much for the claims of a number of Conservative Members who have stated that we have not read the legislation or that we are introducing a false notion as to the interpretation of the clauses. This is a source that cannot be attributed to be in the Official Opposition. It is from 5,000 kilometres across the Atlantic Ocean. The letter comes from Geneva from a reputable, objective and independent source.

Another low point in this debate was raised in Question Period on two consecutive days. I refer to the stonewalling by the Minister of Employment and Immigration who has a bad habit of double-talk. He said in reply to our questions: "Well, actually, what I am doing here in terms of penalties on groups, individuals, organizations and the like already exists in the legislation". If it exists already in the legislation, then why did the Government not apply the law as it is already written? If this legislation exists, then why the need to introduce new clauses in the Bill before us? The Government cannot have it both ways. It leaves us asking why the Government has not applied the legislation as it is now written if it permits the Minister to say in Question Period that what we are doing exists already in the legislation. There exists a contradiction here, and we have seen a great many contradictions.

The Minister has also come under fire with respect to Clause 95(1). It has been said on both sides that Clause 95(1) must be amended since it contains the word "aid". It contains a word which would impact on the civil liberties of Canadians who would undertake to help potential refugees. This theme has also been picked up in other correspondence.

Another point which has emerged in the debate, a point which was very eloquently expressed and expanded upon by my colleague, the Hon. Member for York West (Mr. Marchi), is with respect to the double standard in the treatment of those who arrive here in that this legislation, if approved, would apply to those who knock at our doors coming by way of air and land versus those who come by water. Here is a piece of legislation that focuses entirely on those coming by water. In essence, this legislation will put Canada in the position of applying two different types of treatment to people depending upon the means of transportation they use to come into Canada. In other words, a person who arrives by plane, bus or train will have an opportunity to apply on Canadian soil. However, if one happens to come by boat and if one is suspect, then that boat can be turned around before it reaches Canadian territorial waters, or even within Canadian territorial waters. We are really puzzled by this double treatment that is being applied. If, tomorrow, Nelson Mandela would escape prison and come to Canada by way of boat he could be among those who could be turned back since he would be coming by water and not by air or by land. We certainly do not want that type of situation to occur. There are certainly a great many Nelson Mandelas in the world today.

Another point so eloquently raised by my colleague, the Hon. Member for York West, is with respect to the question that the Bill will ask transport companies to do a certain job of screening travellers. In essence what it boils down to is that the ticket agent of an airline will be asked to do the job of our immigration officials—

Mr. Layton: He is supposed to do it now.

Mr. Caccia: He is not supposed to do it now at all. He does not have the time, the training or the inclination to perform that type of work at the point of departure on behalf of the Canadian Government. Nor does he have the authority. In this case the Canadian Government is relinquishing a responsibility that is purely the responsibility of our immigration officials in Canada. They are qualified people. They are trained to perform their jobs. They are the ones who ought to do this type of screening, not some unknown ticket agent who has a long line of people with luggage and the like to be processed when their plane is departing in, for example, 59 minutes. It shows just what poor thinking there exists on the part of the Government with respect to this measure.

Today at noon we heard the Hon. Member for Capilano (Mrs. Collins) speak. She waxed eloquent on the theme that this is a law to catch just a few. That theme was echoed as well by the Hon. Member for South West Nova. Both of them are wrong. Anyone who claims that is wrong. There are very important principles at stake here in this legislation which some think is intended to catch a few. The civil rights of Canadians are being infringed upon.

If the legislation is not amended in committee it will break covenants and protocols of the United Nations to which Canada has given its signature over the decades, not just over the last few years, and which have also earned Canada, as Hon. Members probably heard in the debate yesterday, the Nansen award. As I expounded a moment ago, it treats people who arrive by water and are seeking asylum differently from those who arrive by land and air.

• (1330)

Since the arrival of the Tamil boat one year ago, the Government has had a lot of time to prepare a decent piece of legislation. Even without wanting to use the Tamil boat as a benchmark, the Government has had a lot of input since September, 1984 on this particular matter. In August, 1987 it is pathetic to see the Government creating a sense of panic which gives the population a sense of fear, and rushing in with a piece of legislation that is badly thought out. In other words, the Government had lots of time. The Ministers who spoke in this debate ought to be chastised for confusing the public by mixing refugees with immigrants at large. In other words, they are not keeping separate in the public mind the fact that refugees are one stream, immigrants are another, and that it is not true that by admitting refugees, the number of immigrants is reduced. These are two independent flows.

The other day when introducing the Bill, the Minister of Employment and Immigration could not resist the temptation to sweeten the pill by announcing a measure for family reunification just to show, after all, that the Government has a sensitivity and is so inspired by family reunification that, in order to bring in this badly thought out legislation, it would coat it with sugar. That is bad practice, and it does not fool Canadians.

We will fight in committee to turn this bad Bill into passable legislation, if we can. I am sure a lot of effort will be made. Because it is presently in a poor, pathetic condition which breaks principles and protocols, and denies certain civil rights to Canadians who are interested in this issue, we will vote against it.

[*Translation*]

The Acting Speaker (Mr. Paproski): Questions or comments. The Hon. Member for Portneuf (Mr. Ferland) has the floor.

Mr. Ferland: Mr. Speaker, I was rather surprised at the aggressive stance taken by the Hon. Member for Davenport (Mr. Caccia) this afternoon. Usually he is quite calm, so I suppose it was just his Latin temperament surfacing, or maybe he was upset because he had to cut short his golfing season to consider these very important issues.

He said earlier that the Minister's answers were an example of double-talk. I do not think that is true. I think that, during Question Period, the Minister was quite clear and specific in his comments on a Bill that is very important for Canada and Canadians in general. In fact, this is probably one of the issues that is attracting most of the attention of my constituents, because they have the impression that Canada has become ridiculously easy to enter. I was asked why since the war, a Canadian has never needed a visa to go to France. I was also asked why we Canadians now must have a visa to gain entry into France.

Last night on the CBC news someone said: Well, there might be people from Canada who would go to India and make trouble. Canadian men and women have never been trouble makers anywhere in the world. But to get back to the very purpose of this Bill, I should like to remind my colleague from Davenport that, from 1978 to 1986, 6,376 of the 60,000 individuals who claimed refugee status have been recognized as such pursuant to the provisions of the Convention.

Mr. Speaker, the way things are going and if my memory serves me right, there were 1,600 refugee applications in 1980, up to 18,000 in 1986, and this year we should just about reach the 30,000 mark. I wish my colleague from Davenport would tell me whether or not he thinks that profiteers are now abusing. I suggest that the Bill is aimed at people who seek to profit from the misfortunes of other people on earth. So I would like to know how he would go about pulling out some of the teeth of this legislation, because where I come from people tell me we need a law with sharp teeth precisely to prevent some people from taking advantage of others who suffer on this planet.

[*English*]

Mr. Caccia: I wish to thank the Hon. Member for Portneuf (Mr. Ferland) for his questions. The Hon. Member and I have two characteristics in common. We both have a Latin temperament, and we both have a passion to stop acid rain.

As the Hon. Member usually does, he has raised a number of thoughtful questions which I will attempt to answer. There is no doubt that Canadians want to see a stop to the trafficking in human misery. The Hon. Member put it very well. Canadians also want to see a stop to abusers.

I am sure that the Hon. Member will agree with me that his Government has had a lot of time to prepare itself for this change in trends that he stated by virtue of the statistics he quoted. The Government has had a lot of time, and a lot of advice. It was only one year ago that his own Prime Minister (Mr. Mulroney) welcomed the Tamil boat. Somehow, this heralded a change in the pattern of arrivals of people. I am seeking the Hon. Member's support in doing this in a manner that does not contravene our international obligations. This is one of the serious flaws in this Bill. It should be done in a manner that does not penalize individual groups or organizations of Canadians who take an interest in helping refugees.

It should be done in a manner that will maintain Canada's reputation in the world and honour its signature to the protocol whereby, as many other nations, we recognize the rights of a potential refugee to seek asylum on Canadian territory, and be processed according to due process.

Finally, I would invite the Hon. Member for Portneuf, for whom I have the greatest respect, to glance over the speech made by his colleague, the Hon. Member for La Prairie. It is a very educational one.

Mr. Marchi: I listened carefully to the very compassionate speech of the Hon. Member for Davenport (Mr. Caccia). In his speech, he pointed out a number of the high points and the low points of this debate. He also brought to the attention of the House of Commons a very important letter from the United Nations High Commissioner for Refugees. The High Commissioner is very concerned with the direction in which the Government proposes to take Canada. The Hon. Member for Davenport quoted a number of comments from the High Commissioner. I wish to draw to his attention a further paragraph written by the High Commissioner to the Prime Minister (Mr. Mulroney) in which he stated:

> As you are no doubt aware the situations now being faced are not unique to Canada. Institution of the procedural safeguards referred to above would serve as an important example to the international community and help preserve the principle of asylum throughout the world.

• (1340)

The United Nations High Commissioner is essentially asking Canada not to encourage an exodus that would render the pact signed under the United Nations Protocol of 1969 simply powerless. That is one of the messages the Commissioner is sending to Canada, a country that has traditionally been a leader in the international community, a country that lost that leadership but intends to encourage others to go in the same direction.

I wonder if the Hon. Member for Davenport could share with the House some concerns about the message this would send out to the international community which might look to Canada and enact the same legislation, thereby rendering powerless what was and continues to be a very significant international pact.

Mr. Caccia: Mr. Speaker, the Hon. Member for York West is correct in putting on record that paragraph of the letter of the United Nations High Commissioner who quite rightly draws to the attention of the Government of Canada the fact that the situation we are facing is not unique to Canada. He asks what the international repercussions would be if we were to deny, reject or break our commitment under Article 14 of the Human Rights Proclamation.

It is true that the situation that has evolved over the last two years is quite different from the one which existed in the past. There is a phenomenal movement of refugees. There may be as many as 15 million people of official or unofficial refugee status around the globe. As the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) said yesterday, this offers the Government of Canada an opportunity to take an international initiative and to call together all the interested parties to develop a new set of approaches designed to face a new type of problem rather than to run away from it. In that sense, there is an implicit message in the letter of the United Nations' High Commissioner for Refugees.

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, as we know, Canadians are not angels but, at the same time, our people have shown a tremendous readiness to pour out their hearts and their resources to people throughout the world when grave problems are brought to their attention. Canada has never let an emergency or a disaster go by without responding to it as a nation and as individuals when asked. There have been earthquakes in Turkey and Italy, floods in Bangladesh and starvation in Ethiopia in recent years and Canadians have very quickly and readily responded to them.

The same is also true of the reaction of Canadians to refugees who are fleeing from tragic situations such as those who fled from Czechoslovakia during the Russian takeover, those who fled from Hungary at the time they were unable to bring about a democratic regime and their lives were in danger, those Ugandans who fled from the terror of Idi Amin or those who fled on boats from Vietnam. As the list goes on, we recall the ready response of Canadians to welcome to our country those refugees with warmth and enthusiasm.

Canada has shown great compassion, and that is certainly one of the reasons why we as a country deserved to be awarded the Nansen Medal for outstanding treatment of refugees. At the same time, I can report to the House, as can probably every Member of Parliament, that when a boatload of people came ashore in the fog and the dark not long ago and claimed refugee status, there was an outburst of protest, frustration and even anger unequal to anything I have experienced since I was elected a Member of Parliament. My constituents felt that this arrival was illegal, dangerous and unfair to other refugees and to Canadians.

There are some who say that this reaction was caused by racist attitudes and bigotry. To say that is to lay a bum rap on Canadians. I headed a human rights organization on a national basis here in Canada and I have devoted a large part of my ministry to fighting stereotyping, bigotry and racism through human rights legislation, through education and through spiritual values. I think I can recognize a prejudiced attitude and reaction when I see one.

Of course there are some racists and bigots in our midst as there are in every society, but the race or religion of the recent boat people was not the issue. What was the issue was that Canadians saw this as a dramatic example of what had been wrong for a long time and they blew the whistle.

I think it is wrong to say that Canadians overreacted to this situation. It is wrong to say that they were unfair and bigoted. I believe they were concerned, and rightly so, about what has been wrong for a long time.

Canadians are fair and will tolerate a lot patiently. They give people the benefit of the doubt, as they should. However, Canadians felt that something was wrong and had been wrong and they wanted something done.

First, Canadians felt that what was wrong was that an organized effort was made to bring people into Canada illegally by people who were making a profit on dealing in human flesh and misery. They felt it was wrong that the people who came ashore were subjected to danger in the water and in the dark. They felt it was wrong that people were making a profit on the project. They felt it was wrong and on the basis of media reports, Canadians were told that these people who did not come to a legal port of entry were thus evading not only immigration authorities and processes but a health check and a security check; and that these people came from countries where, it was alleged by the media, they already had safe haven and were allegedly denying this and had in fact destroyed documentation that might have proven it.

We do not know if the media reports were entirely true, but we do know that there has been a growing problem of this kind. Some people have been misusing the category of refugee status to actually effectuate immigration to Canada without having to go through the proper applications and processes through which everyone else has to go. That is what was bothering Canadians. They want to help real refugees and immigrants who take the proper steps.

Hundreds and hundreds of my constituents have been unsuccessful in bringing to Canada their relatives, friends or people whom they wanted to employ and whom they were prepared to sponsore and guarantee. They have been refused over and over again, but Canadians are not amused with a system which has loopholes which allows people to circumvent the system eventually and stay in Canada. We are told that somewhere around 90 per cent of those claiming to be refugees have their claims rejected in the end.

The first thing that must be said is that we have known that this problem has existed for a long time. We have known this for years. We know that something ought to have been done about it a long time ago. In fact, the refugee situation in the world is deteriorating. The way people try to gain access is through more and more circumvention, and that is why the last Government assigned the Plaut Royal Commission to recommend ways to change the rules so that a better, faster and fairer system would be set up to determine refugee status and to ensure that people are not able to take advantage of and misuse the system that was designed to help poor people fleeing for their lives from torture, persecution and hatred. The system should try to ensure that real refugees are brought through safely and quickly but that those who are not refugees are not able to misuse it. We would streamline the system. That is why the Plaut Commission was set up and it reported on how to streamline the system. The Government knew something had to be done when it first came to power. It knew the Plaut Commission had been set up to effectuate a change in the system because of new circumstances.

• (1350)

While I was attending a UN meeting on human rights in Geneva in February of this year, I took the opportunity to go to the office of the UN High Commissioner for Refugees and discussed the problems. They agreed that Canada had a special problem. We had to take steps to deal with these new developments. If the UN High Commission was discussing this with me in February and the Plaut Commission had dealt with this and reported several years ago, the Government knew there was a problem. The people of Canada expected the Government to do something about it, yet it was not until May of this year that it brought in Bill C-55. We all know that very little time or priority was given to that Bill. Now we find that because of the incidents off the shores of Nova Scotia, we are told an emergency exists. That emergency, if that is what it is, has existed for years. It is not fair that it has been allowed to go on for years because the rules have been misused and taken advantage of. At the same time real refugees are not being given the assistance they should have.

The basis for any proper refugee policy should be threefold. Refugees should be able to come to Canada and ask for refuge. That is basic to the whole idea of a refugee policy. There has to be a hearing under an independent process with the right to counsel. Third, there has to be the right to appeal. The Plaut Commission provided recommendations on just how to go about this with the least delay and the greatest fairness and protection of the rights of a refugee. The Government set that aside and did nothing with it for years while these wrongs continued.

The Government has now introduced these two Bills. I have to say that in its rush to do so, it has produced disasters. Why? Because they are not the basis for an even half-decent refugee policy. They violate those three principles I mentioned. In their present form they violate the human rights not only of non-

Canadians but even those of Canadians who want to help refugees.

Why did the Government put forward such dreadful legislation when it had such a clear consensus with all parties on the basis of the Plaut Commission report? Why did the Government come up with such Draconian, excessive and ruthless rules in these two Bills? It is either because of stupidity, and I hope that is not the case, or because it is a desperate political ploy to assuage the anger of Canadians by dramatizing its belated attention to this problem and the fact that it is finally doing something. In their political strategy meetings perhaps the Tories decided that if they submitted something that was outrageous enough there would be an outcry from the Opposition and various groups across the country and the Canadian people would see what a macho group the Tories are. "Look, they must be doing something tough because everyone is screaming at how tough it is". That may be the political reason for such amazingly unfortunate legislation as has been presented to us, especially Bill C-84. Maybe that kind of political tactic will work, but I hope Canadians will remember that the stonewalling of these problems over the years is what caused this problem to get out of hand. I hope they reject Bill C-84 in particular.

While exploiting refugee status is mean, unfair and in some cases illegal, it is of the greatest importance to Canadians that our refugee policy and rules be fair and humane. Many Canadians came to Canada, or at least their parents did, to escape persecution. Our country is made up of people who are especially sympathetic to those who flee persecution. I gave examples of this today. Our religious traditions reflect this as we remember how Moses sought refuge in the Promised Land and how Jesus and his family fled for refuge to Egypt in his infancy. We know of the importance of the right of people to flee from persecution. It is a part not only of our religious tradition but of our history. Canada is a haven to which people have fled for safety or to find a better life. We do not criticize that. We praise it and encourage it. Why play on the wrong emotions? The Government should come up with a Bill which is fair and genuine because it is a sacred trust to us. The opportunity for refugees to flee to Canada to save their lives and escape persecution is a sacred trust.

Therefore, these Bills must be treated with a sense of sacredness. We must do it carefully and thoughtfully so we will not end up with a situation where an innocent refugee should be for any reason ejected from the shores of Canada when we could have saved him or her. Canadians have shown that this is how they feel in their care of other refugees. Yet Canadians do not want the unfairness caused by those who exploit and misuse the system.

The Government should come up with a Bill that is fair to genuine refugees, one that speeds up the process of determining who should stay and who should not. In that way we can be firm. If you feel your policy is fair, you can be firm. You know that your policy gives all the necessary protection to those who are genuinely qualified for refugee status. You can be fair when you know your legislation is fair. Yet these Bills are so unfair that they will not only encourage circumvention, they will be appealed at every possible level.

Bill C-84 does not allow complete accessibility to Canada. Aside from that, it makes the carrier involved responsible for holding travel documents. That is silly. Clause 14 of Bill C-84 authorizes those companies to hold the visas, passports or travel documents of those persons in order to ensure that those documents are available for examination by an immigration officer at the port of entry. When the travel industry understands the full ramifications of this Bill they will regard it with consternation. Can you imagine them, with the thousands of passengers that use their facilities, being responsible for deciding who looks like a refugee and have some steward or stewardess hold the travel documents? I cannot imagine anything as half-witted, inane and impractical as that requirement. It is incredible. While it is true that they might check them out, I suggest that that alone requires the Government to add new amendments and make this Bill more sane.

• (1400)

Many Polish Canadians and others from behind the Iron Curtain jumped ship without travel documents or any identification. Many of them even evaded our security forces in order to find sanctuary because they were afraid that their captors would catch up with them. They hid themselves in Canada because of their fear. Canadians must realize that we cannot afford to have laws which are as severe and restrictive as those suggested in Bill C-84.

The Government should redraft Bill C-84 and Bill C-55 to conform more with the recommendations of the Plaut report which has almost universal consensus. When it does that it can count on swift passage from the Liberal Party, and I am sure from the NDP as well. The well-being of all Canadians and all genuine refugees will thereby be looked after. It will also discourage the insincere and the dishonest. If the Government's PR exercise can now be over, we look forward to its changing these Bills so that they will be humane.

Mr. Berger: Mr. Speaker, I would like to put some points to the Hon. Member and see whether he would care to comment on them. Yesterday we heard from a number of speakers from the Conservative Party, including the Minister of National Health and Welfare (Mr. Epp) and the Parliamentary Secretary to the Minister of Employment and Immigration (Mr. Gurbin), who said that they were opposed to universal access to the refugee determination system because five billion people would come to Canada.

Mr. Lewis: That's nonsense. You misconstrued it.

Mr. Berger: Never have members of the Tory Party so surpassed themselves in demagoguery, manipulation and sheer silliness.

However, there may be some people who are misled by the Conservatives' demagoguery and believe that being in favour

of universal access means being in favour of accepting all refugees who come to Canada. That, of course, is not what universal access means at all. It does not mean that we have to accept everyone who comes to Canada, but simply that we have to give those persons who manage to get to Canada and claim to be refugees a full hearing. Again, we do not have to accept them but have to give them a hearing to determine whether they are refugees. That is what universal access means.

In violation of the principle of universal access which was supported by Rabbi Plaut and the all-Party parliamentary committee and is based on a consensus within knowledgeable circles around the country, the Conservative Government proposes to establish a screening process which would exclude persons from the refugee determination system on the basis of very arbitrary criteria.

On the point of the numbers, the Conservatives were brandishing the spectre of millions if not billions of people coming to Canada. The Member knows that we have very effective methods for controlling the number of people who come to Canada, including transit visas which apply to most refugee-producing countries. Would the Member care to comment on that or add anything more to try to dispel the false propositions, innuendo and demagoguery which has been spread by the Conservatives in this debate?

Mr. de Corneille: Mr. Speaker, if there are people under the impression that instituting the recommendations of the Rabbi Plaut Commission and the all-Party committee of the House of Commons will result in an inundation of refugees, we should try to dispel that impression. If people are dealt with swiftly, false applicants will realize that they are wasting their time and money by coming to Canada when they find that they will only stay a brief time and be rejected. They will lose their time and money. That has been a sufficient deterrent in the past to dissuade people from coming, provided the system works effectively, efficiently and quickly.

We will not, therefore, be inundated by millions or even hundreds of thousands of people. We will find that some who are borderline cases may still come to try out their applications, but by and large a sound system, such as that recommended by Rabbi Plaut, would discourage the bogus applicants for refugee status while, at the same time, giving universal access to everyone who believes that his or her life or well-being are in danger and comes to Canada as a refugee.

I am glad my colleague brought this point up. I think he would acknowledge that this is a worldwide problem. Canada has to solve the problem of the many refugees from various parts of the world with other nations. Working with the United Nations High Commission for Refugees and through the United Nations we may be able to find ways to take our fair share. We would not be inundated with refugees if we were able to bring about a co-operative policy with other countries. I hope this will be undertaken by the Government in the near future.

The Acting Speaker (Mr. Paproski): It is my duty to put all questions necessary to dispose of the said motion.

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to order made earlier this day, the recorded division stands deferred until six o'clock p.m., Monday, August 17, 1987.

It being 2.10 o'clock p.m., this House stands adjourned until 11 a.m. pursuant to Standing Order 3(1).

The House adjourned at 2.10 p.m.

HOUSE OF COMMONS

Monday, August 17, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, pursuant to Standing Order 106, it is my duty to present to the House a petition signed by residents of Canada who, when visiting the Byward market this summer, cared enough to write their name and address on this petition which says that since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or increases in existing taxes, including some on medical and dental supplies, snack foods, candies, and soft drinks; that in its White Paper on tax reform the federal Government is considering the possibility of imposing on Canadian taxpayers a general tax on goods and services, including foodstuff; that foods represents a vital element in their daily lives and this sales tax would heavily penalize various categories of taxpayers, including senior citizens, families, the unemployed, low and middle income taxpayers, the young, etc.

Wherefore, the undersigned humbly pray and call upon Parliament to turn down any legislation whose effect would be to impose a sales tax on foodstuff.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following questions will be answered today: Nos. 145 and 151.

[*Text*]

CANADIAN ARMY (MILITIA)—OFFICER VACANCIES

Question No. 145—**Mr. McKinnon:**

Has the Department of National Defence instituted a policy of placing Canadian Army (Regular) Officers in some officer vacancies in Canadian Army (Militia) units and (*a*) if so, how many and at what ranks (*b*) if not, does the government intend to initiate such a policy?

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Yes, in 1985 the Chief of the Defence Staff approved a policy where if no qualified or suitable officer were available to command a militia unit, the Commander of Mobile Command had the authority to appoint a regular force officer as commanding officer.

(*a*) One as a major.

DND—EXPENDITURES 1970-1988

Question No. 151—**Mr. McKinnon:**

For each fiscal year 1970-71 to 1987-88 inclusive, did the expenditures of the Department of National Defence increase in real terms and, if so (*a*) what was the increase, including statutory costs and expressed in percentages (*b*) what deflator was used and what was the amount of each deflator model?

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

Year	Percentage Increase	GNE Deflator Rate
1970/71	(2.5)	4.2
1971/72	2.0	3.6
1972/73	(0.7)	5.4
1973/74	.1	10.9
1974/75	(2.4)	15.1
1975/76	7.7	10.1
1976/77	3.6	9.2
1977/78	4.7	7.0
1978/79	1.9	6.9
1979/80	(4.1)	11.4
1980/81	4.0	11.2
1981/82	7.5	10.4
1982/83	6.0	9.4
1983/84	9.2	4.4
1984/85	8.9	2.8
1985/86	(0.7)	3.4
1986/87	4.8	2.9
1987/88 (Forecast)	0.7	3.9

[*Translation*]

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

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

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Tuesday, August 11, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi, (p. 7338).

• (1110)

Mr. Gauthier: Mr. Speaker, I would like to ask a question of the Member for Davenport (Mr. Caccia) who had the floor when the Bill was last debated. My question deals with the safe third country clause in the Bill. All Members have received a letter from the English speaking section of Amnesty International which says that the organization is extremely concerned that proposed new refugee legislation could lead to serious errors with genuine refugees.

As we know, the legislation before us could possibly give the authorities power to return persons forcibly to countries where they may expect to be arbitrarily detained for the non-violent expression of their beliefs, or even tortured or executed.

Could the Member give us the benefit of his knowledge and experience in this matter with regard to persons coming to Canada being returned to a safe third country? That concept is a new one in Bill C-55. People in my riding question me about that and I wonder whether the Member for Davenport has some comments to make on that concept?

Mr. Caccia: Mr. Speaker, I thank the Hon. Member for his question. As you probably know, we all received a letter from Amnesty International signed by the chairperson of the Refugee Coordination Group. Through that letter Amnesty International is bringing to the attention of Members of Parliament the fact that it is extremely concerned that Bill C-55 could lead to serious errors in that genuine refugees could be sent back to their country of origin to face possible persecution.

The letter goes on to indicate that Amnesty International believes that no Canadian would knowingly risk the security of genuine refugees. I know that that sentiment is well placed and reflects very clearly the sentiment of the majority of Canadians on this matter.

In this letter, Amnesty International brought to our attention a letter which they wrote on August 7 to the Prime Minister (Mr. Mulroney) in which they expressed their views quite well in the first paragraph which I will put on record. It begins by saying that Amnesty International is writing to the Prime Minister—

> —in response to the recent introduction of Bill C-55 which, if passed into law, will dramatically change Canada's refugee determination policy. As you may be aware, Amnesty International opposes the forcible return of persons to countries where they may reasonably be expected to be arbitrarily detained for the non-violent expression of their beliefs, tortured or executed.
>
> A law which increases the likelihood of such events occurring is therefore of great concern to our organization.

I am sure that Amnesty International is speaking on behalf of many Canadians. That letter, signed by Robert Goodfellow, president of Amnesty International, concludes as follows:

> We urge you and your government to amend or withdraw and replace Bill C-55 with legislation which incorporates the fundamental principles of universal access, an appeal on the merits and independent decision-making.

We would be very wise and well served to pay very close attention to that letter from Amnesty International.

Mr. Lewis: Mr. Speaker, I am especially interested in the comments of Amnesty International that the Bill should be amended. I want to bring to the attention of the Hon. Member that we are presently discussing an amendment moved by his colleague, the Member for York West (Mr. Marchi), to delay discussion of this Bill until some time in 1988. Amendments can be made at committee stage as suggested by Amnesty International and the Bill can be improved. However, his colleague's amendment would delay discussion of the refugee determination Bill until 1988.

I have two questions for my hon. colleague. First, will he be voting with his colleague from York West to further delay discussion of the refugee determination system until some time next year?

The second question is the most important. In the Hon. Member's riding of Davenport there are a great many new Canadians who came to this country and met the requirements and regulations for medical and security clearance and did not jump the queue. How will his law-abiding constituents, new Canadians, feel about him voting in favour of a further six-month delay of this Bill with no discussion at committee stage?

Mr. Caccia: Mr. Speaker, I want to thank the Parliamentary Secretary for his questions because they are relevant. First, I am glad to hear that he is amenable to and attracted by the motion of amendments. That is good news because if amendments were to be initiated by him or any other member of the Progressive Conservative Party who can speak with authority on this Bill indicating that the questions of access and universality are resolved, we would be very glad to take a positive look at this Bill because it would coincide exactly with the concerns raised by Amnesty International.

However, we have not yet heard anything about that. So far the signals from the Government have been to the contrary. As the Member for York West (Mr. Marchi) indicated in debate last week, we had to move a motion to hoist the Bill out of sheer desperation when it became clear that the Government was not listening.

Most Canadians do not know that this Bill was only introduced for first reading in this House on May 5. After two and one-half years in which to mull it over, with a phenomenal

amount of input from Mr. Plaut, Mr. Ratushney and Mr. Robinson, the Bill sat waiting for debate from May 5 to June 18. It then had a three-hour debate and, to our astonishment, was put aside by the Government.

I do not know what game the Government is playing on this matter. If it had serious intentions on this Bill and wanted to have it passed, it would have indicated its willingness to change it at second reading along the lines suggested by many, not only in the Opposition, but in the vast community which is understandably interested in this matter. We would have made progress. For the life of me, I cannot understand why we are facing such a stonewall.

• (1120)

[*Translation*]

Mr. Guy Ricard (Laval): Mr. Speaker, in the riding I represent, in the Montreal area, 30 per cent of my constituents are either immigrants or descendants of immigrants. They are watching the proceedings with a great deal of interest, and they were watching last week as well. I had a chance to meet some of them personally, and I received about 150 phone calls from people who were in favour of new immigration legislation that would make some changes in the way immigrants are treated here, the way they can enter the country and especially the way refugees or phony refugees come to settle in Canada.

On the week-end I met with people from the Maritimes, especially in the Magdalen Islands. Madam Speaker, not many immigrants go to the Magdalen Islands. In fact, the people who live there try to get away. We go there because we think it is a very scenic and interesting place. Over there, they watch the proceedings in the House and wonder what all the fuss is about. They watch what is going on, Madam Speaker, and they tell us there is a bunch of Opposition Members who want to delay the passage of badly needed legislation.

Madam Speaker, we have all kinds of ways to discuss this Bill, to amend it and improve it if necessary, but the motion before the House today, which we are debating now, says to take the Bill back and table it again in six months. Madam Speaker, I do not know whether you realize when that is going to be, in six months but it will certainly be the spring of 1988, which means practically a year, if we consider the periods when the House is sitting and when it is not. Meanwhile, people who came to Canada previously and who have already become Canadian citizens cannot ask family members—fathers, mothers, brothers or sisters—to come and settle here legally because it takes so long under the present legislation. Madam Speaker, last year in my riding, I saw a gentleman who wanted to bring his sister-in-law to Canada to attend her sister's wedding. He applied for a one-month tourist visa. Do you know when he got his tourist visa, Madam Speaker? Six months after the wedding. And that happens all the time. We have no way of speeding up this procedure which means that in no time flat, we have all kinds of refugees coming into this country more or less legally, and then they want us to postpone the debate.

Madam Speaker, I think the motion before the House today should be rejected and the Bill passed and referred to a committee of the House for consideration. The Parliamentary Secretary said earlier, and the Minister said so as well on the week-end, that the Bill could be amended if necessary. Madam Speaker, in the three years we have been sitting in this House, not a single Bill has been sent to committee without there being an opportunity to amend or improve it at that stage. I believe there have even been proposals or motions from the Opposition on amendments that had already been approved in Committee. Let no one say it is impossible to change or improve this Bill. That is just not true, Madam Speaker.

You know, when they cannot think of anything to say about a piece of legislation, they try and find all kinds of ways to make the person who presented the legislation look bad. Last week, Madam Speaker, I was listening carefully to the speeches made by opposition Members, both on the Liberal and the NDP side, and they were doing their best to have Canadians believe that this would be a very dangerous Bill if it were approved as is, because it would mean that organizations working to help refugees, such as the churches and Amnesty International, might be penalized. Madam Speaker, they even said, in fact, it was the Hon. Member for Laval-des-Rapides (Mr. Garneau) who said that we should send the Stastny brothers back to their country because of the way they entered this country. Well now, I would suggest that if demagoguery has a home it has to be here in the House of Commons where we can hear such speeches. As if we were going to deport an individual who is already established here after going through the whole determination process. As if we were going to slap a $500,000 fine on church officials doing their best to help refugees. Or as if the Quebec Nordiques management will have to put up $500,000 because they have the Stastny brothers under contract.

Madam Speaker, I would point out to the Hon. Member for Laval-des-Rapides that the Stastny brothers are Canadian citizens and, as such, have nothing to fear. The way he was talking it sounded as though he would send them back. He wanted the Quebec Nordiques to be punished for that. I should think there has to be a limit somewhere.

Madam Speaker, Bill C-55 seeks to set things straight and redress an anomaly caused by refugees who abuse the system and carriers anxious to make a fast buck. You know, a refugee is an individual who fears for his health and whose life may be at stake in his own country, and this individual is only seeking refuge in another country where he will feel safer. Why should he be concerned about his life? I think the answer is very simple: people in some countries are simply not allowed to act democratically the way we do here. They are not free to express their views, they are not free to practise their religion, they are not free to speak their mother tongue. When they do speak out they are frustrated, they feel threatened, so they ask to come here. But of course there are others who are profiteers, others still who are real terrorists or labelled as being undesirable in their own countries. They too fear for their lives, so

they ask us to accept them here. But what are we supposed to do when 175 people land on our shores, how do we decide whether they are real or bogus refugees, particularly when they have no documents, when they have thrown passports, visas and identification papers away? Impossible! We simply have to find a way to determine as quickly as possible whether such individuals are eligible for refugee status here in Canada.

As it happens, Madam Speaker, current legislation provides that certain applicants are eligible, but they have to go through so many stages before they can be accepted or sent back to their own country that in some cases they may have to wait for four or five years before getting an answer. So what do they do in the meantime? We put them up in hotels and, from a social security standpoint, they enjoy most of the rights we Canadians have. They are fed and housed by Canadians, they are expected to wait there without the right to leave, without anything. Meanwhile, the landed immigrants who are already here and who in time have become Canadian citizens cannot use the normal channels to bring over their parents.

In my own riding, there are some 30 per cent of the 115,000 people of Lebanese, Greek, Portuguese, Jewish and Italian descent—altogether some 40,000 people—who feel frustrated and who constantly ask the Government to stop being unfair to them. There are people who come to see me and say: Would it be possible for my old father and mother, who are still in the old country, to come and live their remaining days with us here? They are both 75 years of age. The two of them are alone over there, all their children now live here in Canada or the United States, and we should like them to come and live with us. Considering the time needed to process their application, they would probably die before arriving here. Now, we are being asked to postpone the debate on this Bill. I find this inhuman and abominable.

Although I am not very old, Madam Speaker, I have witnessed many things in my life, including people being treated like cattle, and that is almost what is being done now.

• (1130)

By postponing the possibility for these people to come here legally, without endangering either the country and its inhabitants, we are certainly acting in an inhuman fashion.

Madam Speaker, I think that both opposition Parties should be able to accept that and to vote as quickly as possible on second reading of this Bill, and then to refer it to a committee of the House. I agree that the House should accept any constructive amendment which could speed up the process and make life easier. I for one would be the first to vote for that, Madam Speaker. For once, however, they should stop playing politics with human beings.

Madam Speaker, the carriers—and I would like to come back to this—take advantage of the situation. You know, Madam Speaker, when there is a loophole in a legislation, given the communication systems we have in North America, it does not take time for the gap to be detected and known throughout the world. And there will always be some unscrupulous people who will try to exploit it. Such is the case of those accommodating carriers.

Madam Speaker, those carriers take some 150 or 200 individuals in the hold of their ship, allowing them to leave a so-called refugee producing country to bring them to Canada and charge them $1,000 or $2,000 per capita, thus making a profit of $150,000 to $200,000. I doubt very much that those carriers will issue receipts for income tax purposes. I also doubt very much that such a carrier will declare that income in his own tax return because I suppose that it is paid in cash.

This is where the abuse is. Those individuals will stop at nothing to make believe to so-called refugees, whether they are legal or not, that they will be admitted. You want to come? I charge $1,000 and you only have to embark. As for the conditions of the trip, that is another ball game, Madam Speaker. They do not care that those people will almost starve to death, become ill during two, three weeks or a month, they will do it for money. We should also take that into account in our legislation, Madam Speaker. We must take steps to put a stop to such abuses. That was the issue debated last week when we dealt with Bill C-84 which will put some teeth in the legislation and impose some punishment or fines to those carriers.

Madam Speaker, I personally view this Bill, actually Bills C-55 and C-84 as very good pieces of legislation. Of course, one cannot be perfect when tabling a Bill or reading it, there are certainly details to be improved upon or changed. But as a matter of principle, I think we have enough backbone to rise and say: Listen, Canada is not a one way street. We open our doors, no problem. You are welcome here, except that you are going to comply with our laws. You will respect the rights of individuals who are already here, and above all you will comply with the procedure for immigrating, for entering our country.

If, when an immigrant comes here, someone suggests: That guy will take my job, I do not believe a word of that, Madam Speaker. Legal immigrants come here for different reasons.

It may be family reasons, or economic reasons. Or again, refugees may be involved. But the economic aspect is very important, because when they come here, often they come to create jobs—to start up a company, or to become distributors between European, South American and North American countries. They create jobs, rather than steal them. Nobody here in Canada, Madam Speaker, can come up and say that an immigrant came to this country and took his job. If it happened, it is because of his incompetence. And if it did not happen, a job has been created, because you seldom see a lot of those people depending on welfare. Of the 30 percent of my constituents who are immigrants, Madam Speaker, I can tell you that you can practically count on the fingers of one hand those who are really unemployed in my constituency of Laval.

They are motivated people, they come here because it is a new country, a great, vast and rich country, and they know they can do business with its people.

Madam Speaker, we should be fair to our people, to the immigrants who are here and those who want to come, and we also must be fair to the refugees who would settle here.

I do not know whether opposition Members will support us when the Bill is put to a vote, later today, I imagine. I hope that they will because, as I said earlier, Madam Speaker, I met people from the Maritimes during the week-end and they are really fed up with the behavior of the opposition Parties in this debate as they believe that delaying passage of such a Bill will delay the evolution of Canada.

Thank you, Madam Speaker, for giving me this time to express my views, and I hope that we shall be able to put together a good piece of legislation under which everyone will be treated equitably and Canada will be a better country.

The Acting Speaker (Mrs. Champagne): Questions and comments. The Hon. Member for Ottawa Centre (Mr. Cassidy).

Mr. Cassidy: Madam Speaker, there are a few comments that I would like to make to the Hon. Member who, on the one hand, is in favour of increased immigration and says on behalf of his constituents that they are frustrated by the problems which arise when they want to have old relatives from overseas come to Canada as immigrants.

I share his concerns in this regard. The present delays are indeed bad, and these delays exist after three years of a Conservative Government. We can wonder why, if the Government is really concerned about this problem, it has done nothing about the delays, not here in Canada, but in immigration offices abroad.

How does the coming to Canada of refugee claimants affect the administrative delays outside Canada? This is my first question.

The second is this: How could Bill C-55 affect the situation of old relatives, for instance, who are now subject to unacceptable delays, since there is no queue, as some have said, since refugees cannot be placed on a waiting list? They either arrive or not.

This does not affect the problem of the delays, which is related to the administration, and to the act and regulations which were developed by the former Liberal Government and accepted for three years by this Conservative Government.

Can the Hon. Member tell us how Bill C-55 can affect the situation and the legitimate concerns of his constituents and why the Conservatives have tried to blame the refugees for their administrative failures when they are due to an administrative problem created by the Government?

Mr. Ricard: Madam Speaker, I should like to respond to the first allegation made by the Hon. Member for Ottawa Centre (Mr. Cassidy) to the effect that the legislation has been on the back burner for quite some time. He certainly cannot accuse us of creating this measure. We did not draft it, it was there all along exactly as it is now. It has to be amended and he knows that.

Second, Madam Speaker, he is blaming us for a three-year delay in bringing in amendments to the legislation. I wish he would check the motion under consideration right now, and then see for himself who is holding up the debate. We on the Government side? At least we had enough backbone to open up the debate, something which the previous Liberal administration never got around to doing. Since your Party has never been in office, you did not do anything either.

So are you going to support the six-month hoist motion of the Hon. Member for York West (Mr. Marchi)? Or are you going to vote on the Government side? In committee, are you going to move constructive amendments or destructive amendments designed to make the Government lose face, whereas you know full well you are the ones who are delaying the debate?

Madam Speaker, I have no idea what the Hon. Member is driving at, but he knows as well that all the publicity surrounding this debate and the refugees who landed on our shores have created a real bottleneck in the various embassies and in the Department of Immigration, with the result that people seeking to go through the normal process come under closer scrutiny than before. Some 18,000 refugees are now waiting for their investigation, waiting to find out whether they will be granted immigrant status or asked to go back home.

Do you know what that means, Madam Speaker? When will these people be allowed in? When will officials working on these cases have time to examine other files? The Department of Immigration has to look after refugee and immigrant cases. Both types of applicants and everything involved. And you want us to delay the whole process? Shame on you!

• (1140)

[*English*]

Mr. Marchi: Mr. Speaker, it is somewhat unfair for my colleague from the government benches to simply concentrate his debate on the suggestion that the Opposition is in a mood to oppose for the sake of opposing. This is very curious when one considers that for three years he has been a member of the the Conservative Government which has had four different Ministers of Immigration. Each of them came into office making a strong statement toward reforming the system.

There have been a number of government-commissioned reports advocating action. There was a unanimous report from the Standing Committee, chaired by a government Member and comprised of a majority of government Members, which suggested a solution to this dilemma, with a system that is out of date having regard to the new phenomenon that developed in the early 1980s. Many NGOs and church organizations have suggested action for nearly three years. The Government has had an absolute majority but has done nothing for three years. I suggest that it is somewhat intellectually dishonest for it to suggest that the reason for the delay is because of the Opposition. I do not believe Canadians are that naive or that gullible.

The Government has a majority and controls the agenda. It could have moved on that reform some time in the last three years rather than the Prime Minister (Mr. Mulroney) waking up on a sunny summer morning suddenly saying that something must be done.

The reason the technical amendment was moved when Bill C-55 came before the House was that there was a mood on the Government side that somehow it would rush this through without thinking of the repercussions. The repercussions, as with Bill C-84, are that unless there is a proper piece of legislation it will be subject to charter and court challenges from one coast to the other. Those challenges will not come from the Opposition but from lawyers and various groups.

I ask the Member to consider what will happen to the legislation. There will be a policy that is more chaotic, more unworkable and more uncertain than the one we have now. It will be difficult to try to get the patience and confidence of Canadians. After three years, Canadians expect the Government to come to grips with the situation in a way that will result in a policy that is not designed for an emergency during the summer or for a couple of months, but that will work well in the long term so that Canadians can give it their support and trust. If we are going to move from this system to one that will be marred by legalities and uncertainties, then we will be testing the patience of Canadians. I believe their frustration and anger toward the Government for being either unprepared or unwilling to come to grips with the situation will then turn and transfer itself very dangerously in terms of the global policy.

How does the Government intend to get public support for its desire to have more immigrants come to this country, as it has suggested, when its refugee policy is simply in chaos? Rather than try to blame the opposition Parties, why did it take three years to present new legislation?

If we are going to get a new refugee board, as stipulated in Bill C-55, will he explain why he wants to build a barrier around that with a pre-screening mechanism and a safe third country concept that will make prejudicial statements before there is access to the refugee board?

Everyone agrees with the refugee board. However, under Bill C-55, the Government would be able to dictate or restrict access to the system.

Why is he not prepared to allow refugees full access to the board and allow the board to make a determination, either positively or negatively?

Mr. Ricard: Mr. Speaker, I believe Canadians are testing the Hon. Member who tries to delay the debate. I am very surprised that he has made that suggestion because he was the first to move the motion to delay the Bill we are debating now.

I suggest he will have more than enough time in committee to present some amendments in order to improve the Bill. I believe it is his duty to do so. If he does not, Canadians will judge him.

Mr. Howard McCurdy (Windsor—Walkerville): Madam Speaker, many Canadians have been watching this debate that has been taking place for some time and has reached its peak with Bill C-84 and C-55.

When one considers the atmosphere in which this debate is taking place, there can be no doubt that there is a great deal of concern about abuses to our immigration and refugee determination policies. There has been much criticism and concern expressed about this.

There is concern about legitimate refugees to this country who are really in fear of persecution in their home countries, and that under the processes designed to admit new immigrants into this country there is much delay and difficulty and many refusals for entry of relatives of people who previously immigrated to Canada.

There is much concern that those who are somehow delaying the process are preventing family members of immigrants to get into this country in a reasonable period of time. Some believe that the Department of Employment and Immigration does not act fundamentally to bring more people into this country in order to contribute to the growth of our economy.

It has to be frankly stated that there are those who oppose any kind of immigration, whether it be by refugees or others, on the basis that new immigrants and refugees will take jobs from Canadians. It has been expressed occasionally within and outside the House that those people coming into this country are not the same as Canadians and somehow do not fit into our ways but would be accepted if they acted like the rest of us and adopted the nature of the country to which they are coming.

It is unfortunate, but one often hears in English Canada that those in Quebec do not understand or fit into their ways. We also hear in Quebec similar remarks with respect to English Canadians and those coming from outside. There are a great many attitudes and concerns, some legitimate, some xenophobic, which underlie this whole debate. I think it has to be said, in terms of general consideration of those who come to our country from elsewhere, that there has been a very serious failure on the part of governments, not just this Government but previous Governments, to come to grips with the fact. Yes, we are bringing in people who are different from ourselves, those who are deprived, jobless and fearful of their futures, and there is a notion that immigrants and refugees will take away our jobs. In many cases that may be so, but it is also true that there would exist no Canada whatsoever without immigrants and a very different Canada if there had been no refugees entering our country going back to the 18th century.

• (1150)

I have not heard enough about the fact that immigrants and refugees ultimately contribute to our economy. I was impressed by a statistic reported yesterday morning on radio, that there are some 94,000 jobs a year taken away from Canadians by immigrants and refugees. On the other hand, these refugees and immigrants contribute about 115,000 jobs. So there is quite a significant increase of some 20,000 jobs created each year even at the present level of immigration.

Having said that, I think it is important to point out that if there existed in Canada a policy for the creation of jobs for Canadians as a specific goal of Government, there would not be the fear that immigrants would take away jobs. People might recognize with greater facility the significant and economic contribution immigrants make by creating jobs.

It seems to me we have not taken a positive approach to this issue, which is an important issue when one considers the most significant motive and perhaps the most reasonable for the free trade negotiations, that is, Canada has too small a market-place with its 25 million people, and we are not producing enough offspring to maintain our present market size. The reasonable approach to an insufficient population in dealing with a large market is not to become part of the United States but to make Canada larger.

When I considered these facts, I became shocked by the tone of the debate. Politicians are often subject to criticism for their opportunism, for their narrow view of things upon which they act and their tendency to react to critical situations in an opportunistic way. What better situation could have been created than the landing of 174 Sikhs in Nova Scotia following the landing of the Tamils in Newfoundland a year ago? What better circumstance for the great concern, xenophobic and otherwise, which has been evinced by the Canadian people?

There is no doubt the Canadian people see abuses and that they want to see more speed in dealing with these abuses in our system. One might have expected that, instead of waiting until we reached a debate of critical dimensions, the Government might have acted. It seems to me quite evident that if the legislation which was recommended by so many in this country to speed up the refugee determination process had been implemented two or three years ago, we would not have been faced with the introduction of Bill C-84.

Bill C-84 is unnecessary within the context of the clear message that a fast refugee determination policy would itself have been the most significant possible deterrent to abuse. A process which can take up to five years is a process subject to abuse. It creates the opportunity to come here to work, to establish one's self, to be even in a position to cast one's self before the mercy of the Government in order to remain in Canada in spite of the illegitimacy of the claim proffered.

This long process told people, come on over. You may not be a legitimate refugee but you can stay here for five years. Canada is a humane country, it is run by people who are empathic, so if these refugees manage to get here, the chances are pretty good they would be able to stay. That is self-evident.

Instead of dealing with this, we waited until public pressure mounted. Now we have entered into a debate, and many of the utterances I have heard in this debate have been shameful I sat here last week and listened to many Members on the Government side speak without shame. They laughed and hooted. They said things that would have depressed me enormously had I for one moment thought they were reflective of the views of the Canadian people.

I stood in this House not too long ago and expressed pride in this country. It is a country which had begun the process of evolving into a model, showing the rest of the world how many peoples of different origins can live together to create a new society, a society devoted to social justice. In looking at Bill C-84 and Bill C-55 I reflected upon my own origins. I reflected upon the fact that, like many Canadians, my forbears came here as refugees. Indeed, my great, great-grandfather was one of those who brought 10 or more refugees into this country and not one of them had a document. Among those whom my great, great-grandfather brought to this country—his name being McCurdy—were the great-grandparents of my grandmother. They were slaves. They were refugees from slavery.

This country has changed a great deal. I reviewed my own history and thought of how my people have seen this country change. It was for that reason, at least in part, that I spoke with such pride about this country when I referred to the Nansen Medal. Having said that, I think it is the greatest weakness of politicians to behave opportunistically in response to a real crisis. There is no other way of regarding Bill C-55 and its twin, Bill C-84, except as pieces of legislation motivated primarily by opportunism, coloured so fundamentally by the opportunistic approach as to give offence to the new Canada. I sense a conflict between the senior Minister and the junior Minister. I know that the junior Minister is a man sympathetic to some of the things I have said this morning. He has personally been of great value in specific cases relating to immigration with which I have had to approach him. I suppose one would have to say that the present case is a model of how the exigencies of the moment can turn the heads of even the most sincere.

• (1200)

Bill C-55 is bad legislation. It would deny to refugees what Canada has agreed they should all have, that is, accessibility to a determination process that will enable a determination here in Canada of whether or not they qualify. Such a step as a part of a process has been recommended by Rabbi Plaut and his commission, by the Standing Committee on Labour, Employment and Immigration, and by virtually every NGO in the country which has had anything to do with immigration. Yet the Government has closed its ears to what has been universally regarded as a fair refugee determination process, that

described by the Hon. Member for La Prairie (Mr. Jourdenais) as being the most rational, humane approach to all of this.

As if it were not enough for the Government to use the rhetoric of panic and to proffer a Bill that is so fundamentally flawed, and not enough for it to ignore everyone who has spoken to the issue of a refugee determination process, its motives of opportunism are reinforced by the deliberate construction of a legislative committee based on what appears to be one fundamental criterion beyond assurance of support for the Government, and that is ignorance. I refer to fundamental ignorance of the refugee determination process, international refugee agreements and everything else having to do with it.

The Chairman of the Committee on Labour, Employment and Immigration has been shut out from the legislation committee dealing with Bill C-84. While I stand before Hon. Members very much encouraged by the promise, I believe of the Parliamentary Secretary, that there would be an opportunity for amendment of Bill C-55 in committee, if the precedent with respect to Bill C-84 is followed then there will not be a chance in hell that constructive amendments will be entertained.

I ask the Government not to reproduce its action with respect to Bill C-84 in terms of Bill C-55. When Bill C-55 goes to legislative committee I ask that that committee not have as a fundamental qualification for the government Members ignorance of immigration and refugee matters, that it not shut out those of its own Party who are members of the Standing Committee on Labour, Employment and Immigration and who are qualified experts as a result of hard work in the areas of most fundamental importance in dealing with this legislation.

A huge majority of Canadians have expressed themselves as opposed to increased immigration. These people have expressed themselves in terms of an essential rejection of the new in our population. It is also true that when the facts and the details are known, when the contributions of new people to this country are described and encouraged, that those attitudes are subject to change. It is the responsibility of this Parliament not to engage in provocative rhetoric and xenophobic rhetoric, but to communicate the message that Canada's greatness and our future depend on the same base as in the past, that is, the welcoming of those outside our shores to create a new Canada.

The Acting Speaker (Mrs. Champagne): Are there questions or comments?

Mr. Oostrom: Madam Speaker, the Hon. Member talked at length about a number of ideas but spoke very little about the Bill at hand. He mixed up all kinds of ideas in his speech. What I would like to know from the Hon. Member is if he himself or his Party actually supports the delaying of Bill C-55 for another six months.

Back in September of 1984 the people of Canada voted for change. They voted for action. They voted for a business-like approach to government matters.

Mr. Cassidy: You delayed this for two and a half years. Don't be so hypocritical!

Mr. Oostrom: There have been 875,000 new jobs created. The Hon. Member now wants to delay this measure even further.

Mr. Cassidy: What a hypocrite the Hon. Member for Willowdale (Mr. Oostrom) is. For two and a half years not a word has he said about this issue.

Mr. Oostrom: Other Members of the socialist Party are getting impatient and red in the face—

Mr. Cassidy: It is ridiculous, Madam Speaker!

The Acting Speaker (Mrs. Champagne): Order, please. The Hon. Member for Ottawa Centre (Mr. Cassidy) certainly likes to be listened to when he speaks. I think he should extend to his colleagues the same courtesy.

Miss MacDonald: He never gives anyone courtesy.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Willowdale (Mr. Oostrom) may conclude his comments.

Mr. Oostrom: Thank you, Madam Speaker. I will make my question very short. I would like to know where the NDP "Party" stands on delaying this Bill, Bill C-55. As I said before, the Hon. Member mixed up quite a number of ideas but he did not talk about bogus refugees, illegal immigration or queue-jumpers. He did not talk about those subjects. We are not talking about immigration, something which this Government since September of 1984 has increased year over year. The Hon. Member did not talk about our Government having created, or having assisted in creating, 875,000 new jobs. Nor did he talk about asking new investment to come into Canada via Bill C-22. Where does the Hon. Member stand on this issue?

Mr. McCurdy: Madam Speaker, I find it curious that an Hon. Member of the PCP "Party" would accuse me of being all over the place, where inserted in his question to me were remarks about Bill C-22, which is a Bill that deals with the Americanization of Canada. I am pleased to answer the question of the hon. gentleman from Willowdale who not so long ago was one of those who said that Canadian immigration policy should be based on the encouragement of refugees from Europe and those who have our ways. So we know where the Hon. Member stands on this issue.

Surely, even this Hon. Member understands that the substance of debate should not be constantly reiterated. One of the problems as I see it is that too many of us stand up and say exactly the same thing. There is no doubt that Canadians, and all of us in the House, are concerned about queue-jumpers, as

if that were the fundamental issue. What is at stake here is an understanding of the two different processes involved in immigration versus refugee determination. But gentlemen who are concerned about maintaining this country pure, comprised of only those who have our ways, constantly and deliberately confuse the two processes in order to provoke still more opposition to the present arrangements which would have allowed my great grandfather and grandmother to enter this country. They would deny that now.

• (1210)

My answer is very simple, and a short while ago I stated that I am opposed to delay. In fact, delay has enhanced the position of those who oppose what Canada desperately needs, that is, more immigration. It is the fault of the Government that it has been delayed, and it is the Government's fault that people are upset about the failure to act. The chief deterrence to abuse is a rapid refugee determination policy, and we need it now.

Let me further say that this Member would be opposed to any further delay, even that type of delay suggested by the Liberal motion. If the Government would undertake now to entertain amendments in a committee that is not based on the ignorance of government Members of the issues involved.

Mr. Orlikow: I wish to ask my colleague if he was surprised and dismayed by the question from the Hon. Member for Willowdale (Mr. Oostrom) who appears to criticize anybody who is delaying passage of this Bill? This Bill was not introduced by the Government until May, and it was not called for debate until June, at which time Members were given all of three hours to debate this Bill. Given those facts, does the Hon. Member for Windsor—Walkerville (Mr. McCurdy) agree with me that the Hon. Member for Willowdale should be lecturing his own Government about its delay in bringing forth the Bill, rather than criticizing members of the Opposition for demanding honest, sincere, and detailed consideration of this Bill?

Mr. McCurdy: I thank my hon. colleague for his question. I would like to note in passing that the Hon. Member for Willowdale is one of those who has passed the ideological test for representing the Government on committee.

In answer to the question that has been addressed to me, I think we have to simply say that this is one of the elements of opportunism and politicization of the issue, that two governments have ignored every demand for legislation to speed up the refugee determination process while at the same time maintaining fairness in that system. It was delayed until May, brought in on June 18, and that is it. It is all over, and the rest of us are blamed for it. I am sure you will agree that it is a shocking revelation of the insincerity and the lack of commitment on the part of the Government, if not worse. The identification of responsibility in this matter is so clear as not to require any further discussion.

The Acting Speaker (Mrs. Champagne): Resuming debate, the Hon. Member for Québec-Est (Mr. Tremblay).

[*Translation*]

Mr. Marcel R. Tremblay (Québec-Est): Madam Speaker, we are gathered here today because the problem of aliens entering Canada illegally by claiming to be refugees has become an extremely serious one. The Canadian people are aware of this and the Government as well.

When the Government announced its intention to recall the House, it was accused of either over-reacting or being irresponsible. Doing nothing now would have been telling the world that Canada allows its laws to be broken. Doing nothing would have aggravated the dissension reflected in public opinion and thus put our programs for refugees and immigrants in jeopardy.

There is no doubt that Canada's humanitarian tradition of dealing with refugees may come to an end if we do not put a stop to the abuse being made of our system.

The Canadian people want measures to be introduced now, and we are going to do that.

The House was recalled for a specific task. We must stem the increasing flow of migrants arriving in Canada. We must put a stop to the organized and systematic abuse of our system for determining refugee status. We must take measures to put a stop to the exploitation of human misery by people who could be qualified as refugee traffickers.

Bill C-55 will introduce both fairness and control to the refugee determination process. It is the ultimate step in our plan of action to deal with a problem that has international implications. For most Canadians the dramatic arrival of 155 Tamils in Newfoundland one year ago was their first inkling that we have a refugee problem. That is not surprising when one considers that just six years ago only 1,600 people came to Canada claiming refugee status.

However, by 1986 the number had swelled to 18,000. This year we expect that it will reach 30,000.

More important than sheer numbers is the fact that many of these claims are not genuine. Our studies show that last year 70 per cent of refugee claimants were not refugees at all, and that many others had already found safe haven elsewhere before seeking refugee status in our country. The arrival of the Tamils reinforced our resolve to take action to stem the flow of phoney refugees. Quick action was necessary because of wide media interest in the Tamil boat people. The predictable happened—more and more illegal aliens poured into Canada.

We acted by improving measures to curb the flow of illegals to our shores. The control measures we introduced in February had a limited impact. Refugee claimant numbers which were averaging 1,200 a week in February have dropped to 500 a week today.

The control measures and the expanded powers that we are now seeking will deal effectively with short-term solutions to the refugee problem. But a long-term solution will only be found through the passage into law of Bill C-55.

And now for the problems we are having today. Madam Speaker, everyone knows why we have been called to this place, but I would like to repeat this for the benefit of certain opposition Members who seem to have forgotten already. It is because of a system already overloaded by a backlog of applications which is being exploited by queue-jumpers who are not legitimate refugees in need of our protection.

Unscrupulous racketeers are also taking advantage of the situation and misleading men and women into believing that they will be able to get them the papers required to gain admission to Canada. These racketeers bring these people to Canada under conditions which are often intolerable, unacceptable even for animals, and absolutely shocking in the case of human beings. Legitimate refugees suffer from delays in the system and are put at a disadvantage because of the increasing number and cleverness of fraudulent claims. Mr. Speaker, Canadians are getting more and more concerned about the inequity of the present system, which they believe to be incapable of these abuses. The patience of even the most generous and humanitarian Canadians is running out, and this Hon. Member, Madam Speaker, sees himself as a very tolerant person. Too many people enter Canada without the required documents and constitute a threat to our security.

• (1220)

We are certainly faced with a series of potentially explosive conditions which the Canadian people and the Government cannot accept. The situation requires that the Government take the required action. We are determined to put a stop to this traffic in human beings.

I also believe it important to throw some light on another major component of this Bill. The purpose of the proposed changes is not to discourage legitimate refugees who need our protection.

Bill C-55, combined with the other measures we have taken, will enable us to protect legitimate refugees.

With this Bill, we can develop a fairer, faster and more effective refugee determination system which will benefit all legitimate refugees. This system will respect the basic rights of all those who are entitled to claim refugee status.

Bill C-55 contains key provisions which will simplify the processing of claims, ensure faster rejection of unfounded claims and strengthen the powers of the Government. This will allow the Government to send back to third countries those whose claims are unfounded while respecting their fundamental rights.

We hope that, this time, the urgency of taking action and the increasing pressures throughout the world will convince the Opposition to be more objective about the importance of Bill C-55.

The temporary measures we imposed in February were indeed only temporary. Bill C-55 goes further. It provides the long term solution needed to solve this problem, and this solution is both fair and judicious.

This legislation allows us to regain control over our refugee determination system which past abuses have rendered ineffective.

This is a valid solution, Madam Speaker. The Bill clearly and concisely defines the new process, which I repeat will be an equitable one.

As I have already said, Madam Speaker, we are here to conclude work undertaken several months ago, and Bill C-55 and the Bill on detention and deterrence are the result of this work.

The two Bills complement each other. We must ensure that our system really can weed out abuse, while allowing refugee claimants to put their cases. These two Bills give us the assurance needed. They guarantee the rights of everyone, but will deter many of those swindlers.

The aim of these two Bills is to put in place a refugee determination system that is more fair, more expeditious and better for all genuine refugees.

I keep repeating myself, but I feel that with the position we are now taking we must repeat the good points, in order that we take time to reflect on what is really at stake in these two Bills.

So as I said, what we are looking for is a system that respects the basic rights of all potential refugee claimants.

Yes, we are strongly determined to guarantee the rights of all refugee claimants. But we also want to check abuse. The deterrence and detention provisions will go to the root of the problem and allow us to exercise necessary control.

I would now like to deal briefly with this Government's firm commitment to help genuine refugees.

It is essential to understand fully that our commitment to help genuine refugees is stronger than ever. In fact, Bill C-55 is a measure that is in line with the traditional justice and the humanitarian tradition for which the Nansen Medal was awarded to the Canadian people by the United Nations' High Commissioner for Refugees—the first time ever it was awarded to a whole nation.

Let me also remind all Members in this House and the Canadian people that since we have been elected, this Government significantly increased the number of refugees selected in camps around the world. This year, we are taking charge of 12,000 refugees from those camps, and private groups of Canadians and also families are sponsoring some 5,000 more.

Canada has a long tradition of proving its humanitarian concern for genuine refugees who need its protection. The new determination process will uphold this tradition of commitment to true refugees.

Our commitment goes back a long way. It is an essential part of a policy which, since the Second World War, has brought some 500,000 refugees to Canada for resettlement, and which has helped thousands of others through special humanitarian measures.

On a per capita basis Canada's record of aid to refugees over the past few years has been second to none.

We provide refugee assistance under three specific formulas. First, direct financial assistance; second, the settlement in Canada of refugees selected outside this country; and protection given in Canada pursuant to a determination process carried out here. This three-prong approach is in line with the United Nations refugee policy.

For 1986-87, the Canadian Government set more than $170 million aside for refugee financial assistance. One third of these funds—over $66 million—was given to international humanitarian organizations like the Red Cross and the United Nations High Commissioner for Refugees, or to various countries in the form of food assistance for refugees. The rest of this money has been earmarked for adjustment assistance and language training for refugees selected abroad and for assistance to groups helping refugees to settle in Canada and become integrated in Canadian society.

Furthermore, refugees may obtain interest-free loans from the Government to finance the cost of their transportation to Canada.

The second part of the refugee program is resettlement of refugees selected abroad. In 1986, two-thirds of this group received Government assistance.

Groups consisting of private individuals and volunteer organizations sponsored over 5,000 more refugees. In such cases, the Government helps to match sponsors with refugees and offers the latter group transportation loans, language training and occupational training.

I would like to stress that many of the people admitted to Canada because they were selected abroad under this program do not necessarily meet the strict definition of refugee as defined in the Geneva Convention.

Canada has also developed some unique ways of helping victims of oppression, even if they do not meet the UN definition because they are still residing in their own country, for instance, political prisoners and other displaced persons in Poland, El Salvador, Guatemala, Chili and Uruguay.

We also help displaced persons who are in a situation similar to that of refugees, even if they do not meet the Convention definition. For instance, we have helped many people from Indo-China and Eastern Europe. In this case, we are dealing with people who, having left their countries of origin, did not manage to resettle permanently in another country.

Our purpose in introducing Bill C-55 was to make our refugee determination process efficient again, because this third part of our refugee program was simply not working.

At the present time, this process no longer makes it possible for us to extend our protection to the true refugees who need it because they can no longer sustain the pressure resulting from the enormous increase in the number of claims.

Through the proposed process, Canada will be able to continue fulfilling its obligations under the Geneva Convention while respecting the principles of justice which are the very foundation of our laws. Thus, we will be able to maintain our humanitarian tradition. We do not intend at all to turn our backs on refugees by adopting Bill C-55. Quite the contrary. We want to be able to extend a true protection to those who really need our help.

However, if we really seek to protect bona fide refugees, we must put an end to the abuse and reorganize the whole process.

When I deal with the policy of Canada towards refugees, I do so with considerable pride. Our refugee programs compare favourably with those of any country in the world. Our commitment to refugees is recognized internationally and the resettlement of refugees from camps abroad represents our most important contribution. A great many people have been stuck in camps for years without any alternative choice.

I suggest we must do the utmost to ensure that our tradition is maintained. But in order to do that, the refugee determination process must be changed. Canadians no longer can tolerate the current situation. They want a new refugee process that is both fair and tough to abusers.

As evidence of this, let me bring to your attention the results of a radio survey made in the Quebec area on August 3, 1987. The question was: Do you feel the Minister of Employment and Immigration, Hon. Benoît Bouchard, is right in proposing a tougher act to deny entry to refugees into Canada? Here is the response of citizens in that beautiful and great Quebec area—98 percent of the people supported those legislative measures. Two percent only opposed it. I was told the number of calls to that radio survey was larger than average, and according to the station's management, it was the most decisive in the history of their surveys.

I submit, that the people have spoken their minds, and as a responsible Government we have a duty to listen and act according to the people's will. We have the solution to that problem—now is the time to refer Bill C-55 to committee for review. Enough speeches, and I conclude on this, the time has come to act.

The Acting Speaker (Mrs. Champagne): Questions, comments. The Hon. Member for York West (Mr. Marchi).

• (1230)

[*English*]

Mr. Marchi: Madam Speaker, I would like to ask my colleague two very quick questions because I know other Hon. Members wish to comment on the speech he has just made.

First, the Hon. Member said that his Government was awarded the Nansen Medal. Would he not wish to clarify that for the record by saying that in fact the Government certainly did not win that award for its achievements over the last two years, but that the Nansen Medal was awarded for the very first time to a country for a record that had been demonstrated over years gone by when his Party was still on this side of the House? I think the Hon. Member should have the honesty to clarify that.

Second, the Hon. Member went on at some length suggesting that Bills C-55 and C-84 somehow meet with the approval of the Geneva Convention to which we were a signatory in 1969. Having said that, would he care to comment on what he thinks about the letter that was released last Friday by the United Nations High Commissioner who, despite couching his remarks in very diplomatic language, expressed clear concern for the direction the Government was taking? In his letter of six or seven paragraphs he pleaded with Canada not to take that direction, but to have some degree of sensitivity to the United Nations Convention and to the message we would send out to the other countries of the world.

If in fact the Government does not wish to uphold the United Nations Charter, why is it not prepared to tell Canadians that it is no longer prepared to live with that agreement, rather than doing it through a sneaky, back-handed, back-door approach?

[*Translation*]

Mr. Tremblay (Québec-Est): Madam Speaker, I will answer the two questions very briefly. On the first one, I mentioned in my speech that the Canadian Government indeed had the privilege to receive the Nansen Award, and as a Canadian I am very proud of that.

On the second question, after much reading on the matter and articulating Bills C-84 and C-55, which complement each other, it is my view that everything that has been written and said by this Goverment had but one goal—to protect all Canadians without exception, and to some extent I admire the Opposition. It cannot always be easy to get mentally prepared to criticize proposals which are so obvious, since they are fair and equitable. They deserve some credit for that and I am aware of it.

[*English*]

Mr. Orlikow: Madam Speaker, most Canadians would agree with the suggestion of the Hon. Member that we want a refugee system that is humane, fair and quick. How can the Hon. Member say that the Bills that are before us will provide for such a system, when on June 1 of this year a telex was sent to the Prime Minister (Mr. Mulroney) signed by and on behalf of the Canadian Conference of Catholic Bishops, the Anglican Church, the Canadian Baptist Federation, the Canadian Council of Churches, the Council of Christian Reform Churches, the Mennonite Central Committee, the Presbyterian Church of Canada, the Salvation Army, the Quakers, the United Church of Canada and the Inter-Church Committee for Refugees making it very clear to the Prime Minister and the Government that in the view of these organizations, which certainly have no political axe to grind, the legislation was very deficient?

Second, why did the Government not follow the recommendations made by the Standing Committee which dealt with this question in great depth? This committee had a large majority of government members on it. It issued a unanimous report making very specific recommendations, most of which were not included in this legislation.

[*Translation*]

Mr. Tremblay (Québec-Est): Madam Speaker, I am happy to reply to the question raised by my colleague for Winnipeg North (Mr. Orlikow). I would remind him of a poll to which I have already referred. The question asked to the residents of the beautiful region of Quebec City was this: Do you believe that the Minister of Employment and Immigration (Mr. Bouchard) is right to propose harsher legislation to refuse refugees entry into Canada? Of all those canvassed, 98 per cent said yes. But what if the question had been phrased this way: Do you believe that the Minister of Employment and Immigration is right to propose harsher legislation to refuse entry to fradulent refugees? I believe that 150 per cent of respondents would have said yes. This is a recent poll and the results are clear. They represent a diversified segment of the population of my region. There are all kinds of happy people in that region. This is what the people think. Many of these respondents are from my own constituency. I have always been very receptive to their comments, and this poll, has shown me what I must do.

Mr. Gauthier: Madam Speaker, I have a question for the Hon. Member for Québec East (Mr. Tremblay). The main strength of Bill C-55 is certainly that it will help to reduce the delays in processing refugee claims. It contains provisions which will allow the authorities to process claims more quickly than in the past, and I believe that everyone agrees with that. We are not here to discuss whether or not Canada needs refugees. We have always welcomed them in the past.

Bills C-55 and C-84 deal with illegal or irregular claimants and abusers of the system. One of the provisions of Bill C-55 concerns that new concept. That is one of the weaknesses of the Bill.

The new concept advocated is that the Government or Cabinet will establish a list of so-called safe countries about which we will be able to say: "In that country there is no danger of violence against basic freedoms". The Cabinet will have to establish a list of safe countries, the concept of the safe third country.

I have a question for the Hon. Member, because we all know such a list will create problems. The Cabinet has always refrained from establishing this kind of list because it is not easy to politicize the whole process and make such momentous decisions.

The question is this: For example, the United States do not accept refugees from Guatemala, they do not accept immigrants from other countries, I could name some, San Salvador for one, they send them back home.

The federal Cabinet will have to decide whether the United States is a third safe country. Is it really a country where we can send a refugee or so-called refugee arriving in Canada, under the pretense that he will be well there and not be threatened?

We all know that the policy of the Americans is to send home people arriving from San Salvador and Guatemala.

How can the Hon. Member reconcile this question of the safe third country, knowing full well that we are on very good terms with the Americans but have serious reasons to believe that an individual might come from Guatemala or San Salvador and tell us: "My personal safety is threatened or I am otherwise threatened with respect to expressing my basic freedom". Would the Hon. Member tell us how he would deal with that problem, how he would respond to this refugee whose personal and individual rights are threatened?

Mr. Tremblay (Québec-Est): Madam Speaker, I should think that Canadian representatives and Canadian embassies throughout the world have enough experience and credibility to be aware of what is going on every day, and to be in a position to have an updated list of what we call "safe countries".

So far the Cabinet has demonstrated that we ought to have confidence in them and I would leave any such decision up to them.

• (1240)

[*English*]

Miss Aideen Nicholson (Trinity): Madam Speaker, Bill C-55 is a strange and inadequate response to the very serious need for a review not only of refugee policy but of immigration policy in general. Since this Bill and Bill C-84 deal with refugee policy and not other aspects of immigration, I will confine my remarks to that.

I was chairman of the Standing Committee on Labour, Manpower and Immigration in 1976 when we passed an immigration Bill. At that time immigration law had not been updated for about 20 years. The Department of Immigration was running along on volumes and volumes of ministerial directives and regulations. The law was then updated and it was quite clear that with the changing issues in immigration there should be a further updating well before another 20 years had passed.

The refugee policy passed at that time did not provide for automatic oral hearings. There was a very elaborate paper screening effort and people had oral hearings later on in the determination process. It became clear this was causing problems.

I spoke in this House in March, 1984, on a motion recommending that all refugee applicants have oral hearings. I supported the motion for two reasons. First, an oral hearing early on in the process could result in faster decisions, and would enable the genuine refugee to know where he or she stood so that they could get on with having trade and professional qualifications evaluated and establishing a life in Canada. It would also screen out the bogus refugees who were starting to appear even at that time.

The second reason I was in favour of oral hearings early on was that I was sure members of the Refugee Status Advisory Committee, as it was called at that time, as they examined sworn statements, must sometimes encounter doubts which could be resolved by a simple question or brief conversation with the claimant. I also said that our refugee policies and practices should be subject to ongoing review.

I think there were some principles held at that time which still hold today and on which we can agree. First, that Canada's effort in formulating and administering refugee policy is an essential reflection of Canada's humanitarian interests. Canadians have shown they have the capacity to reach out to those who are suffering persecution for reasons of race, religion, or politics, and to give comfort to the homeless and stateless. We have demonstrated a concern that our institutions and administrative practices reflect those humanitarian ideals. However, as I said then, and as I repeat today, we also have to exercise those instincts and goals, keeping in mind the protection of the best interests of Canada and of ensuring over-all fairness in our immigration policies.

Unlike other countries, Canada has not in the past faced a situation where large numbers of people claiming refugee status arrived at our borders. We are protected by three oceans. However, air travel has changed that. We are living in a time when strife and civil unrest are common. We are also living in difficult economic times. It is estimated that at any moment in time now some 70 million to 80 million people are on the move. Some are genuine refugees according to the UN standard. Some are unhappy, desperate people moving because of war, revolution and poverty. Some have the same motivation that immigrants have, the desire to create a better life and future for themselves and their children.

Where does Canada stand in all this? What are our obligations both to our citizens and those who wish to come to Canada? Clearly we cannot accommodate 70 million to 80 million people.

When I was a delegate to the UN in 1980 there was a lot of discussion, as there has been since, on the need to find better ways to settle refugees nearer their own homes and the need to find better methods of dispute settlement, protection of human rights, and of ensuring economic prosperity in third world countries. Those all form very basic parts of any approach to refugees and I have not heard any discussion of that kind in this debate. The Government's response to the present situation is simply to find ways of slamming the doors on refugees, keeping them off our shores. That does not touch on the international problem.

We have before us two Bills which are primarily designed to deal with abuses. They do not take a constructive approach to the real situation of refugees. When I spoke in March, 1984, in favour of oral hearings, I said that Canada was then averaging about 500 applicants for refugee status per month, that this was double the number in the previous year, 1983, and that about 9,500 cases were under review for appeal yet only one-third of those who claimed refugee status had their claims upheld.

• (1250)

Those numbers have since exploded. I understand that the number of refugee applicants in the first six months of 1987 approached 16,000 and that only about 10 per cent of those who applied were determined to be refugees. Therefore, the numbers are significantly different and a response on the part of the Government is needed. However, the response is not Bill C-55 or Bill C-84.

Part of the reason for the flood of refugee applicants is, of course, the activities of so-called immigration consultants and of certain lawyers specializing in immigration. In my constituency at one time there were five people operating. Four of them were not lawyers while one was, and he, I believe, has since been charged. There is another lawyer who has not been charged and who, to the best of my knowledge, has never advocated any actually illegal proceeding. However, he certainly takes on hopeless immigration cases at $3,000 a go. My constituents ask me what the difference is between him and a consultant who charges $1,500 to advise someone to tell a few lies at an immigration hearing.

There is an appalling traffic in human misery. Some of the people who want to immigrate to Canada, although not refugees by the UN standard, are trying to escape difficult, painful situations which we can only imagine. It is absolutely appalling that they are being preyed upon and trafficked in by people who are escaping scott-free.

For this I have to be very critical of the Government. The Minister and his officials have certainly known of the activities of these so-called consultants and less than scrupulous lawyers for well over two years. We have seen nothing but inaction. There are measures in the present legislation which would have allowed action to be taken. Remarkably little has been done. The extraordinary and Draconian legislation now before us was not necessary because there are powers in the existing legislation to deal with the problems. There are powers contained within the Criminal Code to deal with fraud which have not been used.

The Minister's officials know, as well as I, that there is a lively traffic in social insurance number cards, that ineligible people are working on building sites all over Toronto. There are remarkably young, healthy men carrying cards which belong to 65 year-olds. This has been well known for a long time and no action has been taken. The Minister's officials know which union halls ask no questions but will send anyone out to a job without the production of identification and proof that he has status in the country. Nothing has been done.

For the Government, which has not taken action, which has not used the existing provisions in the law against fraud, to in effect say that the whole refugee process is so fraudulent that we need Draconian legislation to stop all refugee applicants at the border is surely to attack the problem in the wrong place.

I hope that the news we heard today is not true. There is a report in the newspapers that the Minister is seriously considering building some kind of fortress to house 2,500 refugee applicants. We will wait with interest to see what the Minister has to say about that, whether he will claim that he was misquoted.

Section 95(n) of the present Immigration Act allows prosecution of those who would counsel or assist illegal immigrants. That section has not been used other than to prosecute the captain of the *Amelie*. In other cases the most extraordinary abuses are taking place and the Government remains inactive.

To repeat, I know that Canadians want us to have a just, humane refugee policy. Canadians want genuine refugees to be admitted. Our past experience has been that they become very good citizens. One example is the 160,000 boat people from Vietnam who were settled in Canada with the aid and active involvement of many Canadian citizens and church groups who participated with the Government in providing sponsorship and offering friendship and assistance to families.

Canadian generosity has not changed. However, Canadians certainly do not want to see scams. Canadians do not want to have the system abused. That is abusive to our own taxpayers and also to genuine refugees. Canadians want abuses stopped. However, the two Bills before us are not designed to stop abuses but to close the door to genuine refugees. That is why I have to oppose them.

Mr. Friesen: Madam Speaker, I listened with care to the Hon. Member's speech. I always find it useful to hear what she has to say. She said that there was urgency to deal with fraud and fraudulent cases. Would she then tell us whether she thinks it is reasonable to delay this legislation for another six months and pass it in 1988, as indicated in the amendment to which we are now speaking?

Miss Nicholson: Madam Speaker, as I pointed out, this Bill does not address the question of fraud. There are provisions in the existing Immigration Act to deal with fraud, which provisions have not been used by the Government.

Mr. Friesen: Madam Speaker, would the Member not agree that when groups of so-called refugees, which may indeed be refugees, arrive in numbers large enough to knowingly plug up the system, that is a kind of fraud which destroys the system?

Miss Nicholson: Madam Speaker, the reason that fraudulent applicants can plug up the system is because the system is in need of revision. The Government added to that problem by announcing last year an amnesty, which it called by another name. At the time it was announced, that in itself triggered a tremendous amount of activity on the part of so-called consultants who were advertising in papers all over the world. There was a very deliberate attempt to plug up the system at that time and the Government should have foreseen it. It created the problem about which it is now complaining.

• (1300)

The Acting Speaker (Mrs. Champagne): It being one o'clock, I do now leave the Chair until two o'clock.

At 1.02 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

CHILD CARE

COMPREHENSIVE SYSTEM ADVOCATED

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, Canadians across this land have been telling the Conservative Government for the last three years that we need an affordable, accessible and comprehensive quality child care system. They said it through the Abella Report, the Cooke Task Force, the "Equality for All" report and the recently tabled Martin report.

Child care has been described as the basic building block to access and equality of opportunity in the workforce for mothers. While this is a most serious consideration, even more important is ignoring the scarcity of services that neglects the real beneficiaries of child care, our children.

Whether pre-school or latch key for after school care, children need the protection and benefits of such a system whenever the absence of the parents requires an alternate form of care.

The Conservatives have had the time and opportunity to establish the needed federal position on child care. How can Canadians trust the Government's political will when it gives nothing but excuses, platitudes and a one-and-a-half page farcical letter as answer to this major social issue? It is time for action for the mothers, fathers and children of our land.

* * *

IMMIGRATION

SUPPORT FOR MEASURES TO PREVENT ABUSES OF SYSTEM

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, queue jumping by potential new Canadians to get into our country is simply not acceptable. Canada cannot and should not tolerate unscrupulous persons from anywhere who deal in human flesh at our borders at the expense of legitimate individuals who are waiting abroad to follow standard immigration procedures. Nor should we admit illegal refugees to our lands.

The vast majority of Canadians, almost 80 per cent, support the current Government's actions, and over 60 per cent said we should have gone further. Canadians are obviously in a mood for new tough measures to deal with immigration problems.

Canada can and should continue to welcome new persons to its shores. As we all know, our country has the capacity to do so, but not at the expense of those who are honestly trying to come here. Hundreds of my constituents, many of whom are new Canadians, have told me we should be firm, fair, quick and tough on illegal and unfair practices. I believe we are.

* * *

IMMIGRATION

REPORTED PLAN TO CONSTRUCT DETENTION CENTRE

Mr. Dan Heap (Spadina): Mr. Speaker, the media report that the Minister of Employment and Immigration (Mr. Bouchard) is planning a detention centre for 2,500 refugee claimants. This would be a horrible throwback to 45 years ago when our Government imprisoned 22,000 permanent residents of Canada, mostly Canadian born, and stripped them of nearly all their property solely because of their racial origin.

Unnecessary detention is cruel and such large scale detentions are not needed to protect Canada from refugees. The ancient people of Israel, although they suffered many attacks by enemies and many invasions, nevertheless made it a law to protect strangers who came in peace and unarmed. Jesus promised the kingdom to those who welcomed him in the person of a stranger.

I urge the Minister to drop this idea and cancel any tenders he may have called for the construction of such a cruel detention centre.

S. O. 21

HORTICULTURE

PLIGHT OF HONEY INDUSTRY

Mr. Jack Scowen (Mackenzie): Mr. Speaker, Canada's honey industry has been plagued with more than its share of problems this past couple of years. I won't go into all the horrid details, but weather, disease, management as a result of poor advice, and honey prices are some of the complications. If something is not done soon to straighten out these problems the industry will be in serious trouble.

Financial problems are created by the United States Farm Support Bill which in turn does not bring a viable price to the Canadian producer. Honey was not on the list of commodities covered by the special grains payment made to Canadian farmers.

The honey industry has been a self-sufficient industry until recently and I call upon our Government to hurry up with the support for which the Canadian Honey Council has made application.

* * *

AIR TRANSPORT

PROPOSED TRANSPORTATION OF PLUTONIUM THROUGH CANADIAN AIR SPACE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, next month the United States and Japan are expected to ratify an agreement to ship plutonium from Europe to Japan through Canadian air space. By allowing these overflights of plutonium Canada would jeopardize human life, caribou, polar bears and other forms of life should an accident take place.

The inhalation of toxic plutonium dust leads to slow death by cancer. The people in Yellowknife and perhaps even Edmonton could conceivably be at risk depending on wind direction, location of the crash site and the extent of destruction to the plutonium carrying casks.

The quantity of plutonium to be shipped means two flights per month for 30 years. If one overflight is allowed it will be difficult to stop the second, third, or three hundredth.

I urge the Government to notify the United States and Japan now, before the signing of the agreement in mid-September, and make it known that the Government of Canada is opposed to the transport of plutonium over its territory, and therefore avoid any risks to people, property and the environment. What Canadians want from the Minister of Transport (Mr. Crosbie) is reassurance and preventive action.

PHARMACEUTICAL INDUSTRY

SUPPORT FOR PASSAGE OF LEGISLATION AMENDING PATENT ACT

Mrs. Barbara Sparrow (Calgary South): Mr Speaker, I would like to draw to the attention of the House the numerous telegrams and letters I have received from my constituents urging me to support the passage of Bill C-22 as presented by the Minister.

Around the world the creation of new ideas and inventions is protected by copyrights and patents, that is everywhere but here in Canada. Canada stands alone among the industrialized countries in imposing compulsory licensing when a company obtains a patent for a new drug. This means that anyone else can copy that drug as long as it pays a 4 per cent royalty. That is legal piracy, the stealing of a company's intellectual property. It has to stop.

• (1405)

Bill C-22 will allow people and companies to do research with their time and with their money here in Canada. One really has to wonder if Senators have considered that the drug companies involved have promised Canada approximately $900 million in spending on research and development and the creation of 3,000 jobs for Canadians.

* * *

SOCIAL AFFAIRS

SHORTAGES EXPERIENCED BY MUNICIPAL FOOD BANKS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, in recent months there has been a dramatic increase in the number of people who visit food banks in every part of Canada and in every city and town. These are food banks which have been established by voluntary agencies. For the first time there are skilled workers who have lost their jobs and executives of middle management from major companies who are finding it impossible to continue without the help of these food banks.

This summer many alarms have been sounded as community food banks have run short of enough supplies to feed the hungry. Huge shortages have been reported in big cities such as Toronto, and in smaller cities such as Kingston. Provinces such as Alberta and now British Columbia have compounded the difficulties by reducing welfare rates.

We have to ask ourselves how much longer it will be before food banks begin to crack because of the intense pressures caused by Governments which no longer care enough to help. Already cities such as Regina are turning to provincial and federal Governments to assist in a proposed universal school meal program to help feed that city's more than 2,000 hungry children each day.

When will the federal Government address the basic problems of hunger and malnutrition for so many Canadians? Some of us have been asking this same question for at least two years. It is time the Government got to work on what is a very important and serious problem.

* * *

POLITICAL PARTIES

PATENT ACT AMENDMENTS—OPPOSITION OF NEW DEMOCRATIC AND LIBERAL PARTIES

Mr. David Daubney (Ottawa West): Mr. Speaker, the Liberals and New Democrats are strong on the rhetoric of research, development and productivity. But, in practice, they bend to the winds of political expediency opposing the Government's amendments to the Patent Act. Let the Opposition explain this to the 66 working men and women in the pharmaceutical industry in Arnprior who, out of concern for their jobs and their futures, sent telegrams to their Member of Parliament.

Let them explain to Canadians how, in their search for a few easy votes, they have opposed legislation which will encourage and reward those companies which dare to invest in research, developing drugs which ease human suffering and save lives.

Let the senatorial scaremongers try to explain to scientists and researchers across the country why they chose to call up the spectre of unreasonable fears rather than taking the tough decisions necessary to reward innovation and productivity.

* * *

[*Translation*]

NEW BRUNSWICK

PROSPECT OF ELECTION OF A LIBERAL GOVERNMENT

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, this statement has no connection with the forthcoming election. That is how announcements regarding major projects in New Brunswick are prefaced.

On the week-end it was announced that $20 million would be added to the Canada—New Brunswick Agreement on Tourism. Wonderful! This means that projects previously turned down because of lack of funds will now be able to proceed.

We still do not know whether this announcement has any connection with the upcoming election campaign in New Brunswick. I don't think so. Let me explain.

Everybody in New Brunswick knows that the Hatfield Government is breathing its last. Everyboby knows that no agreement and no amount of money would be able to buy the New Brunswick election for the Hatfield team.

Mr. Speaker, I am sure that in his wisdom, the federal Minister of State for Small Businesses and Tourism (Mr. Valcourt) is aware that in New Brunswick, the die is cast, and whatever he does, he will not be able to influence the vote towards the present Government, which is so exhausted it doesn't even have the courage to call an election. The Minister is also aware that the next election in New Brunswick will lead to a Liberal landslide that will be remembered in history as the McKenna landslide.

Mr. Speaker, it is only a matter of time.

* * *

• (1410)

[*English*]

IMMIGRATION

REFUGEE DETERMINATION SYSTEM—ABUSES CONDEMNED

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, sensible, thinking Canadians from every walk of life are appalled at the current refugee determination process whereby anyone can come to Canada at any time, by any means, from anywhere, and upon arrival refuse to identify themselves, and in the same breath claim all the rights and privileges of Canadian citizenship.

We are told that upwards of 500 refugee claimants are arriving weekly with virtually unlimited potential for more. Furthermore, 90 per cent of these claimants are bogus refugees, line jumpers who make a mockery of our laws and who proclaim to the world that Canada is an easy mark.

My constituents are saying that this is grossly unfair; surely, common sense must prevail. They congratulate the Minister of Employment and Immigration (Mr. Bouchard) on bringing forward Bills C-84 and C-55 which will increase penalties against smugglers, and make it easier to detain refugee claimants. They urge speedy passage of these Bills.

* * *

CANADA LABOUR CODE

PAYMENT OF BENEFIT CONTRIBUTIONS DURING MATERNITY LEAVE

Mr. Rod Murphy (Churchill): Mr. Speaker, in the past I have brought up the issue of paid benefits for people who are on maternity leave. At that time I requested that the Minister of Labour (Mr. Cadieux) act.

It is important to note that in September, 1985, the Government sent out a circular in the format of questions and answers. One of the questions was:

> Is the employer required to continue benefit contributions while the employee is on leave?

The answer was:

> Yes, but only if the employee also pays contributions he or she would normally have made.

That being the case, women assumed that they would have the normal benefits paid by the employer continue. Since then the Government has received a legal opinion which was sent out by James Allan from the Minister of Labour's office. In that letter it states:

> We now have a final opinion from legal services. They advise that Section 59.52 does not obligate an employer to pay their "usual" cost of benefits during maternity/child care leave. We are also advised that since there is no legal obligation for employers to pay, a prosecution under the Code would probably not succeed.

I ask that the Minister of Labour live up to the obligations of his Department, of the House of Commons, and of the law as it was passed in 1984, and make appropriate changes to the Canada Labour Code to ensure that women on maternity leave receive paid benefits.

* * *

IMMIGRATION

REFUGEE DETERMINATION SYSTEM ABUSES—SUPPORT FOR AMENDING LEGISLATION

Mr. Alan Redway (York East): Mr. Speaker, since the end of World War II, hundreds of thousands of refugees have come to our country, usually after being processed by Canadian officials in one of the many refugee camps around the world. Until recently, only a handful arrived in Canada and then claimed refugee status. That has jumped dramatically, from 1,600 in 1980 to over 18,000 last year. This is partly due to the increase in the world's refugee population, which is presently estimated to be at least 12 million. However, 70 per cent of those who arrive here and then claim refugee status are queue jumpers, posing as refugees to gain quick entrance into Canada.

Canadians do not like queue jumpers. Rightly so, they feel it is unfair to immigrants waiting to come into our country legally. Bills C-84 and C-55 are not aimed at genuine refugees. They are aimed at deterring queue jumpers, and at fairness for immigrant applicants who want to play by the rules. That is what Canadians really want.

* * *

PHARMACEUTICAL INDUSTRY

NEWSPAPER EDITORIAL OPPOSING POSITION OF SENATE IN AMENDING PATENT ACT LEGISLATION

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would like to take this opportunity to quote from *The Packet & Times* editorial on August 15, 1987. The editorial is entitled "Drug patent bill—obstructionism by Senate". It states:

> In opposing the federal governments' proposed new drug patent bill, the Senate is staging a grandstand play. We hope Canadians will not be fooled by it.
>
> At present, in Canada, genetic drug companies are allowed to make cheap copies of medications developed by major drug companies in return for a mere 4 per cent royalty.
>
> Canada is the only country in the western world which allows this piracy. Most protect the drug investors for 10 years or, in some cases, much longer.
>
> Canada's practice is unfair. If we treated other "inventors" in such manner we wouldn't have any new inventions.
>
> If we expect the major drug companies to spend the billions of dollars required to develop new medications . . . for the benefit of us all . . . we must offer some protection . . .
>
> The Senate, in a deliberate attempt at obstruction, has revised the legislation calling for . . . a four-year monopoly.
>
> The Liberal-dominated Senate claims that in proposing the law, the Mulroney government is bending to the demands of the U.S. government and drug company lobbyists.
>
> This ignores the fact that European drug companies and other governments are as much upset at our piracy as the Americans.

• (1415)

I call upon the other place to abandon its obstruction.

* * *

PHARMACEUTICAL INDUSTRY

NEWSPAPER EDITORIAL SUPPORTING POSITION OF SENATE IN AMENDING PATENT ACT LEGISLATION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I, too, want to read an editorial on the same issue, on Bill C-22. This one is from *The Toronto Star* of August 16, 1987. It is entitled "Bill C-22: R.I.P." and reads:

> Consumer and Corporate Affairs Minister Harvie Andre says he would rather let its drug patent legislation die than negotiate its provisions at a conference between senators and MPs. That's okay with us.

It goes on, and in the last sentence it says:

> Andre wants none of the Senate's compromises. If that means Bill C-22 dies, Canadians won't mourn its passing.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—FUTURE OF AUTO PACT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I will direct my question to the Acting Leader of the Conservative Government, in the absence of both the Deputy Prime Minister and the Prime Minister.

[*Translation*]

There are only 49 days left before the end of the free trade negotiations with the United States, and the Americans are still maintaining that the Auto Pact is part of the negotiations. The Government offered to give me a private confidential briefing on trade issues last week on the condition that I not say a word about them.

My first question would have been about the Auto Pact. Since the Government seemed willing to tell me the truth in private, is it also willing to say publicly what is going on in the negotiations as concerns the Auto Pact, or rather the guarantees protecting this pact? Are they part of the negotiations or not?

[*English*]

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there is of course a temptation to offer to reply to the Acting Leader of the Liberal Party—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): —but I will not succumb to that.

[*Translation*]

As for the specific question asked by the Leader of the Opposition, it is a well-known fact that the Auto Pact is not on the table. The Leader of the Opposition has asked whether we are willing to begin publishing the details of the Canadian position 45 days before the end of the negotiations. This would destroy our position in the negotiations. We are not willing to publish the Canadian position as asked by the Leader of the Opposition.

[*English*]

REGIONAL DEVELOPMENT PROGRAMS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the right hon. gentleman knows that in the circumstances in Parliament I would not be tempted to needle him, but I want to assure him that I am not likely to follow his precedent.

Mr. McDermid: Not likely?

Mr. Turner (Vancouver Quadra): Our difficulty—

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Our difficulty is that—

Mr. Masse: Look at your own Members, John.

An Hon. Member: There is nobody behind you at all.

Mr. Speaker: The Right Hon. Leader of the Opposition.

Mr. Turner (Vancouver Quadra): Mr. Speaker, our difficulty is that despite the fact that the Minister for International Trade has said that she made a clear statement to the House of Commons on March 16, she did not. She did not indicate in clear terms what was negotiable or what was not negotiable.

• (1420)

We do not want to know the negotiating position of the Government and we do not want to know how the Government will play its cards. However, we do want to know what cards are in the deck, those items that are negotiable and on the table with the United States.

I could cite to the right hon. gentleman a statement made on regional subsidies. The Minister said on March 16 that regional development and our capacity to sustain regional development are not on the table. Five paragraphs later, she said also on the table are subsidies and related measures which are important to regional development because we want to know what programs we will be able to implement for regional development.

That is a perfect example of the lack of clarity of the Minister and it is for that reason that I ask the Right Hon. Member this question: are regional subsidies, those elements of Canadian national policy necessary to achieve economic equality across Canada, part of the negotiations with the United States, yes or no?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, what is being talked about here is a trade negotiation. I have been out of the country for a week and I do not know if the Leader of the Opposition has changed his position again, but when I left he wanted to subvert the trade negotiations entirely and have us walk away from them before they were completed.

Now he seems to have a new proposal and that new proposal is that since the Government is determined to follow the advice of, among, others the Liberal Premier of the Province of Quebec, by proceeding with the best efforts attempt to negotiate a trade arrangement, he is trying to ask us to act in a way that would put the Canadian case on the table for the advantage of the Americans in a way that would destroy the Canadian case. That is not the way we will proceed with these negotiations.

AMENDMENT OF PATENT ACT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, with that type of answer there will be no overwhelming demand that the Minister stay in the country for any length of time.

The Right Hon. Member's colleague and Leader, the Prime Minister, admitted last week that the drug legislation, Bill C-22 shortly to be before the House, has been discussed with the Americans. It took a little prodding, but we got that admission. Since the Americans have always contended that the drug legislation is a matter for negotiation in free trade with Canada, has the Government consulted recently with the

Americans to ascertain whether the compromise set forth in the Eastman report would be a position acceptable to the Americans?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, what an amazing attempt to give away Canada's sovereignty. We make those decisions here in Canada, we do not ask the United States to make those kinds of decisions.

The Right Hon. Leader of the Opposition has asked a question based upon discussions with other Governments regarding Bill C-22. I can tell him that I have heard from other Governments about the situation of piracy that is the law of Canada now which we are trying to change. I have heard from the French, the Dutch, the Germans, the British, the Americans, and there is no doubt—

Mr. Gauthier: How about the Canadians?

Mr. Clark (Yellowhead): —and we have heard from Canadians, both on the question of the substance of the drug Bill and on the question of the absolutely unacceptable, undemocratic attempt by the Senate of Canada, a Senate whose real purpose is to change the leadership of its own Party, to subvert the actions and decisions of the elected representatives in the House of Commons.

Some Hon. Members: Hear, hear!

* * *

IMMIGRATION

BILL C-84—UNITED NATIONS CONVENTION ON REFUGEES

Mr. Sergio Marchi (York West): Mr. Speaker, my question is for the Minister of State for Immigration. Last Friday in response to a question put by my Leader, he suggested that under Bill C-84 we will not violate our international obligations. However, we have since learned that in a letter dated August 12 sent to the Government of Canada, the United Nations High Commissioner on Refugees expressed grave concern with the policy of the Government and in the process delivered an international slap in the face to Canada which was heard the world over.

Knowing our precise commitments to the United Nations and having received a letter prior to the commencement of the emergency debate last week, why did the Minister persist in misleading the House and Canadians into believing that the United Nations Convention is not being breached by Bill C-84? Will the Minister make the necessary amendments so that Canada can save face with the United Nations? In that regard, what instructions have been sent to Ambassador Stephen Lewis?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I received the comments of the United Nations High Commissioner and I responded to those comments in a letter last week. I am confident my explanation will satisfy the concerns of the High Commissioner.

• (1425)

In the letter I said that the powers permitted to states by Article 25 of the UN Convention on the Law of the Sea authorizes the denial of entry and the enforced departure of vehicles from territorial waters where there is reason to believe those vehicles are transporting a person or persons to Canada in contravention of the Immigration Act or regulations. The Bill requires the Minister to exercise due regard to the safety of the vehicle and the passengers before giving the direction to depart. This provides ample opportunity for the Minister to take into account a variety of considerations before making his decision.

GOVERNMENT POSITION

Mr. Sergio Marchi (York West): Mr. Speaker, the Minister should know that the UN Commissioner is not stupid. His concern is for the safety of refugees. We are squandering the international leadership role on which Canadians have prided themselves. We are losing sovereignty at home, respect abroad, so what else is left?

An Hon. Member: You!

Mr. Marchi: Bill C-84 will render our signature to the UN Convention on Refugees null and void as was diplomatically implied by the UN Commissioner. Why does the Government not have the honesty and integrity to tell Canadians and this House very clearly that it no longer believes in the UN Convention, that it is pulling Canada out of that convention, rather than trying to do it through a sneaky back door approach? You cannot have it both ways. Which one is it?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I share the opinion of my colleague that the High Commissioner for Refugees is certainly not a stupid person, and this is why we responded at length to the question he asked us. I am sincerely convinced that the High Commissioner for Refugees will accept Canada's argument with respect to dissuading bogus refugees from resorting to illegal means to enter this country. We reserve the right to send back ships caught in international waters, but again with every assurance that in the case of people sent back, if ever this should happen, we will have given consideration to the safety aspects and made sure that neither the life nor the future of such individuals would be compromised in any way whatsoever.

EXTERNAL AFFAIRS

POSSIBILITY OF NEGOTIATING END TO APARTHEID—MINISTER'S POSITION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is for the Secretary of State for External Affairs. The Secretary of State was quoted as saying that he has come back from South Africa with practical proposals to negotiate an end to apartheid. This seems to be a major development. Can the Secretary of State tell the House what these proposals are?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there are no specific proposals and I regret having been misquoted. Some developments have come to light in my discussions with the African National Congress and the government of South Africa which are minimally encouraging. I must say that, as far as negotiations are concerned, I do not believe that there can be any major progress in the forseeable future, but there have been some elements of agreement between the two parties which hold some hope for the future. For instance, both parties have indicated that they would prefer a negotiated solution to one achieved through violence. Both have indicated that, in their opinion, if the apartheid issue is settled by violent means in South Africa, it will have terrible consequences for everyone in the region, both Black and White.

Third, and I believe that this is very important, the ANC recognizes that it is not the only group representing South African Blacks that must be involved in any negotiations. Finally, neither the government of South Africa nor the ANC have closed the door on future negotiations.

• (1430)

[*English*]

FORTHCOMING COMMONWEALTH AND FRANCOPHONIE MEETINGS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, quite evidently the visit of the Secretary of State for External Affairs to South Africa was intended as a preparation for both the Francophone Summit and the Commonwealth Summit.

In view of the experiences of the Secretary of State in southern Africa, is it the intention of the Government to bring forth any specific propositions at all to those two conferences? Quite specifically, is it the intention of the Government to fulfil its promise to try to agree to new sanctions by those two bodies in view of the lack of change in southern Africa?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I will have the privilege later today of being present when the Prime Minister meets the Secretary General of the Commonwealth, Mr. Ramphal, at which time there will be discussion of some of the matters which will come to the agenda of the Commonwealth Conference. Many of those will concern South Africa.

Although that conference is also dealing with a wider world and a wider range of issues, there are some specific proposals that will be considered. If those proposals are to have effect, they have to become subject to the agreement of all of the members of the Commonwealth there assembled. I frankly do not think they would benefit from publication here at this time.

I received some suggestions during my visit, not only from Governments but also from, among others, Reverend Alan Boesak, that may provide some opportunity for action by the Commonwealth. We will study that very seriously.

With regard to the question of sanctions, I think it should be borne in mind that sanctions are one instrument of encouraging change and that there are others.

I think it important to make the point, immediately after my return to Canada, that had the Prime Minister, the Government and I accepted, two years ago, the advice of some in this House that we rupture entirely at that time our relations with South Africa, Canada would not have been in a position to have had the discussions which I was able to hold. We would not have been in a position to put to work the unique credibility of Canada as a country which might be able to build some kind of bridge across which agreement between the ANC and the South African Government might move.

Some Hon. Members: Hear, hear!

POSITION OF COMMONWEALTH

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, surely the credibility of the Government and of the country is tested as much by the promise of the Prime Minister that diplomatic relations would be broken if there was not some amelioration of the situation under apartheid.

I will direct my question to either the Prime Minister or the Secretary of State. It may not be that apartheid is the only issue at the Commonwealth, but it certainly is the most important. There is agreement that sanctions and other actions are necessary.

Is it not clear that unless some strong action is taken by Canada and the Commonwealth in response to apartheid in South Africa that in itself would pose a threat to the seriousness with which the Commonwealth is regarded by its membership?

Right Hon. Joe Clark (Secretary of State for External Affairs): Yes, Mr. Speaker, I think that is the case. I think it is important that the Commonwealth act. However, taking an action is only part of the challenge. The other part of the challenge is that the action be appropriate.

I have discussed this matter in some detail recently with President Kaunda, who is not only the President of Zambia

but also the Chairman of the Front Line States and the Chairman of the Organization of African Unity. I have discussed it with the leaders of the African National Congress. When the Prime Minister was in Africa himself in January he had the opportunity to discuss precisely these questions. We will continue to look for ways that will be effective.

If I may say so, part of the reason that we were able to have some small influence upon the possible elaboration of a possible negotiating position was because the Prime Minister has shown leadership on this issue which is recognized throughout Africa and, I think, throughout the developing world.

Some Hon. Members: Hear, hear!

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AIR TRANSPORT

AIRLINE DEREGULATION—POSSIBLE CONSEQUENCES

Hon. André Ouellet (Papineau): Mr. Speaker, in the absence of the Minister of Transport I will direct my question to the Deputy Prime Minister. Airline deregulation in the United States has had a direct adverse effect on safety. The Detroit tragedy of yesterday may well be another terrible example of this situation.

Why is the Government not ready to do anything to prevent similar tragedies from occurring here in Canada after Canadian airline deregulation?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, of course we all regret very much the very serious tragedy which took place in Detroit. I am sure all Canadians will mourn with the families and friends of those who perished. We extend to them the comfort and compassion of the people of Canada.

I find the Hon. Member's question quite irresponsible. This accident is being investigated by the National Transportation Safety Board. None of the facts has been determined. It involved an MD-80 aircraft which is a development of the DC-9. There are no such aircraft registered in Canada. The engines were a JT8D-200 engine which is a very much advanced engine. Northwest Airlines has an impressive record. I think that making that kind of allegation is totally uncalled for.

I simply want to assure Canadians and the House that one of the first things the Government did was to take extra precautions to tighten up on the safety regulations in the airline industry by passing a new Aeronautics Act which is the most progressive, advanced and far-reaching safety legislation of any country in the world. For the Hon. Member to tie politics to a very serious tragedy is most unfortunate indeed.

Some Hon. Members: Hear, hear!

GOVERNMENT POLICY

Hon. André Ouellet (Papineau): Mr. Speaker, the Minister's answer is not good enough. Does the Minister know that airline mechanical engineers are delegated powers by the Department of Transport in Canada and are put in charge of applying the standards laid down by the Canadian Department?

How can we have the companies policing themselves? This is unacceptable. I hope the Minister will be ready to change this practice.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I find this question totally absurd from a Member who has had some experience in transportation. He has been the critic for three years now. I invite him to reread the Aeronautics Act and to reread some of the actions which have been taken by the Government.

The fact is that we have added the strength of the airworthiness inspectors. That whole section has been beefed up. If the Member would like a full briefing, I certainly invite him to visit the Department of Transport in order to get the facts straight.

Mr. Ouellet: There are fewer employees than before.

* * *

EXTERNAL AFFAIRS

CENTRAL AMERICA—CANADIAN SUPPORT FOR PEACE PLAN

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my question is for the Secretary of State for External Affairs and is with regard to the announcement the Minister made yesterday that the Government is sending two officials from the Department of External Affairs to Central America today to ensure that the five Foreign Ministers in the region are aware of Canada's support for the new peace plan, the accord reached in Guatemala City, and also to convey Canada's willingness to give technical advice on peacekeeping mechanisms.

We would not need to send two officials specially to make Central America aware of our support for the peace plan had we had, lo these many years, a more active and larger diplomatic presence in Central America. Is the Minister now prepared to consider increasing Canada's permanent diplomatic presence in the region, up to and including establishing an embassy in Managua?

• (1440)

Right Hon. Joe Clark (Secretary of State for External Affairs): No, Mr. Speaker, I am not prepared to do that at this time. I do expect to be making an announcement in the next several weeks that, while not responding to the specific

questions that the Hon. Member has raised, will nonetheless enhance the capacity of Canada—a capacity which I think is already recognized in the region as being both strong and willing to help—to contribute to peaceful resolution of disputes and to the kind of economic and other development that we hope would ensue in Central America.

Ms. Jewett: I am sorry that at this juncture the Minister dismisses out of hand enlarging our permanent diplomatic presence with people from the Department, in a region about which Canadians have been concerned these many years.

MINISTER'S ACTIONS

Ms. Pauline Jewett (New Westminster—Coquitlam): Will the Minister give some assurance that the Governments of Central America will know from now on that Canada supports their efforts in the peace plan, as we did with Contadora? Will he do anything to ensure that again we do not have to send down two people to inform Central America of our support for their plans?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, one of the reasons why the Governments of Central America know that this Government of Canada has not only supported the peace plan but has been active in encouraging the development of economies and of peace in the region, is that they listen to the Government and not to the Hon. Member, so that they know the facts.

Let me be clear that we intend to continue a very active presence there indeed. I find it surprising that the Hon. Member would dismiss the importance of Canada sending experts down so that we can have discussions immediately and directly with the Governments concerned about practical means by which Canada might be able to apply our experience in control, in verification and other matters necessary to the establishment of a peace, if one is in fact established, in Central America.

As to other steps, we are taking several. Several weeks ago I initiated a meeting with Foreign Ministers of Latin America at the United Nations in September. We intend to maintain a very active presence, interest, and I, hope, effectiveness in Central America.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF VENEZUELAN MINISTER OF ENERGY AND MINES

Mr. Speaker: I wish to draw to the attention of Members the presence in the Gallery of His Excellency, Doctor Arturo Hernandez Grisanti, Minister of Energy and Mines for the Republic of Venezuela.

Some Hon. Members: Hear, hear!

[*Translation*]

AIR SAFETY

DEREGULATION—DANGERS—GOVERNMENT POSITION

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, I have a question for the Deputy Prime Minister who is well versed in the deregulation issue, his own baby.

Since the advent of deregulation in United States, the number of near-collisions in the air increased 300 percent—there are nearly 3 incidents a day.

What steps does his Government intend to take to ensure that this situation verging on catastrophe does not repeat itself in Canada with the advent of deregulation?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I know that Members opposite have been searching very desperately to find ways and means to take issue with the long overdue regulatory reform that has been required in the transportation system in Canada, to make it more efficient and effective, more productive and safe. I am not sure how he proposes to use American statistics, where the situation is quite different in terms of the density and a host of other things, to apply to the Canadian scene.

The fact is that we are very deeply concerned about safety in the skies, safety at sea, and safety on the road in Canada's transportation system. We have taken those steps in a very deliberate fashion, consistent with maintaining a strong and efficient transportation system. I invite the Member to compare the legislative framework we have in Canada as compared to the United States, namely, the Aeronautics Act which this House approved, and I compliment all Members for supporting it.

[*Translation*]

POSSIBILITY OF ACCEPTING AMENDMENTS

Mr. Fernand Robichaud (Westmorland—Kent): My supplementary is directed to the same Minister, Madam Speaker.

[*English*]

According to Jack Butt, Chairman of the Canadian Air Traffic Controllers Association, the number of incidents, such as near misses and close calls, has quadrupled in Canada since 1983. Since 1985 the present Minister has implemented reductions in the number of air traffic controllers. There are now 200 fewer air traffic controllers than we had two years ago. How can the Minister assure Canadians that Canadian skies are as safe as they should be?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, we are not only assuring Canadians that we have the latest up-to-date

resources in terms of personnel, we have assured Canadians that we are using the latest and safest technology.

The RAMP Program which employs the latest state of the art technology has had the result of providing safer and more effective services with fewer numbers of people.

I might remind the Hon. Member that the decision to implement the RAMP Program was taken by his Government, something that we support and I hope he supports.

* * *

IMMIGRATION

BILL C-84—PROSECUTION OF RACKETEERS

Mr. Dan Heap (Spadina): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. On Friday the Minister said that he is prepared to consider amendments to Clause 95 of Bill C-84 to avoid punishing innocent volunteers helping refugees. Considering that the Bill also fails entirely to catch or punish the sort of entrepreneurs who, in the past two years, brought in over 5,000 bogus refugee claimants from Portugal, Turkey and Brazil to make frivolous or manifestly unfounded claims, does the Minister intend to offer amendments to the Bill which would stop such racketeers?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, on Bill C-84, hearings will start tomorrow in the legislative committee. I think that is the appropriate forum for discussing amendments. Indeed, I will be there tomorrow morning. If there are any amendments—and I would like to correct the perception my colleague wanted to give—ensuring that we can state matters differently without altering the substance of the Bill itself, I am ready to listen. But that will come from the legislative committee.

[*English*]

EFFECT OF AMENDING LEGISLATION

Mr. Dan Heap (Spadina): Mr. Speaker, I welcome the Minister's willingness to consider amendments and I hope he will do some thinking ahead himself because there is another matter that requires creative thinking.

The United Nations High Commissioner for Refugees said in his letter last week that Clause 8: "Could risk exposing bona fide asylum seekers and refugees to forcible return to territories where their lives or freedom would be threatened". This, of course, is contrary to Canada's UN obligations. Is the Minister willing to amend that clause in such a way as to protect both Canada's sovereignty and the refugees whom Canada has promised to protect?

Mr. Speaker: The Chair is in some difficulty here. There has been a practice which has been respected in this House, although it has really been a matter of judgment for the Chair, as to how far questions should go on a Bill that is in the midst of debate or has not yet cleared this place.

I understand the importance of this particular issue, especially in view of the fact that one of the reasons that the House is back here is to address that very matter. I will allow the question, but urge Hon. Members to reflect on what the Chair has observed so that what is properly a matter for debate is not put into the Question Period in such a way that the Chair would have to rule it out. I remind Hon. Members that on that particular Bill there will be a vote later this afternoon. The Bill then goes to committee where these matters can be pursued further. The Hon. Minister.

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I read earlier the answer I gave the UN High Commissioner on Refugees regarding the concerns he set forth in his letter to me last week. I thought I was clear. I think that on the whole, Bill C-84 respects the concerns raised. That should be clear to Canadians.

Canadians and especially Quebecers would like to know where the New Democrats stand. For a week the New Democratic Party has been paralyzing the passage of a Bill Canadians want to see passed. Some day the New Democratic Party will have to tell Canadians exactly what it is against. It is against Bill C-22, which it has blocked for nearly a year. Today, it is blocking the Immigration Bill. I think Quebecers especially are starting to realize where you stand.

* * *

• (1450)

[*English*]

FINANCIAL INSTITUTIONS

PRINCIPAL GROUP BANKRUPTCY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. On August 13, last week, the Minister informed the House that the marketing branch of his Department was in the midst of investigating the alleged fraudulent practices of Principal Trust and the companies associated thereto. Today the director of that branch confirmed to my office that he was not aware of any such investigation. Would the Minister explain to the House why he has chosen to mislead the House and tell us who he is trying to protect—

Some Hon. Members: Order.

Mr. Speaker: I am sure the Hon. Member means to imply that, for whatever reason, most certainly an innocent one, the Minister may have left an impression on facts with which the Hon. Member does not agree. However, I know the Hon. Member will know that the suggestion that carries the

imputation of a deliberate misleading of the House is inappropriate. So I would ask the Hon. Member to rephrase his question and pursue the matter.

Mr. Dingwall: My question to the Minister then is why, in view of his previous statements, he has chosen to give certain representations to the House which are different from the facts. Who is he attempting to protect? Is he trying to protect the regulatory agencies in the Province of Alberta? Is he trying to protect his friends, or the friends of his associates, if you will, in the various companies, because he is certainly not protecting or enhancing the investments made by thousands of Canadians in those various companies?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I do not know to whom the Hon. Member was talking or to whom his office was talking, but the Hon. Member's allegation of misrepresentation is typical of his allegations, totally false and without substance.

Mr. Foster: He talked to your office.

Mr. Andre: There was a meeting in Regina on July 14 where officials of the Marketing Practices Branch of my Department met with investors of First Investors. The Hon. Member for Regina East, I believe, was present, so the Hon. Member can check with him if he was in fact there. Questionnaires were distributed to investors who felt they might have had misrepresentations made to them.

If the Hon. Member would check his law, he would realize that this branch does not take instructions from me. It has independent power from Parliament to investigate these matters and to recommend charges if necessary.

If the Hon. Member would do his homework in that regard, he would find out that in fact it is carrying on with the investigation. I am informed it expects to have a recommendation by the end of August.

REQUEST FOR FEDERAL-PROVINCIAL INQUIRY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the Minister of State for Finance. In view of the fact that this particular situation transcends the geographical boundaries of the Province of Alberta, and in view of the fact of its national importance and that it affects thousands of Canadians, particularly in investment communities throughout the country, does the Minister not see it as advisable, in the best interests of Canadians and to provide certainty and integrity within the investment community, to exercise his responsibilities and call upon the Government of Alberta to initiate with him a joint public enquiry into this whole matter in order to shed light and provide necessary information for the general public to address what is obviously a very serious wrongdoing to a great number of Canadians?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I think it is very important that we understand the facts in this case. First, Mr. Cormie petitioned this company into bankruptcy. That was the first step. The second step was taken by the Government of Alberta by taking control of the assets. Third, and only third, the Canadian Deposit Insurance Corporation made application to protect the depositors by asking for a winding-up order.

I would like to tell the House this afternoon that the court met this morning and has agreed to the winding-up order. The CDIC has agreed to the following, which may be in the direction to which the Hon. Member refers; first, the CDIC says it will continue its preparation to pay out to the depositors in a few weeks' time, but if a buyer can be found for this group it will not interfere and in fact will continue to encourage it. So the federal Government is simply an onlooker in this matter.

These companies are all provincially regulated. This is the wrong capital, the wrong legislature, in which to ask these questions. Insofar as we have any influence at all, the CDIC is the insurer and it is co-operating with the Alberta authorities.

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TRADE

CANADA-UNITED STATES NEGOTIATIONS—PRINCIPLE OF NATIONAL TREATMENT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Prime Minister. I have just received a tape of an official briefing by a senior U.S. commerce department official, Mr. William Cavitt, in which he indicates that Canada has agreed to the principle of "national treatment", that is, that Canadian and U.S. firms be treated the same in this country. Will the Prime Minister confirm that Canada has made that concession? And will he tell us what Canada has received from the U.S. in return? Or is this more of the one-way giveaways we have seen so often from this Government?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend refers to a briefing of some kind given by Americans to Americans. He has access to that, apparently. So be it. I am surprised my hon. friend would raise questions of briefings because, when his Party asked for confidential briefings, the Minister agreed to brief you fully on what took place on the Canadian side and the New Democratic Party turned it down.

What has transpired at the bargaining table is very much in keeping with the outlines indicated here in the House by the Minister, the Secretary of State for External Affairs, and by myself, during debate and in Question Period. It is very much in keeping with the national interest of Canada. That was the kind of information that on a confidential and appropriate basis, the Government, through the chief negotiators, was ready to provide to the New Democratic Party and to the Official Opposition. I regret that my hon. friend chose to

decline that invitation by Canadians to Canadians and chooses instead to resurrect items coming from the United States.

Mr. Langdon: Mr. Speaker, a responsible Government would give this information to all Canadians, not just to parliamentarians on a confidential basis.

Some Hon. Members: Oh, oh!

DISPUTE SETTLEMENT MECHANISM

Mr. Steven W. Langdon (Essex—Windsor): Will the Prime Minister also confirm what Mr. Cavitt goes on to say in this briefing, that the United States has taken a strong position against any binding neutral dispute mechanism of the kind we have sought, according to the Prime Minister?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend surprises me and the House with his questions and allegations today. On August 5, Lorne Nystrom, MP for Yorkton—Melville, wrote to Ambassador Reisman saying: "I am writing to you on behalf of my New Democratic Party colleagues to request a private, confidential briefing by yourself, or one of your officials, on the progress of the free trade negotiations between Canada and the United States".

• (1500)

Three days or thereabouts later, on August 11, the Minister for International Trade, in response to a legitimate request for confidential information, wrote to the Leader of the New Democratic Party and stated: "As we are entering the final crucial stages of the free trade negotiations with the United States, I would like to extend an invitation to you to meet with one of the senior negotiators for a briefing on the status of the negotiations to date".

The negotiators, acting on behalf of the Government and the people of Canada, were ready to provide full and complete information in regard to sensitive national negotiations on a confidential basis to the Leader of the New Democratic Party. But, clearly, either the original request coming from the Hon. Member for Yorkton—Melville was either a sham or, alternatively, the NDP is incapable of keeping confidential information designed to promote the national interest of Canada.

So you will have to make up your minds with respect to what you want because you have already turned down both possibilities.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Right Hon. Prime Minister will have no doubt heard that I did feel it necessary to make comments last week on the use of the word "you". I know that the right hon. gentleman will refrain from doing so in the answer to the next question.

IMMIGRATION

SENATE COMMITTEE'S REPORT ON TERRORISM

Mr. Alan Redway (York East): Mr. Speaker, my question is for the Minister of Employment and Immigration. Does the Minister agree with the report of the Senate Special Committee on Terrorism and Public Safety which states that Canada's current refugee procedures which were put in place in 1976 constitute a gaping hole in our security system? Does he truly believe that Bill C-84 will close that gaping hole, bearing in mind that this same Senate committee said that the RCMP takes at least 90 days in order to do a background check on everyone who applies for refugee status in Canada?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I think that 90 per cent to 95 per cent of the time, Senator Kelly's report on terrorism reflects the concerns of Bill C-55. It is clear that the present system for dealing with refugee cases does not provide for effective methods to deal with the problems of terrorism. One of our reasons for introducing some very strict control measures in Bill C-84 is to give Canadians the assurance that before we authorize anyone to enter Canada freely and fully, we must have the assurance, and I am thinking of the Immigration Officers hired especially for this purpose, that these people do not represent a threat in any shape or form to the security of this country. It is clear that these measures are essential, that they form a major part of Bill C-84 and that they will have to reflect the purpose of this Bill.

[*English*]

Mr. Speaker: There will be one more question from the Hon. Member for Glengarry—Prescott—Russell, and one question only.

I just want to say before Question Period ends that, while this has been a Question Period in which there has been a vivid exchange if, perhaps tomorrow and the next day, preambles could be a little shorter then answers should be a little shorter, and the Chair would be able to recognize more Hon. Members.

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SOCIAL AFFAIRS

EASTERN ONTARIO—REPORTED CLOSURE OF CLIENT SERVICE CENTRES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, in the absence of the Minister of National Health and Welfare my question is for the Prime Minister. It concerns a decision of the Government to close down client service centres for the elderly needing help with their Old Age Security cheques.

Over the last three months the Department of National Health and Welfare has announced the closing down of no less

than four client service centres in eastern Ontario, including the one in the community of Hawkesbury in my riding, under the pretext of replacing this service with a toll-free telephone line. How can the Government say that a faceless phone conversation to help senior citizens is as good as an official of the Department of National Health and Welfare on site? Why is the Government hitting at senior citizens again?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, on behalf of the Minister of National Health and Welfare I will take that question as notice, in no way agreeing with the premise or the allegations that the Hon. Member has outlined in it.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976, and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi, (p. 7338).

Mr. Speaker: When the House rose at one o'clock there were nine minutes remaining in the question and comment period following the speech of the Hon. Member for Trinity (Miss Nicholson).

[*Translation*]

I will now recognize Hon. Members who wish to continue the period for questions and comments.

[*English*]

Mr. Lewis: Mr. Speaker, I have a question for the Hon. Member for Trinity (Miss Nicholson). The Hon. Member will know that at the present time the House is debating an amendment to the Bill proposed by the Hon. Member for York West (Mr. Marchi), that this Bill not be further discussed until 1988. In other words, this very important question of refugee determination would be stalled for a further six months if the Liberal amendment, which I understand is supported by the NDP, is passed.

My hon. friend will know that the purpose of putting a second reading motion to the floor of the House of Commons is to get the matter into committee so that there can be discussions and so that there can be witnesses called. But the Liberal amendment would stall any discussion of this matter until 1988, six months from now.

I would like to know from the Hon. Member how she feels her constituents, many of whom are new Canadians, feel about further delaying any discussion of this Bill and about people jumping the queue. I know her constituency well, having spent 30 years in Toronto. What I want to know is whether or not the Hon. Member will be supporting her colleague's amendment which is to further delay discussion of this Bill another six months, or will she be voting against it?

Miss Aideen Nicholson (Trinity): Mr. Speaker, it is passing strange that a supporter of the Government should complain about delay with respect to Bill C-55 considering that the Government let the Bill sit on the Order Paper for a long, long time and only brought it in for three hours of debate before the House recessed at the end of June. We have now been brought back and asked to deal with Bill C-55 and Bill C-84, Bill C-84 being a curiously ill-designed, ill-thought out piece of legislation, obviously thrown together in a great hurry.

As I said in my speech, there is a real need for serious updating and review of refugee policy. But Bill C-84 is certainly not it, and Bill C-55 has some serious flaws in it, flaws which have been pointed out in the House and outside the House and which need to be addressed. If the Minister of Employment and Immigration (Mr. Bouchard) is serious about wanting to do a serious review of refugee policy, which is badly needed, then all he has to do is tell us that he is prepared to accept some amendments in committee.

With respect to the abuses referred to by the Hon. Member, the Government has known of abuses for a full two years. There are powers in the existing Immigration Act which it has not attempted to use. Under those circumstances, to say that the Government needs either Bill C-55 or Bill C-84 in order to deal with the abuses, simply does not make sense. It has known of the problems for two years. It has had the powers and it has not used them.

• (1510)

Mr. Lewis: Mr. Speaker, during the course of debate much is being made about the delay between having a Bill read a first time and debate commencing.

Does the Hon. Member agree that there is a case to be made for having a Bill printed, and then having it exposed to interest groups, to discussion by the media, and to discussion by various parliamentarians? For example, members of our caucus met with interest groups on this subject matter on approximately June 10.

Does my hon. colleague agree that there is a case to be made for introduction of a Bill, and then a delay before debate starts, so that interest groups can be heard by the various caucuses? In that manner, there can be discussion in the media, and general discussion among parliamentarians and their constituents before proceeding with the legislation.

Miss Nicholson (Trinity): The technique that the Hon. Parliamentary Secretary describes is certainly one that has often been used in the House where, in effect, the first reading of a Bill is treated like an exposure draft, then by the time the Bill comes to second reading and committee a much more informed debate takes place.

Government supporters cannot have it both ways. If they want a thoughtful, careful discussion, then they must be prepared to allow time for it. If the matter is one of urgency, then it is dealt with on an urgent basis. In this case, the Government has not made it clear in which way it is going. On June 18 the Bill was brought forward for three hours of debate as a type of "filler", and we have not returned to it. Today it has suddenly become a matter of urgency. There may be an explanation, but we have yet to hear it.

The Acting Speaker (Mrs. Champagne): Resuming debate with the Hon. Member for Timiskaming (Mr. MacDougall).

Mr. John A. MacDougall (Timiskaming): Madam Speaker, today I wish to address some of the arguments made by the opposition Members and certain vested interest groups who believe that the Government is over-reacting in proposing this refugee determination legislation. They believe that the refugee situation in Canada today is not that serious, and that it does not deserve our urgent attention. I do not know where our critics have been. In my riding this past weekend, and prior to the House being recalled, I have received numerous phone calls, letters, and representations in my four constituency offices, and here in Ottawa, which indicate that people firmly believe that the Government was proper in recalling the House to deal with these Bills.

I would like to lay before the House the notion that all Canadians are very concerned and interested in immigration, and that we as a Government deal with the Bills before us. Whether my colleagues across the floor will admit it or not, every Member of the House has heard from the public on this issue. The message coming through loud and clear is, we are mad as hell about flagrant abuses to our refugee determination system. We are not going to take it any longer. The Government has to do something, and do it now.

The Minister of Employment and Immigration (Mr. Bouchard) should be applauded for coming forward in such a timely fashion with this take charge, take action legislation. Bills C-55 and C-84 will continue our long history of extending humanitarianism to those truly in need, while sending out a clear, uncompromising message to those who take advantage of our natural goodwill.

Around the world Canadians have the reputation of being good guys. From here on in, these "good guys" will not finish last when it comes to removing illegal immigrants, and stopping in their tracks the unscrupulous smugglers who traffic in human desperation.

The critics of this legislation lay the audacious charge that the Government does not care about the plight of refugees, and that the Government does not act on behalf of refugees. I welcome this opportunity to set the record straight and tell the House that the media and the Opposition have, by gross omission, left untold the many ongoing actions and financial outlays the Government has initiated to assist refugees around the world.

While the debate over the new refugee determination system focuses on refugee claims made within Canada, we must not forget that Canada offers protection to refugees through our overseas programs. In this way we have for years shared the responsibility for the international refugee situation. Each year we offer refugee status, transportation to Canada, and resettlement assistance to thousands of refugees in camps and in flight. We offer the same protection and assistance to thousands more in refugee-like situations.

Our role in selecting refugees abroad is an extremely important one that is perhaps too easily forgotten. For example, there are upwards of 15 million refugees in camps throughout the world. Selecting refugees from these camps is part of an obligation we have undertaken to relieve the burden on countries of first asylum, countries which are struggling to meet the needs of their own people. Very often these refugees have spent years in camps and have no hope of returning to their own countries or of being resettled locally. They are offered resettlement in Canada. It is agreed throughout the international community that although initially a refugee's most pressing need is safe haven, the ideal long-term solution is repatriation or local integration. Third country settlement away from a familiar culture, language, or landscape is the final, least preferred option. Resettlement is for the refugee who has no other choice.

Last year, and this year, the Government will sponsor and resettle 12,000 convention refugees who have applied at our embassies overseas, and who have been taken from camps. Some are interviewed in and brought out of jails, some are rescued at sea. There are also thousands of refugees brought here by groups or organizations acting as private sponsors.

The private sponsorship program has been operating since 1978. It allows all Canadians to become involved over and above what the Government is able to do. In fact, there is no limit on the number of refugees that can be brought into Canada in this manner. While the 1987 report on immigration levels estimates that there will be 5,000 privately sponsored refugees, this is not a ceiling. Many more could be admitted if the situation demanded it, and if Canadians were able to respond in kind. This becomes evident when we look at Canada's response to the Indo-Chinese boat people crisis in 1979 and 1980. The co-operation of private citizens and the federal Government saw Canada open its doors to some 60,000 Indo-Chinese refugees.

Our refugee selection program is so generous that we extend our protection to many who, strictly speaking, are not convention refugees, but who are in situations to which we feel we should respond. This is done in two ways; through the selection of people from designated countries that are undergoing strife or upheaval, and through the selection of those who warrant special humanitarian consideration.

Both of these programs offer protection to the Indo-Chinese and Eastern Europeans through resettlement. They also supplement our other refugee selection programs and assist

political prisoners, oppressed persons, self-exiles, and victims of disasters throughout the world. This year our humanitarian measures program allows up to 8,000 people to be admitted. That is over and above the 12,000 government sponsored refugees, those in the designated classes, and those privately sponsored.

We must remember that, to a large extent, it is through our overseas program that we best serve the world refugee problem. At the same time as continuing to express our commitment to refugees, we must balance our response to international developments, large-scale population movements, our international obligations, and the principles of fairness and justice. To this end Canada is working hard in many international forums to help alleviate the political, economic, and social problems which beset so many refugee producing countries.

• (1520)

We also work hard and in close co-operation with dozens of non-governmental organizations across the country to see that government and privately sponsored refugees, and many new immigrants as well, settle as smoothly as possible into Canadian society. I am happy to say that together we have achieved much in this area. We will continue to move ahead.

A great part of our commitment is translated into programs to ensure successful integration. Some of them start even before many refugees arrive in Canada. For instance, the revolving transportation loans fund of $90 million is used to cover transportation costs for eligible immigrants and refugees. We would like to note that loans to convention refugees and designated class applicants are interest free.

Once in Canada many refugees need our help to get their new life off to a solid start. If this is the case, the Adjustment Assistance Program helps ensure that these government sponsored newcomers have enough income to meet their basic needs. Funds available for this program total $49 million for the fiscal year 1987-88.

I would now like to mention several programs which provide ample proof of the positive and very flexible nature of the co-operation between the federal Government and NGOs. I am sure every Member of the House would agree that this close co-operation can be held up as a model of its kind.

The Immigrant Settlement and Adaption Program has been developed to aid immigrant and refugee aid organizations in providing a wide range of services to the community. Through contracts with the federal Government, these activities include reception and referral services, interpretation, counselling, orientation, and general information.

This partnership has produced a nation-wide network of groups that ensure that newcomers, unfamiliar with certain facets of Canadian life, do not fall through the cracks and, may I add, they do their jobs in a highly competitive and professional manner. Funding for ISAP has grown 60 per cent in the past 2.5 years, and this fiscal year it totals almost $5 million.

As well we have set up programs such as the Host Refugee Program which is carried out jointly with community groups. Through it, government sponsored refugees have access to another source of information and, more importantly, support. Starting with an initial three pilot projects in 1985, host projects have sprung up across Canada, providing an additional safety net for those needing special attention which may not have been available before.

Briefly, then, these are the major pillars of our settlement program. We will continue to innovate, to develop, and to mould our programs as the need evolves. We are committed, as the House well knows, to reaching out to refugees in real need, to rescuing those fleeing persecution, and to responding to crises as they occur.

The more than 25,000 people coming to Canada under our humanitarian programs this year are living witnesses to an ideal which Canada will never and can never abandon. However, as the Minister of Employment and Immigration has stated time and time again, the existing system was never designed to deal with the growing number of claims or with the large number of false claims to refugee status. It is bogged down and can no longer respond effectively to genuine refugees in need of Canada's protection.

As the Hon. Member for Laurier (Mr. Berger) stated during a recent foray, as reported in *The Globe and Mail*, "the length of the process acts as a magnet for those who are not convention refugees".

The long-term solution as embroiled in Bill C-55 will give us the tools to deal with the circumstances which Canada faces now and in the future. However, we have to make changes to the existing legislation to enable us to mobilize our resources immediately and until Bill C-55 comes into place.

Clearly the deterrent and detention legislation holds the immediate answers. Bill C-84 is based on the principle of justice while achieving the balance of speed and due process which will make for a fair yet effective refugee determination process.

With the Bill and with the will of the House we have the means to act immediately, to put a halt to the most flagrant abuses of our refugee policies, and to make a start at putting our affairs in order so that we may resume our role as a champion for justice and a protector of the persecuted.

In conclusion, I want to emphasize that our domestic refugee determination system is only one of several programs and initiatives which we undertake on behalf of refugees. It is only one aspect of a much larger and wider spread commitment to refugees which is and will continue to be enshrined in our legislation.

Through the rapid passage of Bill C-84, we will be taking the steps necessary to put an immediate end to the flagrant

abuses of our laws and to the obstruction of our refugee program, an obstruction that keeps those truly in need from the protection they deserve.

In so doing we will send a strong message to our constituents and to the world that Canada is a country which cares about human dignity, about human safety, and about doing whatever is within our power to prevent exploitation and to ensure protection from persecution. We will also be saying that Canada is a sovereign nation; that we will protect our borders, our humanitarian values and traditions as embodied in our immigration and refugee systems; and that we will safeguard the security of our country.

Let us work together, pass Bill C-55, and therefore take the course of action needed to serve our refugee determination over the long term. Let us also consider the deterrent and detention legislation which is before us. Let us pass both Bills without delay so that the Government may deal immediately and decisively with the events at hand.

Mr. McCurdy: Madam Speaker, if I heard the Hon. Member correctly, I think he made a very prescient misstatement when he described the refugee determination process as being embroiled in Bill C-55. Indeed, what I think we have here is an issue which has become embroiled because of Bill C-55.

The Hon. Member also indicated his respect and admiration for the work of the NGOs and for the co-operation between his Government and the NGOs involved in the refugee movement. How is it possible for the Hon. Member to have spoken of the NGOs in such a glowing fashion, attributing to them, deservedly, good work in the area with which Bill C-55 has to deal and yet, on the other hand, have such a unanimous appraisal of Bill C-55 as bad in many respects and as denying what he indicated was important to him, that is, fair treatment of refugees in need? I believe that I am quoting him correctly.

Furthermore, he said that he wanted Bill C-55 approved quickly. My question to him is a very simple one. If the NGOs have been responsible for such honourable work, presumably the honourable work was based upon knowledge and experience. Would it not make sense to make Bill C-55, this oh so perfect Bill, more perfect by consulting those who are familiar with the problem, by responding to the concerns of the NGOs of which he spoke so glowingly, and by responding to the concerns of the United Nations' High Commissioner for Refugees in respect of Bill C-55 and these areas in which it denies refugees the fair treatment he says they should be accorded? Would it not make sense to the Hon. Member if, in the review of Bills C-84 and C-55, instead of manning the legislative committees with those who are ignorant of the process, they were manned with Members from the government side who have gained from long experience some familiarity with the issue? Would that not be more consistent with the utterances of this Hon. Member who is, it is clear, so devoted to fairness for true refugees?

• (1530)

Mr. MacDougall: Madam Speaker, I wonder if the Hon. Member for Windsor—Walkerville (Mr. McCurdy) has had the opportunity to be in his riding and talk to his constituents. I wonder if he has spoken to those individuals who are trying to operate within today's system. Does he know the frustrations they are experiencing because of illegal immigrants?

Perhaps one of the ways I could describe this would be to say—

Mr. McCurdy: I wonder if the Hon. Member could answer the questions asked of him.

Mr. MacDougall: Perhaps the Hon. Member would give me the opportunity to speak. I did not interrupt when he was asking his questions. May I have the same opportunity?

Mr. McCurdy: Not to ask me questions but to answer.

Mr. MacDougall: Some of my constituents have compared the situation to lining up to see a show when all of a sudden someone from the back of the line butts in in front of you. They want to know if that is fair. That is really the situation with which we are dealing.

The NGOs are doing an excellent job, but this new legislation will allow them to do an even better job.

Mr. McCurdy: Just try to answer the question. Just give it a shot.

Mr. MacDougall: Again, I suppose it is hard for a member of the NDP to listen to common sense.

Mr. McCurdy: No, we prefer to have answers to questions.

Mr. MacDougall: If the Hon. Member had listened to his constituents, this legislation would have been passed already. I am sorry, I suppose he does not listen to his constituents.

Mr. Gauthier: Madam Speaker, I listened attentively to the speech of the Hon. Member and I was surprised when he said that we should pass these two Bills without debate. We have been debating these Bills for four days and prior to that we debated one of them for one day on June 18. Indeed, I hope that we do pass the Bill, but with proper scrutiny from both sides of the House so Canadians will have a chance to know what the Bills contain.

There are some good things in Bill C-55 but there are also some major faults which must be examined in committee and, if possible, improved. The Minister himself admits that he would be receptive to certain amendments which would not change the substance or the objective of the Bill but would make it more acceptable. That is what we are working on right now.

The Hon. Member spoke highly of NGOs. I take it he knows about Amnesty International, a credible worldwide organization. That organization wrote to all Members of

Parliament, and I take it the Hon. Member received a copy of that letter as well.

In that letter, Amnesty International raises some very serious points about the question of the safe third country. Reading from page 2 of that letter, Amnesty International says the following:

> There are several aspects of the "safe third country" which cause Amnesty International concern. First and foremost is the fact that the list of "safe third countries" will be prescribed by Cabinet. As a result, Canada's refugee determination process shall for the first time be politicized. In the past, Cabinet has been reluctant to impose visa requirements on nationals of certain countries because of historical, economic and political considerations. There is every reason to believe that these same factors will be taken into account when determinations of a safe country are made.
>
> For example, one wonders how easy it will be for our government to deem the United States as unsafe for Guatemalan and Salvadoran claimants, in spite of the high percentage of refugee claimants from those countries deported by the United States.

The Hon. Member knows the problem. I am asking him how to solve it. How do we draw up a list of safe countries? Does he have any advice on how to devise a safe third country list?

Mr. MacDougall: Madam Speaker, I would like to thank the Hon. Member for Ottawa—Vanier (Mr. Gauthier). Yes, we have discussed the Bill in the House for four days and for three hours prior to that and I think his recommendation to send the Bill to committee is a good one. Questions such as the one he has just asked can certainly be discussed in committee. The sooner we get the Bill out of the House, the quicker it may go to committee and the quicker it will return to the House.

Mr. Lewis: Madam Speaker, I would like to compliment my hon. friend on his remarks and I would like to ask him a question. Hon. Members will know that at the present time, we are debating an amendment put by the Liberal Party, supported by members of the NDP, providing that this Bill shall not be discussed for six months. In other words, it is the position of the Official Opposition, supported by the NDP, that the Bill should not even be discussed by Parliament until sometime in 1988.

How would the Hon. Member's constituents feel about that suggestion? How would they feel if Parliament shut down, went home and sat on its hands for six months? Does he feel that would be acceptable to his constituents?

Mr. MacDougall: Madam Speaker, I would have to say that the voices from the riding of Timiskaming are very loud and clear. They are saying: "Recall Parliament, deal with the two pieces of legislation and please don't come home until they have been dealt with in the proper manner".

Mr. Gauthier: Madam Speaker, I rise on a point of order. The government Member just said that we should not discuss this Bill. The motion before the House is that the Bill not be read at this time but that it be read six months hence. The Government had told us that it wanted to look at this Bill in the fall, so I do not see what subterfuge is involved in this repetitive—

Mr. Lewis: I don't see your point of order.

Mr. Gauthier: The point of order is that it is repetitive on the part of the Parliamentary Secretary to rise after every speaker and bore us with these half-truths.

The Acting Speaker (Mrs. Champagne): As the Hon. Member does know, that was not a point of order.

Mr. Steven W. Langdon (Essex—Windsor): Madam Speaker, it is with a sense of dismay and almost shame that I find myself having to address in the Canadian House of Commons a piece of legislation which runs so directly counter to and which so subverts the record of humanitarian concern, caring and openness with which this country has been associated in the past.

One of the events in my life I recall most clearly is flying from England to East Africa in 1972 and stopping at the Cairo airport. I am not certain how many Hon. Members are aware of what the Cairo airport is like. It is not exactly a haven of peace. It is a hodge-podge of tremendous uncertainty and turbulence. In short, it is not a very pleasant place to be in in the middle of the night. Yet, because of transportation schedules, we had to stop there for at least three or four hours.

• (1540)

In the area in which we were waiting out this difficult period there was a throng of perhaps 150 or 200 Ugandan Asians. They were sitting there with looks on their faces which I can only describe as reflecting the deepest possible relief anyone could conceive of. These people had faced the all too real possibility of death or brutal torture at the hands of soldiers of the Amin regime. Yet they had been accepted by Canada as refugees. A new life for them was now possible. They had to leave behind friends and virtually all of their possessions, but they were escaping that regime and finding refuge in Canada. That is what our refugee policy has been about in the past. Our policy has been to accept thousands of Czech refugees in 1968, thousands of Hungarian refugees in 1956, and tens of thousands of Vietnamese boat people. All those people faced brutal conditions had they stayed at home, so they escaped and ultimately came to Canada.

It is possible that we could think of all this as simple humanitarianism on the part of Canada. We have been good-hearted in the past, but things have changed under the Conservative Government. Let me suggest, however, that there is a different perspective which needs to be understood. I venture to suggest that virtually every Member of Parliament who has canvassed his or her constituency has been struck by this, especially if that constituency is in one of the metropolitan areas of this country. If those Members are like me, they have seen these refugees become the most constructive, productive and caring citizens we could possibly have hoped for. We are not talking about some kind of good-hearted gesture of charity alone, although that should be enough. We are talking about the fact that people who have come to our

country as refugees have made tremendous economic contributions to Canada.

In the City of Ottawa, which took in many of the Vietnamese boat people, we can ask ourselves, how many of them are a drag on our social system? How many do you find on welfare? How many do you find living off community resources instead of contributing? The answer is, very, very few.

Speaking as an economist, I have to say that most immigrants, particularly those who have come here as refugees, have made tremendous contributions which are illustrated by some very real facts. One such fact is that immigrants have significantly lower levels of unemployment than natural-born Canadians. Another fact is that the general level of income for immigrants is higher than that of those who were born here. After all, these people had to make a tremendous effort with great courage in order to get themselves and their families here. It is not surprising to see them making a tremendous contribution.

In my own constituency I have immigrants from virtually every part of the world. Some have come here as refugees, some as ordinary immigrants. Their economic contribution alone has been tremendous. Yet we seem to have lost sight of that in this Draconian, indeed vicious legislation which the Government has brought forward.

It is not just I and my Party who talk about the viciousness of this legislation. This is something on which there is unanimity among the churches of the country, something which is surely a rare phenomenon. I can quote to you some of the material which has been sent by those church groups. For instance, a telex was sent to the Prime Minister (Mr. Mulroney) from virtually every church in this country; the Anglican Church, the Baptist Federation, the Canadian Council of Churches, the Council of Christian Reform Churches in Canada, the Mennonite Central Committee, the Presbyterian Church of Canada, the Religious Society of Friends, the Salvation Army, the United Church of Canada, the Canadian Conference of Catholic Bishops, and the Canadian Religious Conference of Ontario.

• (1550)

In this telex, dealing specifically with this piece of legislation, they plead for a refugee determination procedure that is fair as well as fast. They urge the Prime Minister and the Government to replace Bill C-55 with different legislation which provides "access for all claimants to a full, fair and independent hearing" and to "a meaningful appeal".

That is why we suggest that this Bill should be hoisted for six months. We think that surely in the next period of time men and women of good will, many of whom are on the government benches, will see to it that new legislation is brought before the House of Commons which provides not the kind of viciousness, the kind of arbitrary constructs which exist in this piece of legislation, but instead provide that fast and fair appeal system which people across the country are absolutely convinced is essential.

There have been various suggestions about what our constituents think. I believe that right across the country, in my constituency as well as in every other constituency of Canada, there is above all a commitment to fairness. Fairness cannot survive the arbitrary system which will meet potential refugees under this particular Bill, an arbitrary system which gives them no independent access to their own counsel, no capacity to prepare a case and no capacity to appeal if they fall into one of number of categories which leaves them outside of the restricted and privileged few which Canada will accept in the future.

That, Madam Speaker, is not the kind of country that I want Canada to become. We cannot permit that kind of arbitrary, controlled, almost fascist sort of approach to hold sway in this country. If we do permit it to start, its impact will be insidious. Its impact will grow. We will become used to this kind of arbitrariness with respect to not only people arriving as potential immigrants but with respect to how Canadians themselves are treated. That is the danger as we head down this path.

That is why I hope that the Government itself will see fit to withdraw this piece of legislation, to vote in favour of the Liberal amendment which gives it a six-month hoist, and to bring back, not nothing, not the existing system, but the very sensible, very straightforward, quite fair and quite open system which has been recommended by church groups, which has been recommended by Rabbi Plaut in his detailed study of this question, which has been recommended again and again by individuals who have studied this issue with some care.

Finally, Madam Speaker, I find it especially ironic that the Government has called back the House of Commons to deal with 174 new arrivals on the East Coast of Canada, 174 arrivals in the context of a Government that has not even been able to meet its own targets for immigration in the past year. Its own targets for immigration in 1986 were from 105,000 to 115,000 and it could not even hit 100,000.

It is not as though we are talking about a great inundation of people from outside of Canada. We are talking about what used to be a tremendous humanitarian tradition in this country. We are talking about, I hope, a tremendous humanitarian future which can only be achieved if the Government starts to listen—if it starts to listen to church groups, those who have studied the legislation in detail, those who have worked as lawyers with refugee groups, and opposition Parties in the House of Commons.

I hope that the Government will listen. It has listened in the past. I do not think it is too late for it to start now. However, I believe that for the sake of the country it is important that the listening begin very soon.

Mr. Crofton: Madam Speaker, I listened with interest to the comments of the Member for Essex—Windsor (Mr.

Langdon). I have served on committee with that Member in the past and he has had some very good observations to make from time to time. However, his representations today leave me very puzzled.

At the outset I would like to make a comment on his general remarks on refugees. There was an inference in his comments that Members on this side of the House are opposed to refugees. I deny that completely and absolutely. This country was largely built by refugees over many decades, whether economic refugees from the potato famine of Ireland, refugees from the pogroms of central Europe, the boat people, refugees from Europe after World War II, or from the uprisings in Czechoslovakia or Hungary. Those people came to Canada and were welcomed. I am not aware of one Member on this side of the House who in any way is opposed to refugees coming to Canada. It is a part of our country and our tradition. I invite the Member to withdraw the implication that we on this side of the House were opposed because it is totally without foundation.

• (1600)

My second observation concerns meaningful debate on what to do with the refugees who are coming to our shores at this time. We are supposed to be debating a six month hoist this afternoon. Members opposite do not have any kind of sinecure or lock on fairness. We are as anxious to see a fair and responsible immigration policy put in place. But it is quite obvious at this juncture that the immigration policy that is being administered is not fair because queue jumpers are able to come into this country and clog the system to the point where respect for our whole immigration policy is put in jeopardy.

We are attempting, through this special recall of Parliament, to deal meaningfully with how to evolve a fair, enforceable, reasonable and practical solution. Members opposite do not seem to be interested in that. I invite the Hon. Member to explain how he expects to get fairness if he is not prepared to discuss the issue.

Mr. Langdon: Mr. Speaker, frankly, I believe that government Members live in a dream world in which somehow their ears are closed to informed opinion with respect to an issue like this.

Rabbi Gunther Plaut, a person who has studied this issue in tremendous detail, says that we are trying perhaps to build a Berlin wall, and that instead of trying to tailor refugee procedures to control abusers we ought properly to concentrate on refugees and make the procedure fair and quick.

Amnesty International, which is hardly a partisan body, calls on the Government to withdraw the Bill. It calls the Bill regrettable and says that it blocks universal access to refugees. These opinions tell me that in fact this Bill has precisely those effects. It reduces significantly the capacity of refugees to seek a fair hearing in this country. They should not come to this country and automatically get in, but should get a fair hearing. That is what is so vicious and arbitrary about this Bill.

As I suggested in my speech, there is an alternative. That is why I suggested that doing away with the present Bill for six months would serve the country very well.

The Council of Churches, drawing on the work of people like Gunther Plaut, has come up with what it sees as a five-stage process which would be much faster than the present system for determining refugees, at least as fast as the process will be in this legislation for those small number of refugees who get past the gate posts. If we take their advice and pursue this five-stage process, it makes it possible to do something which is fair in terms of quickness, because people cannot be left waiting as the previous legislation has done. It also would provide fairness in the sense of giving people the right to be free of arbitrary control and allowing them to make their case appropriately and have it judged and appealed with the fairness to which this country has become accustomed.

Mr. Keeper: Madam Speaker, I have a question for my colleague. I want to refer to a letter from an ordinary citizen in Winnipeg. Mrs. Anna Rondinella writes about the fact that the Government has brought in legislation to amend the refugee determination process. While she is in favour of action in that area, she also points out that it is not enough to amend the refugee determination process. She would like to see at the same time an amendment to the definition of family unification so that brothers and sisters are classed as close family and qualify for family unification, especially for a person like herself who has no other family and would like to bring at least one member of her family here.

She goes on to make an appeal to the Government to be more generous in the area of family unification. She says that it is not enough for the Government to appeal to immigrant communities by trying to say that it is not fair for people to sneak in under the refugee determination process, but that it is necessary for the Government to make some changes in policies that affect family reunification. Does my colleague agree with her request that the family reunification policy be more generous so that immigrants in this country can bring their family members here, rather than have the Government simply bash refugees?

Mr. Langdon: Madam Speaker, there is an emergency with respect to immigrants in this country. That emergency has hit each of us who has dealt with constituency cases over the life of this Parliament. However, that emergency has nothing to do with refugees. It is that the Government has failed to move despite many recommendations to make it easier for people to come to this country to join their families. I found incredible slowness in the number of cases I have personally taken forward in an attempt to get action. It is like something out of Kafka, dealing with a bureaucracy that believes that 12 months is a short time. It is ridiculous.

That is the emergency with which the Government should be dealing, not with the humanitarian concerns the country has always had with respect to refugees. To suggest that 174 people arriving in Nova Scotia has anything to do with making it harder for us to move on family reunification is simply bogus. It is simply not true.

[*Translation*]

Mr. Marc Ferland (Portneuf): Madam Speaker, the question we are dealing with today is complex. We are not talking about ideas or abstract concepts but about human lives.

Bill C-55 has to do with the critical situation of those who need Canada's protection. It so happens that the measure takes into account our own Canadian standards with respect to refugee protection.

Statistics on the number of homeless refugees throughout the world are practically endless, but statistics are little more than mere figures. A refugee is a human being whose life may be endangered. Madam Speaker, it is imperative that we keep this fact in mind. Canadians are fully aware of the human aspect of this problem. A recent poll indicates that three out of four Canadians feel that people fleeing from persecution must be protected.

Still the Government is convinced that it is becoming ever more important to keep Canadians fully informed with respect to refugees and matters related to immigration. This is particularly true if Canada is to play an adequate role on the international scene with a view to finding solutions to the refugee situation.

This is why I should like to comment on the need to keep people well informed and fully aware of what is happening. This approach can only stem from a long-term vision of Canadian programs concerning immigration and refugees.

• (1610)

This Government has already developed a longer term vision which looks upon these programs as means to reinforce national unity and contribute to a greater economic prosperity, while meeting its humanitarian objectives.

Following the 1984, fall election, the Government reviewed its immigration policy together with the provinces, some non-governmental organizations, university professors and other interested parties. Following this review, it came to the conclusion that it was desirable to increase the immigration levels in a moderate and controlled fashion. This increase was made to the benefit of refugees who were languishing in camps abroad.

The Standing Committee on Labour, Manpower and Immigration has had the opportunity to express its views on the issue. Other countries have reduced the number of refugees they will accept. Canada, for one, has kept its doors wide open and has established no ceiling as to the number of refugees it will help resettle. Moreover, this year we are contemplating accepting 12,000 refugees sponsored by the Government, and at least 5,000 more sponsored by private organizations and groups.

What exactly is a refugee? No public information and awareness program could follow its course without an answer to this basic question. Canada accepts the definition of refugee as established by the United Nations Convention. In short, a refugee is a person who happens to be outside his country and unable to return to it because he has a well-founded fear of being persecuted for reasons of race, religion, nationality, political opinion or membership of a particular social group.

Our vision of the increasing importance of immigration for the future development of Canada is based on a series of factors. First, the economic factor: Immigrants create more jobs than they remove from the Canadian economy. They support economic growth and development by contributing to capital formation, increasing the demand for Canadian goods and services, bringing to the labour market their drive and much sought after expertise, and contributing to the tax revenues of all levels of Government. Socially, immigrants contribute to the ongoing development and diversification of the Canadian multicultural mosaic by which all our Canadian regions are socially and culturally enriched. That 70 per cent of immigrants belong to the category of family members underlines the emphasis given by Canada to the reunification of families by welcoming members who had remained abroad.

As far as demography is concerned, increased immigration levels will enable us to prevent the decline in the Canadian population projected for the end of the 20th century and the beginning of the 21st century. There are a number of misconceptions that will be dispelled by informing the people. For instance, some people believe that when refugees arrive they steal the place away from legitimate immigrants. That is not the case, Madam Speaker. As Carol Goar pointed out in the *Toronto Star*, "This is tantamount to suggesting that people coming to hospital emergency take the places of people waiting for elective surgery".

Our action in support of refugees from across the world has been recognized by the United Nations High Commissioner for Refugees, who awarded the Nansen Medal to the Canadian people. Further, Canada plays an important role in permanent discussions of the High Commission for Refugees and OECD on how to implement the broad international action approaches to the regulation of the movement of some 70 to 80 million migrants in the world.

As I said earlier, Madam Speaker, our doors remain open to refugees. I would like to point out that they also remain open to immigrants.

The 1987 level planning range is 115,000 to 125,000, much more than the low level to which the Liberal Government had let the movement decline. The Government recently held consultations with provinces, non-government organizations,

universities and other parties on the direction to be given to the Immigration Program for the rest of the decade. It is evident from these consultations that we will likely need higher levels of immigration over the next decade to meet our own needs and to honour our international obligations. Departments concerned are presently evaluating the social and economic impacts of immigration on Canada while projected immigration levels for the 1990's are being established.

Madam Speaker, the Government of which I am a part is convinced that immigration represents an important factor in the economic and social well-being of Canada, one which has allowed us to take a leadership role in finding solutions at the international level to the problem of refugees and immigrants seeking assistance on humanitarian grounds.

It has taken some time to elaborate a long term perspective and this is partly due to the narrow view of the future which characterized the undertakings of the former liberal administration. We are now focussing on more effective means to make Canadians aware of the facts about immigration and the advantages which can result. In this regard of course, we give special consideration to the noteworthy efforts of non-governmental organizations and to their information and public awareness programs.

Our consultation process with regard to immigration levels is among the most open and detailed in the world. It provides a better understanding of the impact of issues which have a bearing on immigration and refugees.

At the present time, Madam Speaker, the Government is carrying out consultations on immigration levels with non-governmental organizations which involve 150 national organizations, 500 regional organizations and 40 university organizations, as well as with representatives of the provinces and the territories. During the last series of national and regional consultations we had no less than 23 meetings on administrative matters pertaining to immigration levels for 1988, 1989 and 1990.

Recently, in Toronto, we had a two-day meeting with national ethnocultural organizations to discuss questions concerning immigration and refugees. That meeting, the first since the beginning of the 1980s, reflects the Government commitment to a greater involvement of ethnic communities in the determination of immigration levels.

A thorough consultation process is the first element of an effective information program on immigration matters. The Employment and Immigration Commission has produced a series of free consultation reports on our programs and policies. At a time when we are almost always trying to recover costs, Employment and Immigration Canada continues to make documents available free of charge, to promote exchange of information. These documents are in addition to a wide range of free booklets already available.

Passage of Bill C-55 will naturally require that new documents be prepared to inform claimants, counsels, parliamentarians and the general public of the new process. An important element of a well-conceived information program is a research program to make the population aware of some of the key policies and issues actively discussed regarding the immigration program.

Employment and Immigration Canada has undertaken to prepare a series of research documents to that end. Up to now we have published free booklets on aging of the population and immigration and on the impact of immigration on employment. Others to be published will deal with immigration of children and the relationship betweem immigration and migration.

In addition to these studies, Employment and Immigration Canada has a program of technical research in various areas, such as the settlement of immigrants and refugees, immigration and the economy, control policies and operations.

Two advisory committees made up of academics were created last spring to contribute to communications, research and initiatives. One will examine demographic factors, and the other the social and economic aspects of immigration.

Madam Speaker, to develop an extended information program, there have to be extensive consultations and detailed research. Employment and Immigration Canada is now looking at ways to publicize this program in Canada. The methods now being used or considered include the following:

Creating posters and information modules on immigration and demographic evolutions;

Organizing workshops on immigration for certain key groups, such as Members of Parliament, media representatives and teachers;

Writing articles to explain the new policy and program changes;

And I could quote many others.

Other initiatives to improve information on this program will be undertaken before the end of this year. The Minister of State for Immigration (Mr. Weiner) has recently underlined the high priority which will be given to such initiatives. I am convinced that we can count on the support of our honourable collegues in this regard.

An information program naturally requires an exchange between the one who gives and the one who receives the message. These last few months, Canadians have become aware of the difficult decision which must be made in relation with immigration and refugee programs. The Government now intends to emphasize the major contribution of immigrants on the social, humanitarian, economic and demographic levels.

Before closing, I would like to go over certain facts about Bill C-55.

Last Tuesday, August 11, Canadians were told once again and more firmly about the clear intention of the Government to implement quickly mechanisms to counter abuses related with the refugee determination process and to enable the Government to protect bona fide refugees.

The measures which the Government is planning to take are aimed at those people who show up at our borders or airports without papers or with false documents, as well as the smugglers who, through their fraudulent actions, are helping the entry into Canada of illegal aliens.

Under Bill C-55, the carriers will have to make sure that the people they are bringing to Canada are duly in possession of the required documents, failing which they could be liable to a heavy fine or a long prison term.

The Government is determined to have this Bill adopted. The Canadian public will have to strike a just balance between the need for compassion and understanding on the one hand and irresponsibility on the other. If we do not stop soon the abuse of our refugee status determination process, Canada's reputation as a country with integrity will be jeopardized. We will become the laughing-stock of a great many nations.

The Government is determined to defend its borders, but it will not allow regrettable incidents to become deplorable precedents and have its reputation as a country which accepts true refugees tarnished.

Many people have come forward to explain the Government's intentions. These intentions should not be questioned. I therefore ask all Hon. Members to remove all obstacles and finally put an end to a sorry state of affairs which we should not tolerate any longer.

Canadians will be able to share the Government's vision about its immigration policy and will be able to better support and understand its objectives concerning immigration and refugees.

Madam Speaker, many polls have been carried out. I was puzzled by one of them which was carried out throughout Canada and where the following question was asked: Do you agree that people jumping the line, those who are coming illegally into Canada should have the same protections under the Charter of Rights and Freedoms as all other Canadians?

And surprisingly, and this is for my friends in the New Democratic Party, 80 per cent of those who say they would support a NDP Government are responding: No, we do not agree.

I will say to my dear friends in the New Democratic Party what it means: it means that your members, your "supporters", are people who agree with the efforts made by this Government to try to protect real refugees who are coming into Canada, but also to put in place a legislation that will allow us to "give the boot", as your leader, Mr. Ed Broadbent, said so eloquently on February 11, 1987, to give them the boot if we find that they are not bona fide refugees. He was answering a question put by Mr. Webster during a BCTV program. Therefore, if the NDP Leader agrees with our position, why do members of the New Democratic Party, under the leadership of Mr. Broadbent, not agree with Bill C-55 which is supported by all Canadians?

• (1620)

[*English*]

Mr. Orlikow: Madam Speaker, I am puzzled by the speech made by the Hon. Member for Portneuf (Mr. Ferland) who just completed his remarks. On the one hand he tells us that the Government and the Department of Employment and Immigration are holding lengthy, detailed and careful consultations with people from one end of the country to the other on what should be our policy with regard to immigration and refugees. On the other hand, while supposedly holding these consultations, the Government brought in two Bills. It brought in those Bills before it could hear from the people with whom the Hon. Member says the Government is consulting. I find that hard to understand and I would like the Hon. Member to explain.

I would also like the Hon. Member to explain why the Bills we have contain so few of the recommendations made by the Standing Committee on Labour, Employment and Immigration which held a large number of meetings and which made a unanimous report. This committee is a committee on which a majority of members, because of the composition of the House, are members of the Conservative Party.

Why does the Hon. Member urge us to ignore the opposition expressed to these two Bills by, among other organizations, the Canadian Ethnocultural Council, which represents almost all of the new immigrant groups which have come to Canada in recent years, the Canadian Jewish Congress, the Canadian Labour Congress, Amnesty International, and virtually every one of the major churches in the country? All of these groups have expressed their very strong opposition to the major provisions of these two Bills while accepting the idea that we need to have a system which is humane, fair and which does not allow people to jump to the head of the line in front of many who have waited for years to have their applications dealt with.

[*Translation*]

Mr. Ferland: Madam Speaker, I said that Employment and Immigration Canada had indeed consulted the Canadian people since last spring.

But for the New Democrats, consultation is forever. When you consult people, it does not take 14 months to know what they think about a bill. We do not need to talk things over. But I think that for New Democrats, it has become a tradition. They like talking, but they do not react or act very often. They would rather have lots of people lose their time. We went through a consultation process. It is going on and will continue in the future. The Bill before us is a result of that consultation.

You said that certain agencies were opposed to the measures advocated in Bill C-55. You must remember as well that last February if my memory serves me right—indeed this position was supported by some journalists—people were saying that the temporary measures which we as the Government had taken were unacceptable. It was impossible,

But I see today that Mr. Vennat in *La Presse* is suggesting that we ought to use those methods. They are good methods now, but were not so at that time.

Apparently the Opposition is reacting much in the same way today. In February we were using harsh methods, but today we ought to get back to the methods used in February and say they are the best available. The ones we advocate in Bill C-55 are no good.

I have yet to see a measure tabled by this Government in the House have the good fortune of being agreeable for even a fraction of a second to the Opposition. Madam Speaker, instead of suggesting ways to improve this Bill, the Opposition is engaged in outright boycott. They are saying: The Bill is no good. They fail to propose anything better.

Mr. Cassidy: That's not true.

Mr. Ferland: You have been saying that for months and years on end, but I have yet to see any results. And you don't seem to listen very often to your constituents. If you listened more often . . .

The Acting Speaker (Mrs. Champagne): Order. The Chair would appreciate it if Hon. Members would refrain from getting involved in personal exchanges and address their comments to the Chair. The Hon. Member for Portneuf (Mr. Ferland) may proceed.

Mr. Ferland: Thank you, Madam Speaker. I apologize. Of course, I should have told my colleague opposite through you that he was wrong and had no respect for the grassroots militants of his own Party of which 80 per cent support the action of the present Government, a Conservative Government. Madam Speaker, he should listen more carefully to what Canadians are telling him, and not pay attention to three or four people. The large majority of Canadians are worried, and Bill C-55 aims at protecting true refugees and punishing those who violate Canadian laws and exploit human misery.

Mr. Cassidy: Madam Speaker, I would like to thank the Hon. Member for Portneuf (Mr. Ferland) for his information that the New Democratic Party advocated a system for a much more efficient treatment of men and women who wish to claim refugee status in Canada, that other groups, including the Canadian Council of Churches, made very constructive suggestions in that regard, and that the Standing Committee on Employment and Immigration submitted a unanimous report in November, 1985, almost two years ago, for the reform of the situation everybody said was needed. Now, the Hon. Member is saying that the consultation should not last 14 months, but we just wonder how the Government could wait as much as two years to accept the recommendations of this Standing Committee, instead of taking action and putting together a system which would ensure a more rapid treatment of these applications, a more efficient administration to ensure that the waiting list of some 20,000 refugees would not be as long as now.

The Hon. Member said that everybody agrees with the Government. Clearly, such is not the case, and nearly all the groups which commented on Bill C-84 were against it.

Madam Speaker, at issue is not whether one is for or against measures to punish the smugglers of false refugees. The New Democratic Party answers yes. At issue is the way to do it. And the Bills before us now are unacceptable, which does not mean that we, of the New Democratic Party, are opposed to the necessary measures to ensure that those who want to smuggle false refugees are punished. That is not the point. The point here is the deprivation of true refugees of their right to seek haven here in Canada. That is what the Government is trying to do with this Bill.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Portneuf may conclude.

Mr. Ferland: Madam Speaker, I should like to call my hon. friend's attention to an information document. I see that when the time comes for them to obtain information, the NDP people are not in a hurry. You have a document in the folder before you, my dear colleague, a document which deals with the situation in Canada, Sweden, West Germany, France, Demmark, Switzerland, The Netherlands, the United Kingdom and the United States. It compares Bill C-55 with the measures that exist in these other countries of the world which are considered as being very open. He would be in a position to see, Madam Speaker, my dear colleague from the New Democratic Party, that Canada is still far ahead of all those countries that claim leadership in the area of welcoming refugees, welcoming immigrants, family reunification and so forth.

But I would like through you, Madam Speaker, to remind my New Democratic colleague of statistics that do not lie—from 1978 to 1986, of 60,000 refugee claims, 6,376 only were officially recognized as such in Canada. It is my belief that Canadians are aware of those facts and appreciate that we must do something about it. When Canadians read, as hopefully the Hon. Member will do so, when they read the program as proposed in Bill C-55, they will realize that Canada is far ahead of all democratic countries in the world.

The Acting Speaker (Mrs. Champagne): The period for questions and comments after the speech of the Hon. Member for Portneuf (Mr. Ferland) is now ended. So is the first eight-hour period of debate. Accordingly, speeches will now last 10 minutes. Debate. I recognize the Hon. Member for Mount Royal (Mrs. Finestone).

Mrs. Sheila Finestone (Mount Royal): Madam Speaker, I followed with interest the contribution made by the Hon. Member for Portneuf (Mr. Ferland) and I feel that once again he emphasizes that Canada has an open door for immigrants and used to have an open door for refugees. Unfortunately, such is not the direction that has now been chosen by the Minister of State for Immigration (Mr. Weiner) and the Minister of Employment and Immigration (Mr. Bouchard). This is a sham, and they are playing all kinds of tricks to keep confusing Canadians as to who is a legitimate refugee and who is an immigrant. I believe that as Minister of State for Immigration and Minister of Employment and Immigration, their job is to uphold the place of immigrants and the role they can play, and that refugees who become immigrants are welcome here. This is what they forgot to do and everyone is confused.

• (1630)

[*English*]

The lack of support for both the immigrant and the increase in family rejoining has become an unpleasant and unnecessary game plan on the part of the Minister of State for Immigration, and the Minister of Employment and Immigration. Instead of being clear, candid, and forthright and explaining that we are discussing two separate streams, there has been an incredible tendency to make the population in general feel that a person who is coming in as a bogus refugee is displacing the person who is an immigrant. That is false. The Government has gone to great length not to explain this to the general population.

There is a desire and need to improve the family reunification clauses that are in the present Immigration Act. The *Equality for All* report deposited in the House almost two years ago called for those changes, but nothing has happened. Now we see a refugee Bill that is restrictive. It has caused the United Nations people to request that we stop the type of abuse we are thinking of.

There is something wrong when traditionally Canadians have such a proud record. We were awarded the Nansen Medal for what we have done. We have brought into this country people who have enriched the tissue, the fabric, the expression, and quality of life for all Canadians from the economic and the social perspectives. Representatives from Hungary, Czechoslovakia, Uganda, Cyprus, Vietnam, Poland, Iran, El Salvador, Lebanon, Sri Lanka, and Guatemala live within the constituency of Mount Royal. I have spoken with them. In this regard, these people are not pleased with the performance of the Conservative Government. They are being made to feel uncomfortable as immigrants, as if they were asking for special favours because they want to have what is an extended family and their basic family considered. All they have received is words but no action.

• (1640)

Where there are refugees awaiting a determination of their status, from the Tamils all the way through to the people of the Caribbean Islands, et cetera, they are being destabilized, they are uncomfortable, and they have a sense of dislocation. Is it not enough that they have had to suffer the trauma of dislocation? If Hon. Members opposite think they can say, "Wait, I am going to run back for my American Express card, my papers, and my visa", when their lives are being threatened and when they are in danger, believe me, that is not what refugees do. They are refugees because they feel threatened and they are no longer able to live their lives in peace and harmony. Their surroundings are no longer places of peace and harmony or places where they can live properly.

We have the unhappy situation of uprooting and the trauma of dislocation for refugees, and we are saying to these same people, "Refugees, go home". Most of them would go home; if they felt they could, they would. This is what we tend to forget.

I should like to suggest that the Minister of State for Immigration ought to read from Isaiah and then translate it into French for the Minister of Employment and Immigration (Mr. Bouchard). I suggest that he recall the following:

> Woe to you! you who make unjust laws and publish burdensome decrees, depriving the poor of justice, robbing the weakest of my people of their rights.

International human rights indicate that Canada is a land of refuge for those in need. Your very Draconian, unfair, and inhuman approach to both immigrant streams—you promise but you do not deliver—and refugees whom you treat with disgrace will come to haunt each and every one of you, believe me.

The Acting Speaker (Mrs. Champagne): May I remind the Hon. Member that she should address her remarks through the Chair. The same rule applies on both sides of the House.

Mrs. Finestone: Madam Speaker, I thank you for that reminder. I suggest that there is a serious and real problem. That was addressed by the Robinson report, the Plaut report, and the standing committee report. How many more reports should there be? Maybe they should go back to school and learn to read; then they could follow these reports.

All those reports are in. They have had the suggestions and recommendations which they have totally ignored. They have followed their own little sweet path. I do not know who dreamt up the lines.

Perhaps it is better that they bring in the hoist, go out and talk to the constituency, hear what the NGOs, the churches and the synagogues have to say, and hear what the people who wrote the reports have to say. Did Rabbi Plaut find the response reasonable? Did he find that response acceptable? They can be assured that he did not.

What did Tom Clark, a worker for the Inter-Church Committee for Refugees, have to say? He said:

> Instead of access there is a screen, instead of bringing Canada a notch ahead of European countries, the immigration minister has brought it down to their level. It's despicable.

What did Michael Schelew of Amnesty International have to say? He said:

> It's an about-face on Canada's humanitarian record, that may place people fleeing persecution in jeopardy.

Who is listening in the Conservative Party, for goodness' sake? Is it not about time that you listened to the population who elected you?

Some Hon. Members: We are.

Mrs. Finestone: Excuse me, Madam Speaker. I think government Members should take heed of what is being said.

A rather well known personality internationally, Elie Wiezel, winner of the Nobel Prize, said:

> I believe that a society can be measured and judged by its attitude towards strangers . . . I would hope that Canada would like to be measured according to these lofty rules. I say Canada should lead by example.

I do not think Canada's example should be how to pick a safe third country, how to have two people at the border determining one's future, how not to have access to the legal process, or how not to do anything in the best interest of helping a person who is in crying need to get to safe waters.

The weaknesses of Bill C-55 are many. They are opposed by the NGOs. Its shortcomings include the prescreening system, the safe third country concept, the refugee determination board, to which no one can get because it is surrounded by all kinds of blockages, the appeal system, and the precedent which Canada has set for other countries by perhaps encouraging them to consider similar action. Certainly turning a blind eye to the refugees of the world is one thing Canadians need not do in a country of wealth and space which can use good, healthy, determined people who are looking to start a new life, much as it is uncomfortable, and to run away from the place they knew as home.

Canada is large. It is wealthy. It is rich in human and material resources, but it is not without its blemishes.

I only hoped that all of us in the Chamber learned from our blemishes—the indigenous people of Canada and those who fled Nazi persecution. I have not forgotten the story of the *St. Louis* at the Port of Montreal or the shores of Canada where refugees went back and then went through extermination camps. If one person has to do that, I hope the Ministers and that caucus will give serious thought to why their consciences will not let them sleep.

We were not kind and considerate to Canadians of Japanese origin. We have done many things which have been wrong. However, I think over time we have become a more humane society and a more concerned society with a better appreciation of the multitude of cultures, languages, skin colours, and faces of people who have come to enrich the tapestry that is Canada today.

Let us not be narrow-minded and bigoted or respond to the basest of feelings expressed out there. Let us be sure that we give a fair hearing to the refugees who come to our shores.

Mr. David Orlikow (Winnipeg North): Madam Speaker, the City of Winnipeg which I represent, for 100 years or more has been the gateway to western Canada for people coming to this country.

My own constituency, with the exception of several thousands of native people who live in it, consists of people who are themselves immigrants or whose parents or grandparents came to Canada as did my father some 80 years ago. The original immigrants who settled in my area came from Great Britain, Ukraine, Poland, Germany, and other eastern European countries. We have had an influx since World World II of people from Portugal, the Philippines, Italy, China, Hong Kong, Vietnam, Laos, Central American countries such as Nicaragua and El Salvador, and Caribbean countries such as Jamaica and Trinidad.

They are very interested in the kinds of policies which Canada adopts and implements with respect to immigrants who wish to come to this country and with respect to refugees.

More than half the people who come to see me when I am in my office have problems related to immigration. They are people who want to help members of their families, living in the countries from which they came, and come to Canada. Our rules and definition of who can be considered family are so restrictive that in nearly every case I must tell them that I am sorry but their relatives do not qualify for entry to Canada.

We are dealing with two Bills respecting immigration and refugees. They have been drafted in such a way as to make one believe that the Government has almost deliberately set out to ignore the recommendations made by a number of studies commissioned by the Government, or by the unanimous recommendations made by the Standing Committee on Labour, Employment and Immigration.

I think Hon. Members should note the speech made in the House several days ago by the Chairman of that committee and his criticism of the legislation that the Government brought forward.

The fact is that virtually every organization interested in these questions has expressed opposition to the provisions of these two Bills. I should like to name a few—the Canadian Ethnocultural Council, the Canadian Jewish Congress, the Canadian Labour Congress, and Amnesty International. Thirteen of the largest church organizations in Canada sent a telex to the Prime Minister (Mr. Mulroney) on June 1 of this year in which they expressed their very strong opposition to many clauses in these two Bills. Included among these churches are the Anglican Church, the Canadian Baptist Federation, the Canadian Council of Churches, the Council of Christian Reform Churches, the Mennonite Central Committee, the Presbyterian Church, the Salvation Army, the Quakers, the United Church, the Canadian Conference of Catholic Bishops, and the Inter-Church Committee for Refugees.

• (1650)

To indicate how strongly many people feel about this legislation, I want to tell Hon. Members that I was today in communication with people from Winnipeg and other parts of Manitoba who have worked to help facilitate the movement of refugees into Canada, representatives of the Anglican Church, the Roman Catholic Church and the Mennonite Church, and they told me that if this Bill is passed and the work they do is considered contrary to the law and they are charged, tried and sentenced, they are prepared to go to prison. They believe that the work they are doing to help refugees come to Canada is so right and so justified that they are prepared to pay the penalty they may have to face.

These are people who are not political. They are not wild-eyed radicals. These are people who have a firm commitment to seeing that justice is done.

What is wrong with this Bill? First, it is inaccessible. Instead of ensuring that all those arriving in Canada claiming to be refugees can have their claims heard, this legislation seeks ways to return them to other countries. This legislation has no provision for a meaningful appeal process. The initial screening can only be appealed from out of the country. There is no requirement that a written reason be given at this stage, thus making a legal appeal difficult. The second stage oral hearing can be appealed but only to the Federal Court and only on matters of law, not fact. We know what kind of legal costs that process would entail.

There is no provision in the Bill for humanitarian or compassionate cases as there is in the present legislation. Currently, about 12 per cent of cases that do not meet the technical definition are allowed to stay in the country by compassionate people and even cabinet Ministers. That will cease when this Bill is passed.

This Bill politicizes the refugee process by putting emphasis on whether or not the applicant stopped in a safe third country. Cabinet will decide what constitutes a safe third country. Inevitably, diplomatic and political pressures will intervene. The Minister has already been reluctant to deal with the case of the United States and Salvadoran refugees.

I want to point out that under the same kind of legislation that is being proposed here, the United States has already arrested, charged, tried and convicted church workers in Texas, Arizona and New Mexico. That is the kind of legislation this Government is proposing for Canada.

This Bill is unnecessarily harsh. Rabbi Gunther Plaut before the Standing Committee on Labour, Employment and Immigration suggested that what we need is fast, efficient and fair alternatives with widespread public support. We do not have that with this Bill.

This Bill attacks true refugees rather than zeroing in on those who try to abuse the system. If the Government were to bring in proposals designed to get tough with those who are trying to get around the system, the kind of people who have organized the boat expeditions and are ripping off refugees, the kind of people who make hundreds of thousands of dollars by arranging for these boat trips, we would support the legislation. We New Democrats will not support this legislation which uses an atomic bomb to kill a mosquito.

This Bill builds a Berlin wall around the country rather than promoting the humanitarianism for which Canada has been known. Furthermore, Bill C-55 harms the prospects of Canadian citizens and landed immigrants seeking to sponsor the immigration of family members from their countries of origin by reducing their effective right to appeal decisions on sponsorship.

Like every other Hon. Member from urban Canada, I have dealt with constituents who want to help relatives come to Canada but have been told by me that it is impossible because of the rules. We cannot support legislation like that. We are prepared to support any proposal the Government might make which would give us a fair, humanitarian, efficient and quick system for deciding legitimate applications, both for refugees and immigrants. That is something we do not have in the two Bills which are before us at the present time.

Mr. Stan J. Hovdebo (Prince Albert): Madam Speaker, the legislative process works well if the Government in power recognizes the value of the advice given it by experts in the field. If it does not recognize the value of advice given it by churches, human rights groups and opposition Members, then it produces a Bill which does not deal properly and effectively with the requirements of the situation. That is exactly what is happening in the case of Bill C-55.

Canadians who are knowledgeable about the situation recognize in this Bill some travesties which, if put into effect, will do a great deal of harm not only to the people affected directly by them, including immigrants and refugees, but also to Canada's international reputation. We proudly accepted a prize for being the country that best dealt with the refugee situation. We accepted a prize for being the most generous, for opening our doors and accepting people who were less fortunate than us. We proudly accepted that award and, in the light of that acceptance, we should put in place a Bill which continues the recognition of that generosity. We should put in place the kind of structure which allowed Canada to be generous enough to win the award.

The Acting Speaker (Mrs. Champagne): I apologize for interrupting the Hon. Member. It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1700)

PRIVATE MEMBERS' BUSINESS—PUBLIC BILLS

[*English*]

PARITY PRICES FOR FARM PRODUCTS ACT

MEASURE TO ENACT

The House resumed from Thursday, June 4, consideration of the motion of Mr. Nystrom that Bill C-221, an Act respecting parity prices for farm products, be read the second time and referred to a legislative committee.

Mr. George Henderson (Egmont): Madam Speaker, I want to make a few comments on Bill C-221. The purpose of the Bill is to provide parity prices to farmers based on a cost of production formula for wheat, oats and barley used for human consumption in Canada, and to establish voluntary marketing commissions for pork and beef.

We know the farmers of this country are having very serious problems. If it is not in one area, it is in some other area. We have heard over the last year or so the tremendous difficulties our western wheat farmers are having mainly because of world market conditions. U.S. farmers are being subsidized to the point of undercutting our farmers. EEC farmers are also heavily subsidized. We are, of course, all competing for the same markets. As well, we in this country have some very high production costs. While we are extremely productive, we do have some difficulties which are caused mainly by our geography in getting our products to market.

This Bill calls for a parity price within Canada related to the cost of production. There is no question that farmers need to have a return on their investment. That investment is immense even when compared to almost all other forms of business. Equipment and machinery is extremely expensive, not to mention the cost of land. We also have the additional problems of climatic conditions. Given that, there is no question that we in this House and in the provincial legislatures across the country should do everything we can in order to help our primary producers stay on the land and support their families and industry.

Agriculture, in one form or another, is the backbone of this country. Without it our country could not survive for very long. That is why we should be doing everything we can to help our farmers survive. In hard times we have to dig down into the coffers of Government occasionally in order to support the industry.

We are supporting not only the farmers, we are supporting every consumer. We often do not think of farmers as consumers but they are probably the greatest consumers we have. Their purchases of farm equipment and machinery create jobs, mainly in central Canada, and keep people at work. Farmers are great consumers. Not necessarily more than anyone else at the dinner table, but consumers of goods and services.

I only had time to go through this Bill quickly a few moments ago, but I would like to see it go to committee for further study. I certainly have some questions I would like to ask. For example, Clause 11 deals with establishing marketing boards. We want to make sure that the majority of farmers agree with this concept. It would be very helpful if we could bring our agricultural community, in the form of the National Farmers Union and the Federation of Agriculture and other organizations which represent that community, before the committee to see if something like this would work on a voluntary basis and whether the community would agree totally to this concept.

Of course, we now have legislation on the books, both provincial and federal, which provides for the setting up of marketing boards and commissions. In that respect I have to come back to the farmers I represent, that is, potato farmers. I know the difficulties they have had over the years. They generally say they are very fortunate if they can get one good year out of every four or five. Yet that is not good enough. There has to be a better way, not only in marketing but in bringing some stability to the industry. Last year, of course, was a reasonably good year for those farmers. We are hopeful that this year will be good, but people in my province are very worried about the low rain conditions. We will know within a few days pretty well whether we are going to have the kind of yield we normally have. Indications are right now that it will be much lower than last year because of drought conditions.

What is important is not only what you produce and how much, but what you get for it. Fishermen and farmers always seem to be faced with the great dilemma of producing a product and not knowing until after they produced it what they are going to be paid for it. Therefore, if there is anything that we can do in that respect through this Bill, I would like to see it go to committee so that we can make a determined effort to do it.

I applaud the mover of this Bill for putting it forward for discussion so that we can take a hard look at it. I hope something good will come out of it, not only for us as Members of Parliament but especially for our primary producers.

Mr. Cyril Keeper (Winnipeg North Centre): Madam Speaker, I must say that I cannot in any way claim to be an expert on agricultural issues. I cannot even claim to be someone who knows this policy area in any detail. However, I do want to say as a Member of Parliament from an urban riding in the City of Winnipeg that agriculture is important to us. Even if we are not tilling the fields ourselves, agricultural policy affects our quality of life. That which the Government does to farmers is important to us. The policy framework put in place for farming communities is important to us.

• (1710)

As I understand it, this legislation deals with the concept of parity pricing. Like most of the people in my riding, I cannot tell you exactly what parity pricing is, but I can tell you my

understanding of it. I understand it to be an opportunity for a farmer to earn his bread, to make a living.

Farmers should have their costs covered when they sell their product and they should earn a fair return on their investment. That is what all Canadians expect whether they work for someone else or have a small business, or even a large corporation. They expect to be able to earn their living from the sweat of their brow, from the hard work they put into their enterprise.

I have learned from my colleagues in my caucus who come from farming constituencies that in today's economy in order for farmers to be able to make a living they must have parity pricing. In order for them to be able to cover their costs of farming they must have parity pricing. Their costs of producing must be covered and they must earn a fair return on their investment.

One renowned and noted parliamentarian, John George Diefenbaker, came from the west and spoke eloquently in this House. With regard to parity pricing he said that farmers want parity, not charity. In other words, they want an opportunity to earn a living rather than having to go into bankruptcy or live on welfare or public subsidies. This legislation asks for simple economic justice. It asks that a farmer who tills his soil and runs his business be able to make a living from his efforts. I think that that is only fair.

The international agricultural wars that have been going on for the last while have made it obvious to urban dwellers that agriculture is an important issue which touches them directly. The Americans and the European Economic Community so grossly oversubsidize their farmers that they are able to grab markets which have traditionally been Canadian. They drive down the international price of grain to a level at which even those farmers who raise grain in the most productive land in the world for grain, which is western Canada, cannot compete.

The international grain war has caught a lot of attention in the media and has brought agricultural issues home to urban Canadians. It also points out the need for government action. It is not enough to be able to plant your seed in the spring and hope to harvest in the fall. The Government must put in place the appropriate public policy framework.

The Hon. Member for Yorkton—Melville (Mr. Nystrom) has done farmers a favour by bringing forward this legislation with regard to parity pricing. In addition to putting this kind of policy in place the Government must be capable of negotiating effectively on the international scene in order to bring an end to the trade wars between the Americans and Europeans so that Canadian farmers will be able to sell their grain on the international market and earn a living.

John George Diefenbaker knew farmers well. While he was not a member of our Party, he hit the nail on the head in agricultural policy when he said that farmers want parity, not charity. In other words, they want to be able to stand on their own two feet. They want to earn their living rather than beg for hand-outs. They do not want to have to go bankrupt.

Over the last year we have heard on an increasing basis about farmers going bankrupt. These people produce a needed product but have to sell it at such a low price that they cannot stay in business. In addition to this being unfair to farmers and their families it is a destruction of rural Canada.

Our rural communities are made up of farming families. If our farming families go into bankruptcy, there will be a devastation of rural Canadians. There will be fewer and larger corporate farms rather than the traditional family farm. As long as the present policies continue, rural communities in which people get to know one another and support one another will be a passing scene. It would be a great loss to Canada to lose our rural communities and end up with a large corporate enterprise approach to farming.

The Private Members' legislation introduced by the Hon. Member for Yorkton—Melville which deals with parity pricing is meant to give farmers the opportunity to earn their living, to do what every Canadian considers to be his right, that is, to get up in the morning and, by the sweat of his brow, earn his income with a sense of pride in being a farmer and a Canadian. It is clear that for more and more farmers that is not possible today. The cost of producing grain and red meat is more than they can earn in the market-place. Unless we want to have a country without farms which, of course, is totally unacceptable and inconceivable, we must put in place policies which will allow farmers to cover their cost of production and earn a fair return on their investment. That, Madam Speaker, is fair.

Mr. Mike Cassidy (Ottawa Centre): Madam Speaker, it is a privilege to be able to participate in this debate which is obviously of primary concern to western farmers and to all Canadians who are committed to maintaining a farm economy and understand the role of the family farm as one of the basic building blocks in terms of our social structure, not only in western Canada but throughout the country.

• (1720)

Hon. Members will know that the Central Experimental Farm is in my constituency, which gives me some added basis on which I can make a contribution to this debate on Bill C-221 which was introduced by my colleague, the Hon. Member for Yorkton—Melville (Mr. Nystrom).

When I read the Bill, I anticipate that if some Hon. Members from the Conservative Party were to comment on it they would express great concern that the Bill proposes a marketing commission for beef, for pork or for grain.

The fact is that this is a means by which we can legislatively create a framework by which farmers can be assured of an adequate income for their important contribution to our society. Canada has one of the most efficient agricultural sectors in the world and we have overcome many obstacles,

including a harsh climate. We also must deal with the problem of subsidization which takes place in other countries.

I suppose it is fair to say that if there were not the degree of subsidization that exists in the common market, for example, perhaps some of these measures would not be required. Nevertheless, we live in a world where national governments tend to give a certain amount of precedence to their agricultural sectors, even in countries with much less efficiency in agriculture than we have in Canada. The question is whether we simply leave our farmers in a situation where they will literally be forced into bankruptcy.

I know that in Ontario it is now difficult for a land-owner with agricultural land to rent to find anyone to rent that land for anything more than a peppercorn rent. The reason is that the land does not pay to farm.

In western Canada where the average farm size has grown to some 1,000 acres, out of necessity, the farm sector cannot be maintained by farmers renting out land to one another. The sector will have to be based on the continuation of family farms.

That raises the question of whether farmers will be able to stay in business with the present price of grains. Over the last few years the price of wheat, oats and barley has come down substantially. In today's terms, I am told, that after the cost of freight and handling, the return to a farmer on No. 3 red spring wheat is some $2 a bushel, which is down from about $4 between 1978 and 1980, which were good years. In the early 1970s the price was also about $2 a bushel in net terms. In other words, over the succeeding time when the price of goods such as clothing and other necessities for which a farmer must pay have gone up, the net return on the wheat has been about $2 per bushel. The family car that cost perhaps $6,000 in 1974, today costs some $12,000 or $14,000.

Producers have succeeded in offsetting the falling prices to some extent by increasing their yields, but that has essentially come to an end. The figures speak for themselves. In northern Saskatchewan, for example, a producer who is efficient can get up to 40 to 45 bushels per acre of yield of excellent red spring wheat. At $2 a bushel, 45 bushels gives about $90 in net return. For a farmer with 700 or 800 acres in production it means perhaps $80,000 in return, net of freight and handling but not net of the other costs. These other costs include fertilizer, diesel fuel for the tractor, and the cost of payments for equipment which may have been financed. There is the cost of the seed and all the other costs entailed in running a farm. This must be paid out of the $80,000.

There may be a mortgage on all or part of the farm, particularly if it is a young farmer who has been trying to set up, or has had to buy a farm from the parents since they do not have pensions.

Obviously, farmers have great difficulty surviving. Most farmers in the West today are literally paying to put crops in the ground in order to harvest and sell them. In other words, they are poorer by putting the crop in than if they did not put any crop in at all.

Is it such a radical suggestion to say that there should be parity pricing in this particular area on domestically sold output of grains? Surely the answer is no. Presently, we have a two-price system, which I realize the Americans are trying to eliminate as part of their onslaught on Canadian practices under the free trade talks. Nevertheless, we have a two-price system now under which the price for domestically consumed grains is substantially more to the farmer than the price of grains that are sold on the world market. This Bill simply entrenches that to make sure that the farmer can count on that lasting for longer than the whim of whatever government happens to be in power.

The other part of the Bill deals with the question of establishing a voluntary system of marketing boards for red meat, for beef, and for pork. It is crazy that we have marketing boards for turnips, beets, tomatoes and almost any kind of farm product one can imagine, but not for red meats. The cost of production in the red meat producing sector is closer to what people are receiving presently, so the problem may not be so imminent. However, why can we not be expanding our sales of red meat to markets like Japan and other markets in Asia where they are beginning to consume more meats that are very expensive to produce? In the Japanese market, meat is produced locally at $25 a pound, when we could ship and land Canadian steak for $2.50 a pound. We must look into that situation.

I suggest that it is no different to guarantee a certain return to beef producers, within reason, than it is to guarantee a certain return to workers in a farm machinery plant where they have a union and organize in order to have a decent living. If workers who produce the farm equipment can have a decent living, why cannot farmers who produce the food on which we depend also enjoy a reasonable living? We are not talking about boondoggles or raising prices unreasonably as far as consumers are concerned. We are talking about a system that will provide a levelling out and ensure justice for farmers who produce the food on the one hand, ensure that those who handle and deal with produce can make a fair living and also ensure that consumers are dealt with equitably. That is the structure of this Bill.

I believe this is the last day of debate for this Bill and I urge all Members to allow it to go to a legislative committee which has been set up to consider it. Some changes may be required to the Bill when it is considered in committee, but I believe the principles are acceptable and desired by many farmers. I believe they are acceptable to many Canadian consumers as well. I hope the House will endorse the Bill at second reading today.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Madam Speaker, I am pleased to join the debate today. Let me begin by congratulating the Hon. Member for Yorkton—Melville (Mr.

Nystrom) for bringing the Bill before the House and persuading the Standing Committee on Private Members' Business to deem this Bill worthy of coming to a vote as it meets the criteria for votable items as set by the committee.

We are at a point in this Parliament when we are voting on some of the Private Members' Bills as a result of a new procedure set up for voting on Private Members' Business. As one who was involved with that reform, I find this to be an exciting time in the life of this Parliament. I do not think that the vote with respect to parity pricing will have the same tension or controversy as the vote which took place in the House with respect to abortion, but it is an example of how matters which might not otherwise come to a vote in the House can be decided.

The House will have an opportunity to express itself on this issue and I hope it will use this opportunity to send the Bill to a committee so that it can receive the appropriate attention. That way attention will be paid indirectly to the wider issue of agriculture in Canada in the future by the legislative committee when it looks at this particular Bill.

• (1730)

It is important that this Bill be accepted by the House because apart from its details and apart from what may or may not work with respect to the Bill, there would be an acceptance of the notion that in a country like Canada, in the year 1987, we should no longer put farmers in the position of producing the necessities of life for less than the cost of production. It is a bizarre situation when farmers are constantly put in the position of producing what we all know needs to be produced, grains and red meats, and have to do that for less than the cost of production.

What is involved here is the principle that farmers should be guaranteed both the cost of production and the return on their labour and the investment they make when they produce those necessities. I do not understand why that should be such a controversial matter. It seems to me that almost everyone could agree with that. It is a notion which has been around for a long time.

I am mindful of what a former Prime Minister of Canada said with respect to western grain farmers: "The western Canadian farmers want parity. They do not want charity". The Right Hon. John Diefenbaker used to say that, and this afternoon in this House Members have an opportunity to put into practice that statement and give parliamentary life to that principle by sending the Bill to the appropriate committee to have it studied.

How long can farmers go on when they are constantly put in the position of having to produce the necessities of life for less than the cost of production? I do not say that just with respect to the effect it has on some individual farmers and their families. I say it also with respect to the broader wellbeing of Canada as a whole and of the environment. In this respect I would like to say that as the price continues to fall lower and lower, more pressure is put on individual farmers to do things that are not in the long run in their best interests or in the best interests of Canada. I am thinking of the way in which farmers have been pressured, particularly in recent years, to put marginal land into production in order to increase their income through volume. Because the price for their produce has been so low they have attempted to meet that personal financial crisis by putting more and more land into production, thereby eliminating wildlife habitat.

A great deal of concern exists in western Canada with respect to the elimination of the habitat of waterfowl. I was pleased to see that the Manitoba Government recently entered into a program whereby farmers would be compensated for leaving land out of production and designating it for waterfowl habitat. I think that is a step in the right direction. However, one of the ways in which we can address the problem more fundamentally is to have the price of grain reflect the true cost of production. We would then not be forced to bring in these kinds of *ad hoc* programs such as paying farmers not to destroy natural habitat. The pressure would not be on them to farm this land in the first place.

The continuing low price of grain has driven western Canadian farmers to overuse, in my judgment, fertilizers and herbicides in an attempt to get a higher yield in the short term, again to compensate for lower prices. However, it is reaching the point of diminishing returns. More and more is being put into the same piece of land by way of these additives or environmental externalities. It is not just a question of a guaranteed return for farmers; it is a question of having an agricultural system which does not have all these unintended effects, both with respect to habitat and to soil conservation and quality.

So I repeat, we have an opportunity here to pass this motion and create a committee which will have the unique opportunity of looking at all these questions. I firmly believe that we cannot continue to put farmers in the position they have been in for so long. We have taken advantage of the fact that farming, unlike a great many other things people do for a living in Canada today, is a vocation. It is an intergenerational vocation. It is a heritage. It is something people do because that is the way they are. They farm because they are farmers. They farm both out of a sense of their vocation and out of a sense that they are doing something worth-while in producing the necessities of life, long after it has become not profitable to do so.

Farmers can only do that for so long. We cannot expect them to continue out of this sense of vocation for ever and ever. I am reminded of a joke I heard which illustrates this all too painfully. A fellow went into a store one day and bought a $10 hammer. He then went out and sold the hammer for $5. He then bought two more hammers for $10 each and again went out and sold them for $5 each. He kept buying more and more hammers for $10 and selling them for $5, until finally the storekeeper could not contain his curiosity any longer and asked the man why he was doing that. He asked how the man

could expect to make a living. The farmer said: "Well, it is not great but it's better than I was doing before when I was farming". This is the kind of situation in which farmers find themselves today. They constantly have to sell their produce at a price lower than the cost of production.

The other version of that joke is that the fellow selling the hammers replied: "If I could only sell enough of them, I might break even". That is again the situation in which farmers find themselves. I repeat the call which was issued so long ago by a true Tory, not one of these neo-Conservative Yankees who sit across from us today. John Diefenbaker was a true Tory from western Canada and he said: "Western Canadian farmers want parity not charity". Let the Conservatives show that for once they will act in line with that tradition and pass this Bill today when it comes to a vote.

[*Translation*]

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, I welcome this opportunity to take part in today's debate, and although I come from the strictly urban riding of Vancouver—Kingsway, I realize that it is still important for us to listen to and consider the problems of Canada's farmers.

[*English*]

That is why I am proud to speak in this debate. I think even an urban Member of Parliament should take interest in farm issues in Canada. Agriculture is really our number one basic industry. We see signs which state: "Mining is the number one industry", "Tourism is the number one industry", "Steel is the number one industry". All of the industries have different claims. The service trade is probably the number one industry now in terms of employment. But there is something special about agriculture and about farming. I will never forget when, in 1982, the Hon. Member for Burnaby (Mr. Robinson) in the committee which was discussing the Constitution advocated saving the family farm. I thought that was one of the more poignant moments in the committee. Even urban Members can recognize that.

• (1740)

Mr. Speaker, I do not think—

The Acting Speaker (Mrs. Champagne): I realize that a great many Members of Parliament from urban ridings are not talking about agriculture. However, I think that most of them will know that I am Madam Speaker.

Mr. Waddell: It is certainly obvious, Madam Speaker. I am appropriately chastised. I sometimes lose my cool when I talk about agriculture, since it is such a hot topic.

As I was saying, there is a crisis in western Canada. You are not from western Canada, Madam Speaker, but as you know, there is a crisis there. There exists a double-whammy in western Canada in that the economy depends on the oil industry and on agriculture. Those are the bases of the economy of western Canada. I know that the Government has been trying to diversify the economy. It came up with a western diversification scheme. We in the New Democratic Party announced our ideas on trying to diversify the western Canadian economy. There have been lots of ideas with respect to such areas as tourism, new industries, manufacturing, trade, Asian-Pacific matters, as well as specializing in technological goods and so on. But in spite of all these efforts the western Canadian economy for the foreseeable future will still be based on the twin pillars of oil and agriculture. In British Columbia, which is my area of the country, the economic base is forestry.

The Bill before us standing in the name of the Hon. Member for Yorkton—Melville (Mr. Nystrom) proposes to tackle one of those areas, namely, the farming area. I note that when he spoke on this Bill on March 2, 1987, as reported at page 3737 of *Hansard* he said:

> In essence, this particular Bill proposes the establishment of a floor price for agricultural products that has some reflection in the cost of production and a decent return for farmers. This Bill is proposing that, like workers who have a trade union or businessmen and professionals and their associations, farmers should have some guarantee that the price they receive will support them and their families in the production of food.

What this Bill tries to do is to give farmers some guarantee with respect to the prices that they will receive.

The Bill deals with wheat—and I will come back to that in a minute since we do have a form of parity pricing for wheat—as well as oats and barley which are now marketed through the Canadian Wheat Board. It also deals with pork and beef since there are no marketing boards for those particular products. The Bill would establish a price that would reflect parity for what a farmer receives for grain with the costs of production and a decent return for his product. This applies only to domestic consumption. We cannot do this on the international level because we are a signatory to GATT. I am informed that there is a $7 domestic price for wheat while the international price can be $3 to $3.50 per bushel. So there can be differences in pricing. This has been done with wheat and there have been no technical difficulties, that is to say, price parity for agricultural products that are domestically consumed. We are talking here about 9 per cent or 10 per cent of the grain that is produced by our farmers.

I now wish to draw a parallel to oil since I am the energy critic for my Party. There was a proposal put forward by small oil producers in western Canada when they bought and went out of the oil market. The small oil producers said: "Look, for a level of production give us a floor price". When the price went to, say, $10 a barrel they said: "Give us a floor price of $15 per barrel for a limited period and we will pay that back. That will keep us going, keep us living and we will pay it back later". They said, quite properly: "When the price of oil goes up through the roof the Government puts on a ceiling price," as was done in the early 1980s under the auspices of the National Energy Program. Some of these proposals have already been tried in terms of a ceiling price. They could be implemented as well in terms of a floor price. This could also be done in the area of agriculture.

What does the Bill before us deal with? I have indicated that it deals with areas other than wheat. Why is the Bill drafted in the way that it is? It is difficult for a private Member to produce a Bill that calls for a subsidy or a deficiency payment. That is why the Hon. Member has drafted his Bill in the way in which he has. I point that out to Members of the House so that they will understand and perhaps support the Bill.

The Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) in the remarks which he just completed said that we could create a committee that would have a unique opportunity to look at these questions. On the basis that these are emergency questions and on the fact that the farmer is really hurting and that here is a proposal that could and would work, it would be worth the time of the House to pass this Bill and to get a committee to look at the matter.

I would also like to express a couple of other opinions that are related to the matter. People say that we have a great surplus of food. Indeed, in the developed countries, especially in the European common market and the European Economic Community, as well as here in Canada, we have a surplus of food. But we do not have a surplus of food when we look at the whole world. There are still people dying of starvation in this world. Surely, in 1987, on the international level we are capable of eliminating starvation, either through taking some of our surpluses from the rich world and giving them to the developing world, or by developing agricultural efficiency in the Third World, which is an even better solution. Some countries have been doing this, in particular India. That country just celebrated its fortieth anniversary of independence. There was a great deal of comment at the time about the difficulties that India has. But one of the good things that India has managed to pull off is its increased agricultural self-sufficiency.

Is it possible to do this? Is this Bill a possibility? I draw the attention of Members of the House to the remarks of our farm critic, the Hon. Member for Humboldt—Lake Centre (Mr. Althouse), who spoke in the House on April 7 of this year. As reported at page 4955 of *Hansard* he said:

> In spite of all the rhetoric I heard this afternoon from some of the Conservatives who spoke on this motion, this country is doing some of that right now. We have a two-price system for wheat at the moment, based at $7 a bushel for wheat consumed in this country, which comes close to the cost of production. We are doing that, and it is not wrecking the economy particularly, neither is it doing a whole lot of good.
>
> However, it applies only to domestically consumed wheat used for human consumption and does not go quite as far as the Bill which was presented by my friend, the Hon. Member for Yorkton—Melville, which would include wheat, oats and barley consumed by livestock and used for other purposes of animal and poultry production.

I think the Hon. Member makes the point that this has been done to a limited extent with wheat. That was not the entire solution since there are still some problems that exist. However, it was a step forward.

I want to say that I had the experience a couple of months ago to be out in Calgary. I went north of Calgary to visit a vet and his family. The family I visited is named Sutmöller. Mr. and Mrs. Sutmöller took me to their house for the afternoon. They took me out into the neighbouring fields around Carstairs, Alberta, and explained some of the problems.

• (1750)

I recognize the fundamental problems of the Canadian farmer. I submit to the House that the Bill presented by the Hon. Member for Yorkton—Melville goes some way to helping solve some of those problems.

Mr. Lee Clark (Brandon—Souris): Madam Speaker, I am happy to have the opportunity to participate in the debate and take advantage of the few remaining moments to talk about parity pricing and some of the deficiencies in that particular proposal, at least as I understand them.

First of all, I wish to state that we are very much in agreement with our friends in the New Democratic Party and in the Official Opposition when we say that we believe Canadian farmers are deserving of assistance from Governments at both levels. That is the reason that during the course of the last 12 months the federal Government has provided an unprecedented amount of financial assistance to Canadian farmers, particularly to western Canadian farmers.

The largest difficulties being experienced are in the grains and oil seeds sector, which is the primary part of the agricultural economy. I wish that some of the provincial Governments, particularly of western Canada and my own Province of Manitoba, were more supportive. If the two levels of Government could co-operate, and there has never been a time in Canadian history when there was a greater need for co-operation, then the financial position of Manitoba farmers would be improved, if we could match the programs offered by the Alberta and Saskatchewan Governments.

The idea of parity pricing certainly has a surface appeal, which is perhaps one of the reasons why it is misrepresented by many. It has not been misrepresented by those who have spoken today, but misrepresented by many as being a panacea to agricultural problems.

Unfortunately, the bulk of the farm dollars earned in western Canada are earned through exports. Throughout Canada as a whole, 50 per cent of agriculture income is received from exports. The figure of export income is greater in western Canada than it is elsewhere. To this point in time, one of the principal weaknesses of parity pricing is that it can do nothing to assist the price that agricultural exports earn in the world market. For example, with reference to grains and oil seeds, where the vast bulk of our product is sold in the international market, parity pricing would indeed not constitute any significant increase in agricultural income.

Appropriately, reference has already been made to the two-price system which we have for wheat production. We in western Canada are painfully aware that the two-price wheat system means very little, because it represents a very small part of our total sales.

I would remind Members of the House that when the committee travelled across Canada 12 months ago it looked at two-price wheat. Many of the witnesses who appeared before the committee also talked about parity pricing. There was a consideration of the concept, although not in the way that the mover of this motion would prefer.

Unfortunately, when examined under the microscope of that committee, neither two-price wheat or parity pricing represented the significant solution to western agricultural problems that many had hoped. The reason is that there is no proposal in parity pricing to augment income for that 90 per cent of the wheat that is not consumed in the domestic market.

We need to focus our attention on how to do two or three things. In this highly competitive agricultural market in which we live, we should be focusing our attention on how to increase exports. In western Canada, we are pleased with the record of the Canadian Wheat Board in this regard. Most Members of the House know that the exports have reached a record level this year, despite the very intense competition which exists in the international market-place. The Wheat Board, and others, are to be complimented. We must continue to move in that direction.

It would appear from weather conditions in the west, both during the summer and during the last few days, that production this year will not be what it was last year. Therefore, there will not be the same surplus to dispose of as before. We are still carrying a surplus from the previous year's crop, so we must focus on market development.

It is exceedingly important that we continue to work in the international community to end the trade war which is destroying international markets. Canadian farmers are among the most productive in the world. I know that talking about a "level playing field" is similar to a hackneyed statement these days. But as they have demonstrated in the past, Canadian farmers can do exceedingly well when they are given an opportunity to compete with others in the world market without any foreign impediment.

The principal thrust of Parliament and the Government should be toward trying to resolve that trade war. In that regard, a number of people have distinguished themselves in providing leadership. Beginning with the Prime Minister (Mr. Mulroney), seconded by the Secretary of State for External Affairs (Mr. Clark), the Minister of Agriculture (Mr. Wise), the Minister responsible for the Canadian Wheat Board (Mr. Mayer), and others have provided unprecedented leadership in the international community in attempting to resolve the trade war which has destroyed the economy of so many wheat and grain producing countries.

In Canada we cannot afford to match the subsidies of the Europeans and the Americans. In fact, I would go further and say that both the Europeans and the Americans are now discovering that they too cannot afford to maintain the present policies. In the international community, there has been definite progress. There is evidence that the insane trade war is starting to wind down. There will not be any results for two or three years, I would think, and that is being somewhat optimistic. We must do what we can to resolve that particular trade war. We must pursue the policies that we have been pursuing. We must persuade the Americans and the Europeans that they are not helping their own producers. They are not gaining any additional share of the world market as they anticipated. In fact, we have gained it because of the quality of our product. We must persuade them as perhaps to persuade their own public I think they know that the only winners in this process are consumers in certain countries.

While that struggle goes on at the international level, with the co-operation of all Parties, and I must stress with the co-operation of the provincial Governments, we must continue to build upon the national and regional tripartite programs which are in existence.

The Western Grain Stabilization Program has generated unprecedented cash flows during the last 24 months. Unfortunately, that program is now virtually bankrupt, and it is being funded by the federal Government. Further amendments to that program will be necessary. We must do more in the area of red meat tripartite stabilization. There was a positive meeting recently in Quebec City. We must encourage more of the provinces to join.

What is necessary now is not the projection of certain formulas, which at first glance seem to be a solution to problems. What is needed now is co-operation among all levels of government and continued involvement of the farm organizations themselves. Never before have they had the say they have had in the last 18 months. They must continue to be an integral part.

With the two levels of Government working together, the co-operation of all of the provinces, the continued support of the farm community, an emphasis on resolving the problems at the international level, and in the meantime with continued amounts of massive federal and provincial cash injection into the economy, I think that we can get through the next two or three years until farmers have a chance to get back on an equal playing field. When they do, farm economies will rise to a level at which they deserve to be. Our farmers will quite easily and readily be able to compete, because they know that they are superior farmers, the quality of their product is superior, and their technology is superior. Therefore, we have a responsibility and I believe a commitment to provide that type of cash support until agriculture is back on its feet where it deserves to be.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Order. The hour provided for the consideration of Private Members' business has now expired.

Immigration Act, 1976

Pursuant to Standing Order 36(2), the order shall be dropped to the bottom of the order of precedence on the Order Paper.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Friday, August 14, consideration of the motion of Mr. Bouchard that Bill C-84, An Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the second time and referred to a legislative committee.

The Acting Speaker (Mrs. Champagne): It being six o'clock p.m., pursuant to order made Friday, August 14, 1987, the House will now proceed to the taking of the deferred division.

Call in the Members.

The House divided on the motion (Mr. Bouchard) which was agreed to on the following division:

• (1800)

(*Division No. 224*)

YEAS

Members

Andre
Attewell
Beatty
Bernier
Binns
Blenkarn
Blouin
Bouchard
Bourgault
Bradley
Brisco
Cadieux
Caldwell
Cardiff
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Coates
Collins
Comeau
Côté
(Lac-Saint-Jean)
Crofton
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Daubney
de Cotret
Dick
Domm
Ellis
Fennell
Ferland
Forrestall
Fraleigh
Friesen
Girard
Gottselig
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Grisé
Gustafson
Halliday
Hamelin
Hardey
Hawkes
Holtmann
Howie
James
Johnson
(Bonavista—Trinity—Conception)
Kelleher
Kempling
Ladouceur
Landry
Lanthier
Lawrence
Lewis
MacDougall
(Timiskaming)
MacKay
Marin
Martin
Mazankowski
McCrossan
McDermid
McKinnon
McKnight
Minaker
Mulroney
Nicholson
(Niagara Falls)
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Redway
Reimer
Ricard
Roman
St. Germain
Schellenberg
(Nanaimo—Alberni)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Speyer
Stackhouse
Stevens
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Tupper
Turner
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Van De Walle
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Warner
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White
Wilson
(Swift Current—Maple Creek)
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(Etobicoke Centre)
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NAYS

Members

Althouse
Axworthy
Benjamin
Blackburn
(Brant)
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Dewar
Finestone
Foster
Fulton
Garneau
Gauthier
Gray
(Windsor West)
Guilbault
(Saint-Jacques)
Heap
Henderson
Hovdebo
Jewett
Johnston
(Saint-Henri—Westmount)
Keeper
Langdon
Lapierre
Malépart
Marchi
McLaughlin
Murphy
Nicholson
(Trinity)
Orlikow
Ouellet
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Prud'homme
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Tobin
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(Vancouver Quadra)
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• (1815)

[*Translation*]

The Acting Speaker (Mrs. Champagne): I declare the motion carried. Consequently, this Bill is referred to a legislative committee.

It being 6.25 p.m., this House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.25 p.m.

HOUSE OF COMMONS

Tuesday, August 18, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Miss Aideen Nicholson (Trinity): Mr. Speaker, I have the honour to present a petition signed by people from my constituency as well as from other constituencies both within Toronto and, indeed, from as far afield as the Northwest Territories, and Edmonton.

The petitioners point out that the Standing Committee of Parliament has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force and they pray and call upon Parliament to ensure that legislation be enacted which will embody the principles of fair and quick oral hearings of refugee claimants, universal access to such hearings for every claimant in Canada and adequate opportunity to arrive in Canada to make these claims.

SUPPORT FOR PROPOSED AMENDMENTS TO IMMIGRATION ACT, 1976

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, I have the honour to present to the House a petition from the residents of Calgary South who call upon the House to pass in full Bills C-55 and C-84. Canadians are law-abiding citizens and the people of Calgary South are very angry and extremely annoyed. They want tough new legislation now to deal with this disastrous situation of bogus claimants entering Canada illegally and of course those people who are trafficking in human bodies. This petition represents the views of my riding on this very important issue.

[*Translation*]

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, it is my duty to present a petition to the House, signed by constituents from my riding and the National Capital Region, and stating that, whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks; and whereas the federal Government in its tax reform proposal has studied the possiblity of imposing on Canadians a general tax on goods and services, including food; and whereas food constitutes a vital element of day-to-day life; and whereas the imposition of theis tax would have the effect of seriously penalizing certain categories of taxpayers such as the aged, families, the unemployed, low income taxpayers, youth and so forth, your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

* * *

• (1110)

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Monday, August 17, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi, (p. 7338).

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, many well-respected and knowledgeable citizens of Canada and other countries have intimate and expert knowledge of the problems of immigration and refugees. Many of these individuals have made that knowledge and expertise available to the Government. As well, the committees of this House have made representations to the Government on the same subject. Unfortunately, the Government chose to ignore that advice.

In 1985 the Standing Committee on Labour, Employment and Immigration tabled a report recommending major changes in the refugee determination process. Those changes were fair and would have provided protection under Canadian law and the Charter of Rights for refugees seeking asylum. Instead, the Government brought in Bill C-55 and allowed three days of debate in June. When there was a storm of protest about some of the provisions of the Bill it was left on the shelf. The Government now claims an emergency exists and appears to want it passed without delay or change. It appears to be ignoring its own committees as well as people like Rabbi Gunther Plaut who have expressed concern about this Bill.

Worse than that, the Government is doing its best to confuse Canadians as to who is a legitimate refugee and who is an immigrant. Government Members who have spoken on this Bill have made statements which suggest that refugees are somehow jumping the queue in entering Canada the way they do. In doing so those Members are either ignorant of the procedures for entry into Canada or are deliberately misleading Canadians—

Mr. McDermid: That is not true at all.

Mr. Hovdebo: —in order to confuse the issue and make this Bill palatable. Instead of doing that, they should be explaining clearly that there are two queues, two streams—

Mr. McDermid: Four.

Mr. Hovdebo: —and that the bogus refugee is not replacing a legitimate immigrant under the regular process. The refugee is in a different stream. Whether they get in or not, they do not replace someone in the regular immigrant stream. A bogus refugee, when proven to be such, is excluded and sent back. He does not move over to the head of the immigrant queue. That is the situation and many government Members have tried to confuse the public. It is the process of refugee determination that is the problem.

Canadians generally are generous in their acceptance of refugees in Canada. However, it should not take five years to decide whether or not a person claiming refugee status is a legitimate refugee. The Government, quite rightly, is doing something about the determination process, but what it is doing is unacceptable to most Canadians who understand that it is moving us closer to a totalitarian approach. Most democracies and the UN cannot accept that.

Our history of dealing with refugees started badly. I refer to the Sikhs who tried to enter Canada in 1914 and the Jews who attempted to land in Montreal in 1939. Since then we have improved our image to the point where last year we won an award for our treatment of refugees. Yet we now seem to be moving to again put ourselves in the position where Canada's approach to refugees will be unacceptable to most people in this country and most people around the world. That will happen if the Government passes this Bill in its present form.

The Government has the time and the power to improve the Bill. It will be a sad day for Canada if it does not heed the advice of the experts and concerned individuals and groups who suggest that, although the Bill is needed, it is unacceptable in its present form.

[*Translation*]

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I welcome this opportunity this morning to take part in the debate on Bill C-55. I must say I would welcome it even more if the Bill were better drafted than what we have here. I hope the parliamentary committee responsible for examining the Bill will be able to amend it and make it more equitable.

Mr. Speaker, some Conservative Members have been using the refugee question in recent months to restore their Government's tarnished image. For instance, in a letter sent by a Conservative Member from the Toronto area to his constituents on July 14, 1987, we read the following, and I quote:

[*English*]

> Since my last letter we have witnessed another boatload of refugees land in Canada.
>
> Like you, I am angry. Angry because our government acted responsibly to change the law to prevent another incident like that of the Tamils last summer so that the matter could be resolved expeditiously and fairly.
>
> Bill C-55, which would grant the government the necessary power to curb this type of influx, has been blocked at every turn. It has been thwarted by opposition from both the Liberals and NDP along with a strong lobbying effort being directed by most churches.

Mr. Shields: Hear, hear!

• (1120)

Mr. Boudria: I notice that the Hon. Member for Athabasca (Mr. Shields) says "hear, hear". It is interesting that he would agree with the ill-conceived and erroneous comments of his colleague, the Member for Etobicoke North (Mr. Pennock), who accuses the Opposition and the churches of the mistakes for which the Government is responsible. Perhaps we in Opposition are fair game for this kind of nonsense perpetrated by the Government. I do not, however, share the "hear, hear" of the Member across when referring to the churches, whether my church, his or anyone else's.

Had the Member for Etobicoke North chosen to tell the truth he would have told his constituents that the number of refugees landing on our shores prior to the Government taking power was not very large per year. In 1985 the number increased to 8,000. That did not happen because the Government was in power. Although I do make my share of partisan remarks, this is not one of them. It is obvious that there has been an influx of refugees because conditions in certain countries are getting worse and people want to come here. In 1986 the number increased to 18,000. I understand that by May, 1987, 10,000 people had already requested refugee status. That is a dramatic increase.

For a Member on the other side to accuse the Opposition or the churches of stalling a Bill which was not even introduced

until nearly 10 months after the arrival of the Tamil refugees is somewhat less than honest. As a matter of fact, it is a lot less than honest.

Mr. Shields: Why are we debating a six-month hoist? Tell us about that.

Mr. Boudria: Let us talk about the truth and the way in which the Government has handled this most unfortunate situation. The Government is desperately trying to cling to power using every available tool, including hitting those who are least able to help themselves; an attempt to restore public confidence in the Government. The Government has made much of the 174 refugees who arrived this year and of the Tamils who arrived last year.

I do not think it is right when people abuse our immigration laws. I know that the Minister of State for Immigration (Mr. Weiner) does not think that is right either. I know that the Minister knows better and is not the cause of this, but I disagree with his Leader, who is the cause of this mess, when he tries to perpetrate the kinds of things we saw earlier this year.

The Prime Minister (Mr. Mulroney) tried to convince Canadians that Parliament had to be recalled for an emergency. Two weeks later no one had gotten around to phoning the Speaker to tell him about the emergency for which the House had to be recalled. At the time he said it was an emergency, the boat had already been here for three weeks. Five weeks elapsed in that time of emergency. The whole purpose of the exercise was obviously to try desperately to have Canadians express confidence in him again. It obviously has not worked. It will not work because it is wrong.

I am sure the Minister knows that to be the fact, but he is stuck with it as am I as an opposition Member. He cannot say he does not like it, as I can, because he is a member of the Cabinet. He did not invent the rule, but he has to put up with it and carry the load and the blame. That is unfair, because I think the Minister is a very fine gentleman, but he has to carry that on his shoulders.

We cannot discuss refugee policy without as well discussing immigration policy generally. We know that they are two very different things.

[*Translation*]

Two different matters, but both apply of course to people who come from other countries to join us here in Canada. Canada has always had an immigration policy, and I think we can be proud of the policy we have had during the last twenty or thirty years, and even up to now. Our immigration policy is generally one we can be proud of. However, the Minister will agree that sometimes implementation leaves something to be desired.

[*English*]

I have had incidents in my riding of abuses by the system. When the system abuses common sense all Members of Parliament go to see the Minister of State for Immigration knowing that he, in elected office, has the political sensitivity and sound judgment to correct some of the things that go wrong. Luckily, I have had many abuses corrected.

The Minister knows very well of the case of one particular woman in my riding. She came here on a visa with her husband and they bought a farm in my constituency. I only relate this case to give an example of how the system sometimes frustrates everyone and causes abuse.

That constituent of mine was a battered wife. She saw advertisements on television and decided that the appropriate thing to do after being beaten repeatedly was to report her husband to the police, which she did. Her husband was thrown in jail, and rightfully so. However, the immigration authorities then decided that since they both came here on the same visa if one of the two had committed a crime, which in this case was the one beating up the other, they both had to leave the country. The message to this woman was that if her husband beats her up she should not complain because she would be thrown out. That is in fact what the system said.

Luckily I was able to contact the Minister and he was compassionate enough to say that it would not work that way. The woman and her children, who were both born in Canada, were allowed to stay while the husband was thrown out. I have no difficulty with his being thrown out in the circumstances.

That is one example of an abuse. If I had another three or four minutes I could relate a number of others to describe the frustration with the system which may cause people to try to enter the country by other means. The honest and right way of doing it sometimes does not work.

I thank you for your patience, Mr. Speaker.

[*Translation*]

Thank you. Mr. Speaker, I strongly advise Hon. Members to reject Bill C-55. The Bill must be amended to prevent phony refugees from entering Canada, while ensuring that genuine refugees will always be welcome in this country.

[*English*]

Mr. Bob Brisco (Kootenay West): Mr. Speaker, during the last few days of debate on immigration legislation, on both Bills C-84 and C-55, I have heard a multitude of complaints from the Opposition. Yet if there is anyone who should be concerned and should complain, and should commend the Government and the Minister of State for Immigration (Mr. Weiner) for his humanitarian instincts, it is one of my constituents, Mr. Fred Nachbauer of Nelson, British Columbia. He reads press articles from across the nation, and it appeared to him that Canada had allowed Sikhs to hit the shores of Nova Scotia and come in as legitimate refugees, which they are not.

• (1130)

Mr. Nachbauer was born in Germany and came to Canada with his parents at 11 months of age. Prior to 1976, he had to

reach the age of 14 in order to make a decision as to what citizenship he wanted, be it Canadian or German. By virtue of his parents' wishes he moved to the United States for a time. Over a period of years, both in Canada and the United States, he shared, with six brothers and sisters, a unity of family with wonderful parents. When that family returned to Canada, Fred decided to remain in the United States while continuing his education to seek his university degree.

The story becomes much more complex after that. Ultimately, Fred Nachbauer returned to Canada and his case fell between the cracks with the narrow interpretation of the Immigration Appeal Board that he should be deported to Germany. He did not speak German and had only been to Germany for one year since the time he was 11 months old.

I have spent time with Fred, his brothers and sisters, and his wonderful parents. I have also spent time with the Minister. I must tell the House and Canadians that the Minister demonstrated the kind of compassion and understanding which, unfortunately, by virtue of whatever the circumstances, was not demonstrated by the Immigration Appeal Board at the time. I cannot condemn the Immigration Appeal Board, for it went by the book, but it failed to examine the parameters.

At this time I want to thank the Minister for all his endeavours on behalf of my constituent, and indeed on behalf of all Canadians.

Let me move to another matter that disturbs me deeply. I watched Rabbi Plaut on *Canada AM* last week. Canada was condemned for its handling of the recent pseudo refugees who landed in Nova Scotia. It was condemned for Bill C-84 and Bill C-55.

It is ironic that these pious words should flow from a man who selectively condemns Canada while choosing to ignore the record of Israel and the Palestinian refugees.

What is the immigration policy of Israel in terms of the Palestinian refugees? He chooses to ignore that babies who are kidnapped or bought on the black market or otherwise from their mothers in Peru or Brazil are allowed into Israel unencumbered. It may well be argued that those babies will be provided with a better life, but clearly they have jumped the legitimate process.

Rabbi Plaut, by his words, condemned all Members of Parliament, regardless of Party, who have taken the time and effort to write to Jewish prisoners of conscious in the Soviet Union. Parliamentarians of all stripes have followed that process for many years. They have written letters to prisoners and letters to the Soviet Government. It is a frustrating experience to all of us, but it is a joy when one wins a case, as I have experienced.

I suggest that when Rabbi Plaut speaks out against the efforts of the majority of parliamentarians in this House, he condemns us for our humanitarian actions. What about humanitarian actions? He condemns the outstanding humanitarian record of this Government and its Secretary of State for External Affairs (Mr. Clark), who is a humanitarian of the first order.

He condemns Canadians for turning back the Jewish refugee ship, the *St. Louis*, from our shores in 1939. I was 12 years old when the *St. Louis* was turned back. There are very few Members who were much older than that. Most of the Members in this House were not even born when the *St. Louis* reached the shores of Canada, yet we are condemned for the actions of parliamentarians and the Government in 1939.

While I have not had the opportunity to examine the reasons for that action, whatever the reason may be, I find those actions to be most regrettable. I am sure that Canadians have apologized for it time and time again. Why must Rabbi Plaut raise it in the context of the current debate?

This Party, this Government, has a record of human rights unequalled by any other Party or any other Government. During the John Diefenbaker Government, Douglas Jung of Vancouver was the first Chinese Canadian to sit in the House. Lincoln Alexander was the first black elected to the House. He became Minister of Labour in the Clark Government and is now an outstanding public servant and Lieutenant Governor for the Province of Ontario. He was appointed by a Conservative Government under our Prime Minister. We led the world in our humanitarian effort to aid Ethiopians.

Let us compare Bill C-55 with the current legislation. According to the old system, there are seven separate stages in the refugee determination process, which takes up to five years. Bill C-55 provides four separate stages which hopefully will take no more than 12 months. I am astounded by the hyprocrisy that has been demonstrated by the Opposition.

The position of the Right Hon. Leader of the Official Opposition (Mr. Turner) with respect to Bill C-55 and C-84 was best depicted in an editorial cartoon which needed no words. For those watching this debate on television, the cartoon depicted the Right Hon. Leader of the Liberal Party like this, pointing in both directions. Nothing else needed to be said because it spoke volumes for the position taken by that man and his Party.

Let us examine the position taken by the New Democratic Party. It is worthy to point out that the Member for Spadina (Mr. Heap) said: "I do not see any need to recall Parliament this summer at considerable expense". At a time when Canadians are outraged, that is the educated response of the Hon. Member. The Hon. Member for Yorkton—Melville (Mr. Nystrom) said: "I do not think it is really worth while, but of course that is up to the Speaker". Then, of course, we have the sage advice of the Member for York West (Mr. Marchi) who said: "If we continue to get on our shores individuals who suddenly come up and say, 'Look, we are refugees, take us in', I think we will probably have no choice but to seek a middle ground, and the middle ground that I am talking about is something like a holding centre or a detainment centre, what is commonly known as a refugee camp". I cannot but conclude—

Mr. Manly: Mr. Speaker, I rise on a point of order. I am sure the Hon. Member would not wish to suggest that the Hon. Member for York West (Mr. Marchi) is a member of the New Democratic Party. Those comments were not made by a member of our Party.

• (1140)

Mr. Deputy Speaker: The Hon. Member for Kootenay West (Mr. Brisco) has the floor.

Mr. Brisco: For the record, Mr. Speaker, I skipped from the NDP to the Liberal Party without the Member being aware of that transition. However, if he feels more comfortable about it, I will identify the Hon. Member for York West as a Member of the Liberal Party.

In conclusion, I would like to quote the Leader of the Liberal Party. Upon the arrival of the boat off the shores of Nova Scotia, he said: "That boat might well have been apprehended and could have been turned back because this is not a legitimate refugee process". Enough said.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I appreciate the opportunity to make a few comments on Bill C-55 and indicate my opposition to the principles involved in this Bill.

I believe all Members of our Party, as well as other parties, acknowledge that we have a very serious problem. There is a need to clean up the refugee determination process. However, we want to make it very clear that we do not feel this Bill addresses that problem in a serious and fair-minded way, one that is suitable for Canada in 1987.

I want to try to address the concerns of Canadians, particularly the concerns of my constituents who know that something terrible wrong has happened to the whole refugee determination process. Feeling that something has gone wrong, they tend to support Government legislation which claims to correct the situation. I want to try to show why this legislation cannot be supported by fair-minded people.

Let us begin by trying to establish a few facts on which I hope all Members can agree. First, over the last few years, Canada has had a fairly enlightened and progressive refugee policy. This was recognized by the world community last year when the United Nations presented the Nansen Medal to the Canadian people. Second, we can all recognize that the global refugee problem is becoming more serious. It has changed since the Second World War when the refugee problem was mostly centred in Europe. We received refugees from war-torn Europe. Later we received a great many from behind the Iron Curtain. For the last few years the centres of refugees have moved to the Third World and we received a great many refugees in the late 1970s from Southeast Asia. Today Central America is producing a great many refugees. It is at that point that we are starting to close the door.

The situation in Africa is one that staggers the imagination. There we have not only the typical convention refugee, the person who is fleeing from some kind of persecution, but we also have ecological and economic refugees.

It is estimated that in our world today there are between 13 million and 15 million refugees. Indeed, it has been said that over the last 30 years, 700 refugees per day have been created by the turmoil in our world. When 174 of these refugees land on our shores, we suddenly declare a national emergency and Parliament has to brought back into session.

The third fact which I believe can be objectively agreed upon is that western countries have become more restrictive in their refugee determination policy. Denmark, which had one of the most open policies, has now tended to close the door. The United States has recently passed very restrictive legislation. This legislation is intended to clamp down on illegal immigrants, many of whom are refugees, and it puts very severe penalties upon anyone who harbours those refugees or gives them employment.

The American refugee determination process has been rather slanted. One can get some idea of this from the fact that in 1982, out of 12,000 Salvadorans who applied for refugee status in the United States, only 26 were granted that status. This is obviously a very slanted process in the United States. So western countries have become more restrictive in their refugee policies.

Canada, because of an outmoded refugee determination policy, has become subject to abuse. We have seen a great many phoney refugee claimants. We have seen scams such as that of the would-be immigrants from Portugal, members of the Jehovah's Witnesses, who claimed they were being persecuted for their faith, a claim which was denied not only by the Government of Portugal but also by the Jehovah's Witnesses themselves.

Such an obviously untrue claim is nevertheless, processed through our rather cumbersome machinery and it takes up to five years, as many Hon. Members have pointed out, before the final determination is made. Because it takes so long, these phoney refugees have by then put down some roots in the community and are sometimes able to make a claim on compassionate grounds that they should be allowed to stay.

It takes up to five years before the end of the process for bogus refugees. That, of course, has to be cleaned up. As this dodge has become successful for some, it encourages still more phoney refugees to try the same kind of tactic. The result is that Canada has become known as a soft touch for phoney refugees. This kind of abuse increases resentment in Canada towards all refugee claimants. They are seen as queue-jumpers who are avoiding the normal immigration route.

In fact, refugees should be seen as quite distinct from people who are involved in the normal immigration process because it is quite a different situation.

This in turn focuses attention upon some of the more visible minorities who apply for refugee determination and it encourages a form of racism. It is important to eliminate this kind of

abuse. Although the abuse might be widespread and practised by people from many different countries, it tends to focus on one or two highly visible groups. This kind of focusing appeals to the latent racism or xenophobia which, I suppose, is found in all people and certainly Canadians are not immune.

We can see this if we look at the situation from the perspective of our history. In 1947 Mackenzie King indicated that there were not going to be any changes in our very selective and discriminatory immigration policy. He said he did not want to see anything which would result in "a fundamental alteration in the character of our population".

In the past we have had a lot of tension between Protestants and Catholics in this country. I can remember in the early 1950s when a moderator of the United Church, to which I belong, complained about our immigration process at that time because he said we were opening the doors to too many Catholics. He was not a particularly bigoted individual. He was a little bit behind his time and was playing on an old Protestant fear that Catholics were going to overrun the country.

The turning back of the *St. Louis*, to which a previous speaker referred, was based on the anti-Semitism which was then very prevalent in Canada and is still found just beneath the surface in the lives of many Canadians.

Governments have sometimes played on this kind of racism. The Winnipeg general strike of 1919 was led largely by British trade unionists or people who were descendant from British stock. Yet, in an attempt to give the impression that the Winnipeg general strike was of Bolshevik origin, a few people with Slavic names were arrested and deported. That kind of playing on xenophobia is unacceptable and we do not want to see it in 1987.

The 1976 Immigration Act specifically recognized the refugee category. In 1987 there is confusion in our thinking and in our feeling about refugees and how they relate to the whole immigration process.

• (1150)

First, there is a concern about the question of fairness. There is a legitimate objection to queue-jumping, if that is what is happening. When people abuse the process that has to be stopped.

Second, there is a fear of being overwhelmed by refugees. I pointed out that there are about 15 million refugees throughout the world. Last week the Parliamentary Secretary to the Minister suggested that there are five billion people all wanting to come to Canada. That was rather irresponsible of him.

Third, there is the fear of many Canadians that our traditional values will be swamped by an influx of people from different cultures. Different peoples with different cultures do bring different values, but do we have so little confidence in our own values, so little belief in the things that are important to us that we feel they will not be able to stand up in a multicultural society.?

Fourth, there is a concern about jobs. At some levels this is a valid concern. Certainly in times of high unemployment, if there is a great influx of unskilled workers, then it can depress wages at the bottom end of the scale. For that reason there has been a decrease in the whole immigration rate over the last few years. But in the long run we recognize that an increase in immigration results in a larger market, a larger consumer market. We bring in entrepreneurs, which is good for the economy in the long run.

What has been the reaction to this on the part of the Government? When the Plaut Report was brought in the Government ignored it, except to ask the standing committee to make recommendations on it. But when the standing committee brought in its report it was also ignored by the Government.

Finally, last spring the Government announced an administrative crackdown and then later on in the spring it tabled this legislation. It was not brought forward for debate until the last couple of weeks in June. Now the Government declares that there is an emergency. We have had a crisis building for years.

Bill C-55 does not address this problem in an acceptable way because it does not give the benefit of due process to the claimants. It allows the deportation of them to a so-called safe third country. But there is no such thing as a safe third country. No country is entirely safe for all people.

The Bill does not allow the possibility of refugee claimants to have lawyers representing them at an early stage. It allows for the elimination of up to 80 per cent of the refugee claimants before they ever reach the determination process. For this reason we oppose Bill C-55.

We urge the Government to bring in a process that is more in line with the recommendations made by Rabbi Gunther Plaut or by the Government's own Standing Committee on Labour, Employment and Immigration.

Mr. Patrick Crofton (Esquimalt—Saanich): Mr. Speaker, for the past several weeks I have listened with some interest to the observations of members of the Opposition on the subject of refugees. I have heard them make some very curious statements. I propose to examine some of these statements during my remarks in the next few minutes.

Yesterday the Hon. Member for Essex—Windsor (Mr. Langdon) representing the NDP, and a little later the Hon. Member for Mount Royal (Mrs. Finestone) representing the Liberal Party, spoke at length on the merits of refugees and the contributions they have made to the development of our country. They made these remarks as though someone were denying these facts, an inference totally unfounded and certainly not a view offered from anyone on this side of the House these past several days.

However, it was their choice of words in voicing their views yesterday which particularly interested me. Their observations, echoed by other members of both their Parties, clearly indicated that our prime concern as parliamentarians must be to help, to give comfort and refuge to those who reach our shores seeking asylum. This we are bound to do by UN agreement and by common decency and charity. This is our paramount duty and responsibility according to those Members opposite.

Indeed, we should be listening to the representations of Canadians, we were advised. This was said yesterday and in the days preceding. I beg to differ with this interpretation. I am of the view that as a parliamentarian my first duty is to Canada and my second is to my own constituents. My task is relatively easy in this particular matter. My duty to Canada and my duty to my constituents are one and the same.

What is that duty in this instance? On this topic of refugees my duty is to ensure that we have in place a refugee policy, a refugee determination process that is clearly and readily understood, fair, humane and enforceable. That is our prime duty to Canada as parliamentarians.

It is clear to anyone even slightly familiar with the current refugee problem that our rules are not clearly and readily understood. Consequently, they are neither fair nor humane, and most certainly they are not enforceable.

In other circumstances, members of the Opposition have had much to say about perception. Rules and procedures must not only be fair and just but be seen to be fair and just. My constituents do not believe the current situation to be fair or just. They do not believe the current administration of the refugee process to be fair or just to Canada or to them individually as Canadians. They are outraged at the flagrant abuse of the current system. They expect—indeed they demand—that Parliament, namely, all of us here on both sides of the House, accept our responsibilities and revise the rules, clarify the process, stop the abuses, deal firmly and appropriately with those profiteers who have conspired to circumvent the rules, those who have traded in cargoes of human misery.

How do I know that this is what my constituents feel? It is as a result of the hundreds of telephone calls I have received, as well as the hundreds of letters, numerous office appointments and countless chance meetings.

We as a Government have presented legislation to deal with this issue. What have we had as a response from the Opposition? After all, we are at the second reading stage, the stage at which basic principles are being debated. We are not in committee. We are not at third reading stage, a stage at which we might be debating the recommendations of the committee. No, we are debating the basic principles. Others have covered very adequately these principles.

What is the contribution of members of the Opposition, to give the Bill a six-month hoist, to shelve the matter until next February so that it can compete for attention with the next Budget now produced annually every February? The production of a Budget every February is yet another positive constructive action introduced by the Government. But what the opposition Parties really mean with their six-month hoist is that we should have no immigration rules, no refugee barriers, a policy of, "you all come". I do not hold that view, and neither do my constituents.

Of course we need immigrants for the country to grow. It has been said many times in this debate that immigrants have in the past and will continue in the future to make a very substantial contribution to our country, to the growth and development of Canada. Of course we must accept our share of legitimate political refugees. We do require a meaningful process by which we can determine who is and who is not a legitimate political refugee. Opposition Members have clearly indicated an unwillingness to clarify or more closely define such a process.

• (1200)

Indeed, we are accused of having a desire to punish those who illegally aid or abet illegal refugees who arrive on our shores or at our borders. Those who encourage illegal activity deserve to be punished. Since when are immigration or refugee laws any different from the other laws of this land? Are the opposition Members now arguing that robbery is acceptable if a person has some charitable activity in mind for the proceeds? Hypocrisy is alive and well on the opposition benches.

Opposition Members pretend to be against queue-jumpers. When it comes time to deal meaningfully with the problem, they do not want to deal with the issue. They would rather listen to the immigration lawyers, special interest groups, and even foreigners with vested interest, instead of the millions of ordinary Canadians who want an orderly, fair, and enforceable set of regulations to protect the health and security of our society.

It is entirely legitimate that we should confine refugee applicants until their state of health is determined, and whether they are a security risk. Equally, we have a right to determine who they are, how they arrived, and from where they came. Apparently, the Opposition is not interested in such matters. They pretend to be concerned about queue-jumpers, about fraudulent refugee claimants, and then resist reasonable efforts on the part of the Government to develop a fair and sensible process. No, Mr. Speaker, their response is to banish the subject until some time in 1988. That clearly underscores their view of the priority of this matter. They might just as well state honestly and openly that they do not believe Canada should have any refugee determination rules. Actions speak louder than words. There is no doubt of the effect of their actions.

Canadians expect us to deal promptly with this issue. We on this side of the House intend to proceed. The proposals contained in Bill C-55 compare very favourably with the

regulations observed by our international friends and allies. Bill C-55 will serve us well, and it merits speedy adoption.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I am pleased to have the opportunity to follow the Hon. Member for Esquimalt—Saanich (Mr. Crofton). He is a Member of Parliament I have respected since he has come to this area. I have served with him on committees, and I have always felt that he is a fair-minded person. I looked forward to hearing the manner in which he would present a defence for this piece of legislation, and I will take into account his criticism of the points raised by members of the Opposition when dealing with this Bill.

No one is arguing with the concerns of the Hon. Member or his constituents for a fair determination system for refugees. There presently is a system which was built in a time when there was not the same type of pressure, but it did conform to our international obligations.

The first question I wish to pose to the Hon. Member for Esquimalt-Saanich and other Conservative Members, is why are they supporting a Bill that clearly contravenes our obligations under the United Nations Convention for Refugees?

Mr. Crofton: Not so.

Mr. McDermid: That is in your opinion.

Mr. Axworthy: Mr. Speaker, it is so.

If I may quote from our Immigration Act it states:

> —fulfil Canada's international legal obligations with respect to refugees and to uphold its humanitarian tradition with respect to the displaced and the persecuted—

Perhaps the Hon. Member is not aware of the fact that in February of this year the Government cancelled or eliminated a special refugee status that had been established for oppressed and persecuted people. Under group sponsorship that allowed Canada to take people like the Baha'is from Iran, Falashas Jews from the Sudan, and Jews from Argentina, people who were not fully within the definition of convention refugees. That clause was cancelled or eliminated. The opportunity for this country to reach out to specially persecuted groups around the world was eliminated.

Is that the type of policy that the Member feels his constituents want to support? Is that the type of policy he, as a fair-minded person, is endorsing? When a person in another country is denied access to schools for their children, denied access to employment, and threatened with jail, do we as a country want to condone that? Do we want to condone the type of persecution faced by the Baha'is in Iran?

Mr. McDermid: Where does it say that in Bill C-55?

Mr. Axworthy: I am dealing with Bill C-55. Bill C-55 is an extension of what the Government did in February under its new regulations.

Let us deal with the fundamental issue, which I do not think Conservative Members of Parliament understand, that our obligations are based upon universal access.

The Members opposite are laughing, Mr. Speaker. To them refugees are a joke. It is a way of making political points, and it is not a serious matter. If they want to continue laughing, let me say to them that ultimately the record of this House will be the historical record that they will have to live with.

The basic international commitment that we made when we signed the protocol of 1969, and successively, is that we would grant universal access. That does not mean that everybody is accepted. It means that everybody has a right to make a claim. It is quite clear under the United Nations that we can then set up our own determination procedure. That principle was endorsed by the Commons committee, obviously by a majority of Conservative Members.

Now there is legislation which contradicts that principle. How? It is clear. There is a screening proposal which automatically excludes or pre-screens one class of people when they arrive on our shores before they have a chance to make their claim. That contravenes our agreements under the convention. It is quite clear that we are setting up two classes of people. I think that probably better than anybody the Hon. Member for Calgary West (Mr. Hawkes) is aware of that fact. That is a clear contradiction of the principle of universal access.

In debate last week the Minister of National Health and Welfare (Mr. Epp) was probably the only honest Conservative Member because he said that was correct. We do not believe in universal access. If that is the case, let us get it on the table and say that the Government no longer agrees with its international commitments. The Minister of National Health and Welfare said so, and he was wildly applauded by other members of his caucus. But no one, including the Ministers for immigration, has had the nerve or the courage to say that is what they agree with, that they are prepared to break that commitment. That is one of the things that is wrong with Bill C-55.

The Hon. Member for Esquimalt—Saanich has been a student of international obligations. I recall when he was a member of the joint committee studying external affairs that he made very eloquent statements of our need to support international obligations. He is now supporting a Bill that will break those obligations.

Mr. Crofton: Not so.

Mr. Axworthy: The Hon. Member is saying, "not so". I say to Members opposite that if they do not agree with universal access then they are breaking those obligations. Clearly that is part of what this Bill is about. There cannot be pre-screening.

Another example is the refoulement procedure, a commitment made by this country time after time under UN Convention. Under Article 31 of the convention it states that a refugee

claimant is not sent back to a country from which that refugee claims persecution. That is the so-called refoulement clause. This legislation states that a person can enter Canada, they have 72 hours or three days, and then before they are sent back regardless of whether or not they are safe where they are going. That is a total and complete contradiction of Article 31 of the convention. Once again I ask Members if they know what they are doing? Do they understand that they are transgressing signed commitments? I do not think that they know what they are doing.

• (1210)

An interesting story appeared in the *Winnipeg Free Press* about the comments of the Minister of State for Immigration (Mr. Weiner). It was dealing with Bill C-84, but let me point out that there is a clause in Bill C-84 which says that transportation companies will be required to screen refugee claimants before they board aeroplanes and to take away their documents. Then we discovered that a senior Canadian immigration official, Mr. Kirk Bell, was a member of the executive committee of the United Nations High Commission for Refugees which, several months ago, passed a resolution condemning the practice now included in Bill C-84. When asked about it, the Minister of State for Immigration said, "Gee, I didn't know about that. Somehow no one told me. Gosh, if I had only known".

It is an interesting contradiction or dilemma that a senior immigration official sits on an international body which decides that to rely upon transportation companies to screen applicants contravenes the convention, and three months later the Government brings in totally contradictory legislation and the Minister says "I didn't know".

This means that either the officials are not telling him or that the Minister is not telling the truth or that in fact the whole thing, as we suspect, has been rushed, hurried, and brought in to appease that public opinion, about which people talk, even though it will clearly violate everything Canada has stood for and will violate our international obligations.

The point is that it was not necessary. It did not have to be done that way. There was already in place a perfectly good series of models and recommendations on how to clean up the refugee determination procedure. We have the chairman of the committee in the House today, the committee which made recommendations on how it should be done. They were supported by the so-called special interest groups; for example, the Central Committee of the Mennonite Church, the Canadian Conference of Catholic Bishops, and the United Church of Canada. Those so-called interest groups help people who are trying to help refugees. The idea that somehow someone who is involved in helping refugees is part of the special interest group and should not be listened to is not acceptable. The very people who sometimes risk their own lives and resources to help refugees are being cast aside as having no involvement or interest in the Bill. There was a solution.

Hon. Members opposite suggest that somehow the Bill will clean up a mess which was not there. The fact is that they will create a worse mess. They will be challenged before the Supreme Court in terms of contradicting Article VII of the Charter. The granting of oral hearings will create an unworkable mess at our borders. It will create a clear and disturbing reaction in the international community when they see Canada contravening its obligations. It will create a worse problem internationally because the fact of the matter is that we will be contributing to the problem, not solving it, with this piece of legislation. That is the real issue.

It is unworkable and unfair, and it will make the problem worse.

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I should like to join in the debate today. I will get to the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) a little later in my remarks. Suffice it to say he was immigration Minister for some time and is part of the problem, not the solution. That is well documented, but I will talk about it later.

We are debating Bill C-55, a Bill which will change the procedure of determining refugees who claim refugee status in our country.

I represent a riding of some 220,000 people. It has grown 24 per cent between 1981 and 1986. That tremendous growth is continuing today. I believe that my constituency is a fairly good cross-section of Canada today. It has a mix of immigrants from all parts of the world. There are those who have come here as refugees. There are those who have come through the other streams of immigration.

An NDP Member today talked about two streams. There are really four streams of immigration, which I do not think people in Canada really understand. One of those streams is the refugee stream, and it is a separate one. We also have the family reunification stream, which again is separate. We have the entrepreneurial stream from which we probably realize some 5,000 or 6,000 people per year. We have the independent class, those who apply and may have skills required in Canada and are accepted as immigrants. We have four different streams.

Let me refer to what has been going on. It was going on in the years when the Hon. Member for Winnipeg—Fort Garry was the Minister of Immigration. Because the system we had for hearing refugee applications was bureaucratic and time consuming, the average wait for a hearing was five years, sometimes extending to seven years. By the time their hearings came up, whether or not they were legitimate refugees, they had purchased homes, got married, and had a couple of Canadian children. Of course the first person who went to defend them at their hearings five years later was their employer who said, "Gee, don't send him back; he is one of the best employees I have". Also the local priest or minister would support them, or even the convenor of the local soccer league

who would say, "he is the best coach I ever had. He is a pillar in the community".

Nobody is questioning whether or not they were good immigrants or good new citizens of Canada. The point was that the system allowed people to come to our shores, whether or not they were legitimate refugees, and load up the system so heavily that by the time their hearings came up it was almost impossible to take a negative position toward an individual.

When the Conservative Government took power in 1984 there were 20,000 people waiting for hearings. Word spreads pretty quickly around the world these days. All of a sudden Canada's system looked like an easy way to get into the promised land.

During the years when my hon. friend from Winnipeg—Fort Garry was the Minister of Immigration he knew of these problems. His record as Minister of Immigration is not a sterling couple of years, driving a person with a record over the border to give him a ministerial permit to get them back in. His type of immigration policy is well documented.

Let us look at what has happened. Every year since 1980 immigration through the refugee system has increased and increased to the point that last year they were coming in at the rate of 1,200 per week and the system could not absorb them. The way the system was set up we could not absorb that many people.

Had we not taken action, the estimates are that 40,000 people would have come in that way this year. What we are finding out is that 85 per cent of them are not refugees as recognized by the United Nations. They may be economic refugees looking for a better future. I understand that. I understand perfectly why people try to come to Canada, why they want to get into our wonderful country.

I should like to refer to what the people in my riding have said to me, as well as to the calls and letters I have received. They represent people from a broad cross-section—people from Asia, people from Europe, and those who are many generation Canadians. A big mixture and they say: "We are a generous people". I disagree with Rabbi Plaut. He does not think we are a tolerant people. He said that in *Maclean's* magazine. He thinks Canadian tolerance is overblown. I disagree with the Rabbi on that. We are a tolerant people. However, taking into account every person who wrote me and every person who called, the bottom line is "don't play us for suckers". The bottom line is, "If you want to come to Canada, if you want a better future, go through the proper routes".

• (1220)

Canada has accepted refugees year after year. I hear members of the Opposition say that we do not care about refugees. I would like to remind them that it was a Conservative Government under the leadership of the Right Hon. Member for Yellowhead (Mr. Clark) and the Hon. Member for Kingston and the Islands (Miss MacDonald) that brought refugees from Vietnam, the boat people, to Canada. There was an outpouring of feeling for those people. They were legitimate refugees and it was important that they come here to find a haven and that Canada play its part. As a matter of fact, Canada played a magnificent part in that emergency.

This legislation will not stop legitimate refugees from coming to Canada. Canadians are generous people. We brought in 20,000 refugees last year and we will bring in the same number this year, but they will be legitimate refugees.

What the people of my riding are telling me and what I feel most earnestly is that we cannot have people abuse our system to come to Canada. All those who are legitimate refugees and immigrants will suffer because Canadians are saying all of a sudden, "wait a minute," and a backlash against immigration is beginning. That is dangerous. We do not need and do not want that in this country. We need immigration to grow. Immigration creates employment, it does not take jobs away from anyone. I believe the estimate of the Department of Employment and Immigration is that for every immigrant that comes to Canada, a job and a half is created, so we need immigration but we want legitimate immigrants and we want a refugee system that will assure that legitimate refugees come to Canada and that Canada plays it part in the refugee system.

Bill C-84 is now in committee and we are debating Bill C-55 today. I might remind Hon. Members that we are debating an amendment posed by the Liberals to put this matter off for another six months. That is the motion that is on the floor, put by the critic for the Liberal Party. He made a great speech in the House the other day but never mentioned once that he had moved the amendment to put this off for six months. Canadians do not want that. We will vote against that six-month hoist. We want this Bill to get into committee. We will have hearings in committee. If there are flaws in the Bill, we will take a good look at them. We will make sure that we are doing the right thing, but to postpone this with a six-month hoist like the Liberals would like to do is hypocrisy and Canadians know it.

Some Hon. Members: Hear, hear!

Mr. Rod Murphy (Churchill): Mr. Speaker, after hearing the spouting of the last Hon. Member, one would think that there was a true emergency and that this was something the Government had just discovered this summer. As Hon. Members know, the Government sat back for three years and did absolutely nothing about the situation. Finally it introduced legislation in the House in May, brought it back for less than three-hour's-worth of debate in June and never brought it before the House of Commons again until just recently.

It is obvious that the Government did not make this issue a priority until it felt that there was some overwhelming public opinion on it as a result of the landings in Nova Scotia this summer. The Government has not shown a true commitment to reforming the immigration laws of Canada.

The Standing Committee on Labour, Employment and Immigration studied this matter and members of all three Parties worked hard to produce a Bill of which all Canadians would be proud, a Bill which would recognize that there are genuine refugees and that there are problems with the immigration system, while also recognizing that there are very frequent abuses of the refugee system. The House of Commons committee studied this issue and came forward with concrete proposals. The Government has done nothing to introduce those concrete proposals to the House so we could have legislation of which all Canadians could be proud. Now, as a result of the landings in Nova Scotia, the Government wants to move quickly.

The committee to study Bill C-84 met for the first time last night and for the second time this morning. We have heard Conservative members of that committee urging that this matter be dealt with in four days. We have heard Conservative Members urge in the House that Bill C-55, the legislation we are dealing with now, be dealt with quickly.

I believe it is important that we actually look at the legislation we are passing so that we may understand its implications and ensure that we are not railroaded by public opinion of the moment. We should make sure that we do not commit in 1987 the equivalent of turning back a boat full of Jewish refugees in 1939. We should make sure that we do not have a recurrence of the way we treated Japanese Canadians in that same era. I am afraid that some Hon. Members from the government side are trying to create that same kind of public hysteria. They are building on the fears of Canadians rather than trying to make them understand the true situation.

It is obvious to me that more and more Canadians are realizing that Bills C-55 and C-84 are wrong, are faulty and were drafted without any real understanding of their implications. Reading some of the more recent editorials, I would point out that as informed journalists have looked at this legislation, they have realized that these Bills are bad and are ruinous to Canada's reputation for being fair.

Let me quote from the Winnipeg *Free Press* of August 14, 1987:

> One of the reasons why thousands of people try to sneak into Canada either illegally or by claiming to be refugees is that the legal routes are unreasonably difficult. Canada discourages immigration except by people with needed skills which Canadians workers lack or with large personal fortunes.
>
> A strong back, an adventurous spirit and a willing heart now count for nothing in the immigration system, though these were the assets which got the ancestors of most Canadians into the country.

In that respect, like many MPs, I have heard that Canadians are upset with the present immigration system. They are saying that we must do something to these people who landed in Nova Scotia because their own relatives cannot get over. That perception does exist, and again Conservative Members, the Ministers and the Prime Minister (Mr. Mulroney) are trying to promote it. They are trying to say that these people who landed in Nova Scotia are taking the place of legitimate immigrants. That is not true.

Whether the Liberals or the Conservatives are in power, the immigration system of Canada is horrendous. People who should have been allowed into Canada have not been allowed in, whether they be refugees or immigrants who tried to qualify under other parts of the law. We find abuses that are heartbreaking because they keep families apart. People who want to come over here to make an honest and sincere contribution to Canada are denied that opportunity. People who would benefit us by their culture and industry are denied access to Canada.

• (1230)

Regardless of who is the Minister of Employment and Immigration at a particular moment, when you appeal to the Minister he or she refuses to exercise the prerogative to make exceptions. Like many MPs, I have written to the various Ministers responsible trying to get them to recognize the peculiar situations in which people find themselves. I have asked them to intervene, only to be refused.

It is not simply a matter of refugees landing in Nova Scotia displacing immigrant family members who are not yet in Canada. The problem is that the Government has not come to grips with the immigration situation. It does not have a policy which is fair to people from Chile, the U.K. or other parts of this world.

In my own riding there is a bank manager who wants to bring his uncle to Canada, an uncle that raised him. We have written to three successive Ministers pointing out that this is not just an uncle, but a much closer relation. The bank manager is willing to support the uncle. Yet we cannot get the support. Another constituent has an aunt in Chile and cannot bring her over. We have tried to get the Minister to act and he will not.

There are many problems with our immigration system but that is not a reason for rushing this legislation through the House. Neither Bill C-84 nor C-55 will do anything to resolve the problems I have talked about. This legislation will not create a fairer system. The problems will still exist under this legislation and people should not try to sell it as a fairer system which will allow aunts, uncles or cousins to come to Canada.

I only have a minute or two left and it is very unlikely I will have a chance to address this Bill again. If I had the time, I would like to quote from the *Free Press* or *The Gazette*, *The Edmonton Journal*, *The Vancouver Sun* or the Calgary *Herald*, all of which have editorials that can be found in today's *Quorum* pointing out how wrong the Government is with this legislation.

There are other groups, including the Manitoba Mennonite Central Committee, who are concerned. That committee wrote a letter dated August 14 to all Members of Parliament expressing their deep concern with this legislation. They point out the history of Mennonites and the fact that they may not have been allowed into this country under this legislation. The Minister of National Health and Welfare (Mr. Epp), who is a

member of that group, should look at his own history and ask himself whether his ancestors would be allowed in this country if this legislation had been passed 50 or 60 years ago.

A lot of Canadians should look at the legislation and ask if it is fair, and whether it deals with the problem in a way of which we can be proud. I think the answer most fair-minded Canadians will give is, no, it is not fair, it is not something of which we can be proud, and it will not address the real problems we face. For that reason I suggest the Government withdraw the legislation. If it refuses to do so, certainly we should spend the required amount of time to make sure it gets thorough study.

Mr. Jack Shields (Parliamentary Secretary to Minister of Energy, Mines and Resources): Mr. Speaker, I appreciate the opportunity afforded me today to comment on Bill C-55.

A poster was distributed by the UN High Commission for Refugees showing a picture of graffiti on a refugee camp wall which says, "Refugee go home". The caption under the picture says, "He would if he could". In that message we have the essence of refugees and what distinguishes them from other immigrants.

Immigrants seek new horizons and opportunities for settlement. These are the people referred to when we talk about the influx in the early part of this century into Canada, and in the settlement and development of western Canada. Their desire to emigrate arises from their own ambitions and a desire to break out of an old routine. Their current environment is too limited. Perhaps in the case of Polish or Ukrainian immigrants it is the opportunity to own and develop land that brings them here. There is a chance to fulfil their dreams.

Refugees, on the other hand, are a people with a stake in their community. Sometimes they are among the leaders and the most progressive. They are persecuted and forced out of their own countries because of who and what they are. They may be members of minority groups like the Ugandan Asians Canada admitted in the early 1970s. They may suffer because of their religion, like the Iranian Baha'is. They may be political dissidents, members of a particular social class or people of a certain nationality. Canada's policy is that although refugees are not voluntary migrants, they can be helped to rebuild their lives by being given an opportunity to emigrate and settle in a country like Canada. That is what our policy was all about; providing durable refuge to refugees for whom no other remedy is available.

For that reason we have two programs. One is a program of assistance. Most of our assistance involves contributions to help refugees in camps in other countries who are, like the Afghans, waiting for a political settlement so they can be repatriated to their own country. It also involves bringing large numbers of refugees to Canada as immigrants through our immigration process or programs. Other speakers have noted the details and they have been repeated time and time again in this House. However, the Government will pay for the settlement of 12,000 refugees this year. Private groups and individuals will bring in 6,000 or more for a total exceeding 18,000.

The second program deals with protection, for refugees who simply arrive, legally or illegally, and ask for a safe haven in Canada. When dealing with true refugees, this is the first priority and this is our obligation. We are some distance from most refugee producing situations, and we are not accustomed to this role. However, for the individual refugee who simply arrives, the provision of safe haven without qualification is vital to the process. That is what Bill C-55 is all about; swift, sure and generous response to those who do not have safe haven and who would be persecuted if they were forced to go back to their own countries. I want to repeat that; a swift, sure and generous response to those who do not have safe haven and who would be persecuted if they were returned to their own countries.

This role is not discharged by this Government by simply accepting everyone who claims to be a refugee. We do not discharge the obligation of the Government simply by accepting everyone who comes to our shore and says, "I claim refuge as a refugee".

• (1240)

The dilemma that we face is to find a fair and effective way to separate those who need our protection from those who do not. That is really the bottom line. Our experience in Canada and that of every other major receiving country in the northern hemisphere shows that in an open refugee system the clear majority of people who claim refugee status are not refugees at all. Among real refugees many are simply changing one form of prior protection for another at the expense of those who have no protection whatsoever.

We know that people have been arriving at various points across Canada and ripping up their passports and travel documents because they had in fact already received refugee status in another country such as Germany or Holland. This must be stopped.

The principles behind Bill C-55 are, first, absolute guarantee of protection for those genuine refugees who do not have safe haven or did not have an opportunity to acquire it elsewhere. The principle of the Bill is not to allow a refugee who has refugee status in another country to come to Canada's shores and rip up their travel documents and any indication of the status they do have, and then apply for and receive that same status in Canada.

Second, we want the highest standards of procedural fairness including the benefit of the doubt to the claimant demonstrated by certain features, the first being oral proceedings. Every person arriving claiming refugee status is allowed to tell their story at a proceeding in their own language expressed in their own way. They will do this in front of two-member panels, two people will be entrusted with listening to the story and making a decision. If there is a split decision, the benefit of the doubt would go to the claimant. The proceedings

will be non-adversarial. In other words, there will not be a prosecutor attempting to trip up or in any way badger the individual making a claim for refugee status. The next point is that everyone will have a right to counsel.

This is a simple and flexible procedure to ensure speedy identification of genuine refugees and early removal of abusers. We must have that to maintain the integrity of the refugee system in Canada. We must have legislative protections for those determined to be refugees, including the right to apply for permanent residence. If we accept people as refugees, they must be legislatively protected to allow them to apply for permanent residence.

Bill C-55 constitutes a fair compromise and respects the ideals toward which well-intentioned people and countries direct themselves. This system as a whole has more safeguards and offers higher standards of procedural fairness than others in effect and is one which all Canadians may be confident will not expose anyone to the risk of persecution.

[*Translation*]

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I welcome this opportunity to take part in the debate this morning on Bill C-55.

Mr. Speaker, first of all, I want to say that before the House was recalled last week, all Members had a chance to meet with constituents in their respective ridings and had many opportunities to discuss the refugee question. Mr. Speaker, this is an international problem and, as you know, there are many countries that receive far more refugees than we do. Nevertheless, Canadians are upset about the methods used by some groups to enter Canada.

Since 1980, under the Liberal Government, there was an awareness that we might have this kind of problem and a number of studies were ordered. Toward the end of the Liberal Government's last term, the studies and recommendations were before Cabinet, and after the election, when the Conservative Government took over, it had access to the same recommendations, and at the time it could have acted on those recommendations and found solutions to the problems we are facing today.

But no! The Conservative Government decided in the fall of 1984 that it would ignore recommendations that were the result of studies that had taken several years to complete. They ordered other studies, which, as we know, reached the same conclusions.

The fact that three years later we are confronted with a crisis of this magnitude is the fault of the Conservative Government's inaction, a Government which today is trying to take advantage of popular sentiment to pass a Bill that will prevent genuine refugees from entering Canada.

Mr. Speaker, there is a lot here that is just a matter of semantics, but we all agree we must not let phony refugees enter Canada. However, we do not agree with the methods for dealing with this problem. We on this side of the House believe that Bill C-55 does not provide a solution. The problem is with the process. The Conservative Members tell us that Bill C-55 will provide for a screening process to determine whether refugees are genuine or not and to do so more quickly. However, after examining the Bill, we find that the process has become more complicated and will take more time.

Second, when drafting this legislation, and I am referring to Bill C-55 and Bill C-84 as well as any other immigration policy the Government may wish to table, did the Government ever wonder why we have so many phony refugees in our country? One Hon. Member said 85 per cent of our refugees were phony refugees. Is there any particular reason for this?

Mr. Speaker, I can tell you about my experience in the riding of Saint-Léonard—Anjou where there are a number of communities other than the Francophone or Anglophone groups. My constituents are upset, just like anyone else, when they hear about cases where people who have a brother or a sister, a cousin or other close relatives, are prepared to give their homes and their money as security to get their relatives to Canada. So they are prepared to offer every conceivable guarantee and even regular employment, yet under the terms of the existing immigration statute these people simply cannot be allowed into Canada. We are understandably indignant when we see other people coming in through the back door. In this respect we agree that something has to be done.

If the Government were to look at it this way, Mr. Speaker, I think it would promote the kind of immigration policy which at least would give hope to people who are anxious to resettle in Canada after complying with all legal requirements.

But right now, Mr. Speaker, for all practical purposes Canada's doors are shut tight. But there is a way for somebody to enter Canada: he lands here with a tourist visa, hires a lawyer, claims to be a refugee and, owing to the lengthy process involved, he is allowed to remain in this country.

After three years in office and fully cognizant with studies made and reports submitted before the last election, the Government still has no policy. People who made their move before this Government was elected did not take that problem into account. If today we had an immigration policy fully consistent with the turn of events since the beginning of this country, people who are willing to work and earn an honest living would be allowed in to resettle here and promote prosperity in this beautiful country, Canada.

Mr. Speaker, I am proud to take the floor in this House today. I am one of those who benefitted from the Canadian policy under which it was possible to come here and entertain every hope of success. As it happens, Mr. Speaker, I must wonder whether I would even have been able to gain entry into Canada in the 1950s if I had been faced with today's immigration laws and such measures as Bill C-55 and Bill C-84. Mr. Speaker, that is where all Hon. Members should ask themselves the question. I am pleased to see that we have here with us in the House the Minister of State for Immigration (Mr.

Weiner). I am sure he is quite close to the ethnic communities in the Montreal area.

Instead of adopting stringent legislation to create the impression everywhere in the world that Canada is closing its doors completely or putting people in jail who, for humanitarian reasons, help legitimate refugees enter Canada, we should develop a comprehensive immigration policy. That is why Canadians generally are furious. We need a comprehensive immigration policy to give hope to all those who want to come to Canada. For the relatives who are here, we need a family reunification policy, Mr. Speaker.

Therefore, I hope that Bill C-55 will be redrafted in its entirety. Instead of closing our doors, we should open them to all those who want to immigrate to Canada, while sending them at the same time clear and precise messages that when they come here they will have to respect... While in the process of integration, they will have nevertheless to take into account the Canadian context, accept Canadian tolerance, respect our laws and build a future for themselves and their children.

Mr. Speaker, you are signalling that I still have a few minutes left. That is a debate which would definitely require more than ten minutes to truly examine all the aspects of this Bill and develop a real immigration policy. I hope that my colleagues, especially those who belong to the Government majority and can determine the fate of the Bill, once this debate is over, will announce an immigration policy that will give hope to those who want to come to Canada and become full-fledged citizens.

• (1250)

[*English*]

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, it is a pleasure to participate in this debate because of the importance of the issue and the widespread public concern. I have been impressed, as have other Members, by the intensity of interest on the part of the public on this issue and by the hundreds of telephone calls to my constituency office, as have been received at the offices of many other Members.

I want to bring into this debate some representation of the opinions expressed by citizens to me, because it is their opinions that provide us with the strongest argument against the entirely unwarranted amendment which the Liberal Opposition has put to the motion on Bill C-55.

Let me cite these sentences from letters that have come to me from across the country. The first is from Halifax. "Surely Canada has to be master of its own destiny". Another letter from Quebec states, "I heartily approve of your proposed tough new legislation to deal with the so-called refugees". One letter from Scarborough states, "What kind of message are we sending to the rest of the world?" Another states, "These people knew what they were doing when they paid their money to someone to illegally bring them to Canada". Another letter states, "It is extremely unfortunate that in our complacency the silent majority will once again be the losers". Here is a letter from a Toronto person who says, "Why should these people be allowed to jump the line?" Again, from Toronto, "One has only to set foot in Canada and the patsy Canadians will spend years and millions of dollars fighting each other over whether you can remain". Again, "They have entered Canada illegally". A letter from London, Ontario states, "A clear signal must be given to the world that Canada is no dumping ground for impatient, dishonest, unreasonable people". A resident of Willowdale states, "It has been proved beyond any doubt that it is really profitable to be a violator of the law than to be law-abiding". Also from Toronto, "Protest against the cynical outlawlessness as exercised by another boatload". Another letter states, "We are incensed at the slackness of this Government". Another states, "It is likely that before this letter comes out in print the politicians who want only more votes might have caved in". A resident of Niagara Falls, Ontario states, "When are we going to stop being the immigration patsies of the world". Another letter from Saskatchewan states, "Obviously a quick one is being attempted and we cannot help but feel somewhat frustrated that this modern-day rum-running operation would have even a chance of success". A letter from Wynyard, Saskatchewan states, "I don't care if these people had come from Iceland, Ireland or the U.S.A., what they did was wrong". From Calgary, Alberta, "I am looking forward to the day when the Government takes necessary actions to prevent the abuse of the goodwill of Canadians toward genuine refugees". A letter from Vancouver, British Columbia states, "You must know that most Canadians want these invaders put back on the boat". A letter from Surrey—White Rock states, "Unless our Government is stern about this there will be others who try this piece of international thuggery". A letter from Vancouver states, "I have real difficulty in understanding why these people have circumvented the normal means of travelling and have landed clandestinely and have suddenly acquired legal rights". Another letter from the west states, "To want to be Canadian citizens and to start the process by breaking its laws is disgusting". Another letter from Vancouver states, "People on the west coast are furious about the handling of this affair". Again, from Vancouver, "We are not allowing good people in, or at least we are delaying their entrance for months on end".

All these quotations show not only that the public is concerned but that the public wants action. We have to be aware that debating an amendment to delay consideration and voting on this Bill by six months is flying in the face of the people in Canada.

I see that it is one o'clock. I will reserve the rest of my remarks for this afternoon.

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

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

SCIENCE AND TECHNOLOGY

CHOICE OF MONTREAL AS SITE FOR NEW SPACE AGENCY

Mrs. Lucie Pépin (Outremont): Mr. Speaker, for the third time this year, I rise in this House to ask the Conservative Government for an answer as to the location of the future space agency. The city of Montreal is getting impatient and wants to have that agency in its area.

The Canadian Space Agency will have a central and determinant role in the development of Canada's space industry. Its economic impact, especially on employment, will be very significant. I therefore believe it is essential that its location be announced as soon as possible. That decision has been postponed for too long. The Canadian aerospace industry is for the most part concentrated in Montreal. It is in Montreal that Canada's aerospace industry had its beginning some 25 years ago. Today, Montreal remains the capital of that industry in Canada.

Although a number of cities and provinces would like to host the Canadian Space Agency, they all recognize Montreal's importance and experience in that field. It is therefore time that this Government also recognized this and located the space agency in Montreal. Foot dragging has been going on far too long. The Government must take action and select Montreal as the capital of the Canadian aerospace industry.

* * *

NEW DEMOCRATIC PARTY

UTILIZATION OF PUBLIC FUNDS FOR CORRESPONDENCE

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, I have received at my riding office address two letters dated July 1987, both of them typed on House of Commons stationery and both signed by the leader of the socialist party. Mr. Speaker, these letters begin as follows, and I quote:

> Dear Mr. Fontaine,
>
> I thank you for taking some of your time to convey your preoccupations regarding the tax system.

All four other paragraphs also contain misrepresentations.

Mr. Speaker, first of all this correspondence represents a misuse of public moneys and if it is sent to all Canadians it will cost taxpayers 500,000 $ every time.

Mr. Speaker, the leader of the socialist party should explain to the House, as I have often asked him to do, why he uses money from Canadian taxpayers' pockets for the benefit of his party, which is made out to be so honest and transparent.

Furthermore, I take the opportunity to warn the leader of the socialist party to stop sending me his fundraising letters. You socialists are wasting your time with me. Mr. Speaker, I have had just about enough of socialist harassment!

* * *

[*English*]

FINANCE

SCIENTIFIC RESEARCH TAX CREDIT—COST TO TAXPAYERS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, the Minister of National Revenue (Mr. MacKay) has now confirmed by letter that the Scientific Research Tax Credit is going to cost Canadians over $1 billion and has given figures that indicate that cost may go to $2 billion or the equivalent of $76 for every man, woman and child in the country. That is equal to almost half of what Canada spends annually on research and development.

This boondoggle was created by the Liberal Government, but when the Conservative Government had a chance to slay the monster it gave it new life by a grandfather clause which allowed alleged abusers to continue to take advantage of a rich tax boondoggle.

Despite assurances from the Minister that his Department would give all the necessary resources for tracking down fraudulent projects, the track record is not good. Not only have there been only four prosecutions after years of investigation but the Department has not collected one additional cent since March, 1986. A government official has now admitted that the Government is no longer going to go after many of the culprits. It is thereby giving up millions and millions of dollars which belong to Canadian taxpayers.

When is the Government going to live up to its responsibility to the Canadian people? When is the Conservative Government going to admit its responsibility and take action against abusers who have milked the ordinary taxpayers of billions and billions of their hard-earned dollars?

* * *

THE ECONOMY

GROWTH STATISTICS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, I have here the *Quarterly Economic Review* published yesterday by the Department of Finance. The highlights are found on page 1.

Real growth picked up very strongly to 6.3 per cent. The final domestic demand was also very robust, growing at 6.1 per cent.

Residential investment continued to be the strongest component of final domestic demand as housing starts rose to levels not seen since 1978. Business non-residential investment spending surged.

The trade balance improved in the first quarter. Exports of goods and the terms of trade both increased. Employment growth increased to a 4.2 per cent annual pace. The unemployment rate dropped to 8.9 per cent in June, its lowest level since February, 1982.

These, Sir, are tremendous accomplishments. I am proud to be a supporter of a Government which has turned the national economy completely around in such a short space of time.

* * *

[*Translation*]

SCIENCE AND TECHNOLOGY

CHOICE OF MONTREAL AS SITE FOR NEW SPACE AGENCY

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): In Montreal, Mr. Speaker, people of every political affiliation, spokesmen for business circles, the *Journal de Montréal* and *La Presse* make up a common front to bring pressure to bear on the Conservative Government and urge it to honour its commitment and designate Montreal as the site of the space agency.

Mr. Speaker, I urge all Members of the House—and personally as a Quebec Member from the Montreal region I support this movement—and I urge Conservative Members from the Montreal region as well as the New Democratic Party to take position in this case and once and for all demonstrate that they have the interests of Quebecers at heart and are prepared to support Montreal as the site of the space agency.

* * *

• (1405)

[*English*]

CANADIAN ARMED FORCES

TRIBUTE TO MILITARY COLLEGE STUDENT OFFICERS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, to get on the floor of this House a subject usually has to be about wars, rumours of wars, disasters and near-disasters, crises, real and imagined. I would like to say a word about something positive, encouraging and even heart-warming, something that I was impressed by during a brief visit to the Collège Militaire Royal de Saint Jean, Quebec, where I saw face to face 218 young Canadians selected from many hundreds more for training as future officers in the Canadian Armed Forces. They are now undergoing an intensive program that takes them each day, seven days a week, from 6 a.m. to 11 p.m., from parade square drilling to lectures on all dimensions of military service.

They are impressive for, at the age of 18 and 19, they are mature in their acceptance of discipline, their readiness to meet a challenge and to serve a cause greater than themselves. I refer to them because they and others at other defence colleges of Canada are an inspiring demonstration of the quality of Canadian young people.

The next time I sing the national anthem and sing: "O Canada, we stand on guard for thee" I will want to keep in mind these young people prepared to spend the rest of their lives doing just that.

* * *

FINANCIAL INSTITUTIONS

PRINCIPAL GROUP BANKRUPTCY—SALE OF ASSETS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, today marks another sad chapter in the inadequate regulation of financial institutions by Governments with the sell-off of some of the Principal Group's assets. This will not significantly help the 67,000 persons who hold uninsured contracts with Principal subsidiaries such as Associated Investors and First Investors. Had the federal Government simply insisted that all RRSP contributions be covered by deposit insurance, many of these small investors could have been secured.

Since the federal Government gives significant tax savings to RRSP contributions, it is clearly in the Government's interest to see that these contributions are as safe as possible. Instead, about $115 million of the losses by Principal's subsidiaries are lost RRSP contributions.

How much longer will it be before the small investor, who puts trust in the Government which encouraged Canadians to invest in RRSPs, gets better consumer protection? Many investors in Alberta and in other parts of Canada want that question answered today. They want the Government and Parliament to enact legislation which will enable the CDIC to give Canadians the protection to which they are entitled.

* * *

IMMIGRATION

ABUSES OF SYSTEM—SUPPORT FOR GOVERNMENT LEGISLATION

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, the people of Calgary South and, indeed, the people of all of

Canada want immediate action to deal with the present serious refugee problem. Tough legislation is needed now to deter those who abuse our generosity and those who wish to profit, and I repeat profit, by breaking our laws.

I congratulate the Minister of Employment and Immigration (Mr. Bouchard) on his two Bills, Bill C-84 and Bill C-55, which will stop the flow of illegal claimants abusing our country; stop queue-jumpers who are interfering with immigration to Canada; will promote family reunification; and will streamline the process to ensure a fair and quick response to people who arrive and make claims for refugee status.

Our doors will always be open to genuine refugees who need our protection. We will continue to welcome immigrants who apply through the proper channels.

A clear signal must be sent to the world now. Canadians urge speedy passage of Bill C-84 and Bill C-55.

* * *

[*Translation*]

HISTORIC SITES

LEFEBVRE MONUMENT OF MEMRAMCOOK

Mr. Fernand Robichaud (Westmorland—Kent): Last week, Mr. Speaker, a number of Acadian community organizations expressed their dissatisfaction concerning the Government's delay in taking action with respect to the Lefebvre monument in New Brunswick's Memramcook Valley.

It will be recalled that in 1984 a fund of $700,000 had been earmarked for this historic site which highlights the survival of Acadians. After the election of the Conservative Government the fund was frozen and then reduced to $500,000, which meant the building would not include the concert hall, the main component of this monument.

In addition, the Government wants to get rid of the property. It refuses to acknowledge the significance of this monument in the history of the Acadians, yet the federal Minister of Tourism himself had promised in Memramcook to take action at the earliest opportunity.

The Government's refusal to act in this case is an insult to the Acadian population, an insult which Acadians are not about to forget.

* * *

INTERNATIONAL OPTIC COMMISSION

FOURTEENTH CONFERENCE IN QUEBEC

Mrs. Suzanne Duplessis (Louis-Hébert): Mr. Speaker, from August 24 to 28 the fourteenth conference of the International Commission for Optics will be held in Quebec City, co-sponsored by the National Research Council and Laval University.

Under the theme "Optics and the Computer Age", this Conference will focus especially on the use of optics in communications and the impact of computer science on the automation of traditional optical measurement techniques.

The last meeting of this Commission was held in 1984 in Sapporo, Japan. This year, over twenty countries will participate, including China, India, Poland, the USSR, Mexico, Australia, the United States, and of course Canada.

It will be the first time an International Optics Conference is held in Canada, and I am especially proud that Quebec City has been chosen to host this important conference as research activities play a major role in the Quebec region.

As you are probably aware, Laval University, the INRS, the GATIQ, and so on, do a lot of work in this field, and the coming opening of the National Optics Institute in Sainte-Foy will emphasize the technological vocation of the Quebec area.

I therefore want to wish every success to the organizers of this international event and to congratulate Laval University for acting as co-sponsor.

* * *

• (1410)

[*English*]

CELTIC AFFAIRS

HIGHLAND PIPING AND DRUMMING—CANADIAN BANDS TAKE FIRST AND SECOND PLACES

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, one of the last remnants of Canada's colonial past disappeared short days ago in Scotland when two Canadian pipe bands came out on top in the world championship for Highland piping and drumming. This is the first time that Canadian bands have superseded Scottish bands in this way. The 78th Fraser Highlanders, and Simon Fraser University Pipes and Drums, placed first and second respectively. They are to be commended for their excellence, and for representing Canada so well in their endeavours.

In recent years leading Canadian pipe bands have distinguished themselves by the freshness, the creativity, and the finesse which they have brought to traditional piping and drumming. The fact that this is now recognized, accepted, and even acclaimed in Scotland itself is something in which all Canadians should take pride. Canadians too are now able to say with confidence: "Here's tae us, wha's like us. Damn few, and they're a' deid!"

Some Hon. Members: Hear, hear!

Mr. Speaker: I know the House will allow the Speaker to express a certain satisfaction in having heard the moving and appropriate words of the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) who is himself a distinguished piper. Of course the House will also have noticed that the Speaker has some particular interest in the two Fraser pipe bands that won first and second place.

Some Hon. Members: Hear, hear!

* * *

ENERGY

SALE OF WEST KOOTENAY POWER AND LIGHT TO UNITED STATES CORPORATION

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the fight to keep West Kootenay Power and Light under Canadian control continues today in British Columbia where the Kootenay—Okanagan Electric Consumers Association is attempting to appeal the decision of the B.C. Utilities Commission to approve the sale to the U.S. based Utilicorp.

The provincial and federal Governments have made a bad error in judgement in approving this first ever sale of a public utility to a foreign-owned company. The U.S. Government recognizes the perils of foreign ownership of its utilities, and it has banned similar actions.

The only reason the Minister responsible could give for the approval was that market forces determined the outcome, and that Canada would, in some way as yet unspecified, benefit from foreign ownership of this utility. It is a sad day when the federal Government abandons Canadian ownership of public utilities.

I urge the Minister of Energy, Mines and Resources (Mr. Masse) to stand up and prevent the foreign takeover of our public utilities. Canadians would prefer to retain ownership of our public utilities.

• (1415)

Frank Lauer of the B.C. Fruit Growers' Association put it well when he said: "When you own the cow, you sell the milk; when you sell the cow, you buy the milk".

* * *

PROVINCIAL AFFAIRS

MANITOBA—EFFECT OF PROVINCIAL SURTAX ON INCOMES

Mr. Felix Holtmann (Selkirk—Interlake): Mr. Speaker, we just heard some good news from the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), but I am sorry to have to bring forth some bad news.

Since July of this year working Manitobans have been taking home less pay thanks to the NDP provincial surtax of 2 per cent on their incomes. Most Manitobans have no choice and must still live in Manitoba and pay such excessive taxes. Others in Manitoba have options.

The Royal Bank is now in the process of relocating some of its administration from Winnipeg to Alberta. Why? The last Manitoba budget increased the capital tax on banks from 1.9 per cent to 3 per cent, costing the Royal Bank $4.5 million more. Payroll tax was increased by 50 per cent to 2.25 per cent. These anti-business taxes are driving an increasing number of employers, employees, and investments elsewhere.

The excessive taxation of the New Democratic Party in Manitoba is causing businesses to relocate. When businesses relocate, so do the jobs. It is only fortunate that these businesses and their employees can still find provinces within Canada where taxation is progressive and business is welcome.

Honestly, Mr. Speaker, with these kinds of penalties can we really blame new businesses and investors for staying away from Manitoba?

* * *

WESTERN DIVERSIFICATION FUND

FEDERAL INITIATIVE WELCOMED

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, the recently announced western diversification initiative is good news, not only for my home province of Saskatchewan but for all western Canada.

This initiative, under the leadership of the Minister of Indian Affairs and Northern Development (Mr. McKnight), will assist entrepreneurs to develop new ideas into projects which will create not only jobs but will help to diversify the western Canadian economy and make us a little less vulnerable to the uncertainties of the world commodity market.

The injection of this new money, $1.2 billion, is proof positive that we have put our money where our mouth is. It represents a solid commitment on the part of the Government to assist regional development of western Canada.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—INVESTMENT ISSUE—NEGOTIATOR'S MANDATE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, since Parliament resumed for this so-called emergency session we have asked some serious questions of the

Government on the current free trade negotiations. So far we have been rewarded with nothing but glib answers.

Since the issue is so very important, I want to put a few straightforward questions to the Prime Minister, and I think Canadians could expect some straightforward answers.

In her remarks last spring the Minister for International Trade said the following:

> So far we are dealing only with trade-related investment measures. The Americans want more. We are listening.

Those were her words. I ask the Prime Minister has the Government agreed to this request from the Americans? Has the mandate of our own negotiator been extended and expanded beyond mere trade related measures?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the situation is as it was when the Minister for International Trade replied, but I think I should make the point that as we get into the last weeks of the trade negotiations it would not be helpful to the position of Canada were we to be announcing, item by item, development by development, every change or every step along the way in the negotiating process. I trust that it is not what the Leader of the Opposition is asking for.

I want to indicate to him again that while we are prepared, indeed anxious, to provide the kind of thorough briefing that was offered to him by the Minister for International Trade the other day, we do not propose to publicize and advertise our negotiating strategy in a way which would endanger the Canadian position.

Mr. Turner (Vancouver Quadra): Mr. Speaker, the Minister and his other colleagues have given that answer before. We are not asking for tactical responses. We are asking to know the scope of the negotiations and whether the issues have now gone beyond trade related issues, whether they include the request of the United States for unfettered investment in Canada. It is a very fundamental issue and it has nothing to do with tactics.

[*Translation*]

PUBLICATION OF REPORTS—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Government has always refused to reveal any information contained in departmental studies on the impact of free trade on this country and on Canada's regions.

These departmental reports have either been kept back or heavily censored, ostensibly because publishing these reports would harm Canada's negociating position.

Could the Prime Minister, considering that Canadians are entitled to this information to form their own opinion and that today the Government is still refusing to publish these reports, inform the House that once the talks are completed, these reports will be published before the public debate and before the debate in Parliament?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Government did not refuse to publish the reports. A number of documents have been made available to the House. Explanations have been provided to a considerable extent by various Ministers during the debate in the House and on a number of other occasions.

Furthermore, thorough and serious studies made by the Economic Council of Canada, the C.D. Howe Institute, and others indicate that many hundreds of thousands of jobs will be created if a free trade treaty between Canada and the United States is signed.

I understand why the Leader of the Official Opposition is now formally objecting to a free trade treaty. However, I suggest that he recall the comments made the day before yesterday by Premier Bourassa of Quebec, who said that a free trade treaty was necessary, because otherwise Quebec might be faced with irreversible economic decline.

I think it is most unfortunate that the Liberal Party in this House has taken a stance against free trade that will deal a severe blow to the economy of Quebec and which runs counter to the wishes of Quebecers.

Mr. Turner (Vancouver Quadra): Mr. Speaker, we here in the House are not in a position to assess the Prime Minister's statement because the reports we need to judge the talks and determine the effects of free trade on this country have been censored, manipulated and kept hidden from the Canadian people. That is the problem.

• (1420)

[*English*]

PROCESS TO RATIFY POSSIBLE TREATY

Right Hon. John N. Turner (Leader of the Opposition): If the Prime Minister insists on pursuing his current dangerous course on these negotiations, will he let Parliament know now what rights we will have at the end of the day? Will this treaty be subject to review by Parliament? Will it be referred to a parliamentary committee for detailed study? Will Parliament have the jurisdiction to ratify or veto the treaty?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend is acquainted with the rights and obligations of the Government of Canada as a sovereign nation in regard to treaties concluded in the international sphere with other sovereign countries.

I have already indicated on behalf of the Government of Canada that there will be ample opportunity for all Members of Parliament to discuss and debate any matter. If and when a treaty is concluded, it shall of course be submitted for consideration in an appropriate and thoughtful way by Members of the House. My right hon. friend is of course aware of this.

[*Translation*]

By the way, the Leader of the Opposition said in French that he is unable to assess the Canadian position at the

bargaining table. He said so. The fact is that we are carrying on the tightest and the most complex and confidential negotiations and in spite of this the government—

Mr. Lapierre: Ha, ha!

Mr. Mulroney: Ha, ha! In spite of this . . . Of course! We are carrying confidential and difficult negotiations on behalf of Canada. In spite of that, the Government of Canada has offered to the Leader of the Official Opposition to give him a thorough briefing on what is going on at the negotiation table. He refused it. It is a shame because he missed an excellent opportunity to get acquainted with the matter.

[*English*]

REQUEST FOR ASSURANCE ON RATIFICATION PROCESS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I too would like to raise a question with the Prime Minister. The one major flaw, of course, in the offer of the Minister for International Trade is that it did not include 25 million Canadians who have a right to know what is going on in the free trade negotiations.

I would like to ask the Prime Minister a follow-up question. He said that Parliament would be given an appropriate way of examining any proposed free trade deal. The Government has rejected the calls for full publication of reports and has rejected our call for a halt to the discussions until we know what the mandate is.

• (1425)

Can we get assurances from the Prime Minister that, first, Parliament will be sitting when the proposed agreement is announced October 5? Second, can we have assurance that there will be national public hearings at which all Canadians will have an opportunity to appear and make their case known? Third, can we be assured that this Parliament will have the right to recommend amendments to that agreement similar to what the U.S. Congress enjoys?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we have been trying to make it clear for a long time that, despite the obvious preference of the Hon. Member, this is Canada, not the U.S. We operate by Canadian rules and in the Canadian interest. We do not intend to change our system to the American model which the Hon. Member appears to prefer.

There will be, as there has been, full parliamentary and public opportunity to consider any agreement which might be arrived at. The Prime Minister indicated that. The House of Commons will certainly be sitting during the period of time any agreement arrived at is going to be under consideration. There will be ample opportunity for that kind of consideration by Members of the House of Commons.

We have indicated to the Right Hon. Leader of the Opposition and the Leader of the NDP that we are prepared to provide them with the kind of briefings that the Hon. Member for Yorkton—Melville sought on their behalf. Now the Hon. Member wants us to find a room and a table big enough for 25 million people to sit in on that confidential briefing.

Mr. Axworthy: In that last comment we have seen exactly what the Hon. Minister thinks of the right of those 25 million people to know what is going on. I would remind him that his model of the Canadian way of doing things may be a closed shop but our model is that it has to be open and accountable.

Some Hon. Members: Oh, oh!

Mr. Nystrom: Since when?

Mr. McDermid: Don't turn your back on him, John.

Mr. Speaker: I indicated yesterday, in the interest of getting the maximum number of Members on their feet throughout Question Period, that some discipline would have to be exercised in preambles. I know the Hon. Member would want to co-operate and put his question.

MINISTER'S POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, can the Hon. Minister be a little more specific in his response? Can he assure us that on October 5, when the President of the U.S., under his agreement with Congress, announces something, this Parliament will be in session so we will know exactly what that agreement proposes? Can he also assure us that subsequently there will be proper committee examination, with the full right to recommend amendments to any agreement within the period set forth under the fast-track arrangement which the Government agreed to with the U.S? It is your agreement to go by the fast-track, not ours.

Mr. Speaker: I again want to ask Members to respect the rules and refrain from using personal terms in asking questions of Ministers, or on the part of Ministers or Prime Ministers replying to those asking questions.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I note the Hon. Member's question about House business. I knew he wanted to be the Leader of his Party. I did not know he wanted to be the House Leader. He asked a question which I have answered.

* * *

BANKS AND BANKING

VARIABLE INTEREST RATES CHARGED TO FARMERS BY CHARTERED BANKS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Minister of State for Finance. Before doing that, if the Government finds a single example of a Liberal Government—

Some Hon. Members: Order!

Mr. Broadbent: If the Government finds a single example of a Liberal Government submitting a treaty to Parliament for consideration, please let us know.

Mr. Crosbie: Good point.

Mr. Mazankowski: Ask your friend.

Mr. Axworthy: Do you want me to answer for you?

Mr. Beatty: A lovers' quarrel.

• (1430)

Mr. Broadbent: My question is with regard to the plight of farmers and many businessmen who took out loans from Canadian chartered banks in the early 1980s. At that time, as the Minister knows, many farmers and small-business people borrowed money from the banks at what they assumed would be a fixed interest rate. When interest rates started going up, mystery of mysteries, they found that they were being charged a variable interest rate, the net result of which was that the sample of some 40 farmers and small-businessmen who were surveyed were being overcharged to the extent, including interest, of some $60,000.

As the Minister may know, last night in Innisfail, Alberta, a group of such farmers and small-businesspeople got together to discuss what could be done to get some economic justice restored to them. What is the Government doing to get some economic justice for these people who were dealt with unfairly?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the question raised by the hon. gentleman has been raised a number of times by Members on all sides of the House. The answer that I gave previously can be updated today.

First, there have been a series of court cases in the past dealing with this matter, the decisions on which have gone both ways. I have logically, therefore, suggested that matters of this sort should be dealt with in the courts.

There are subsidiary questions which the Hon. Member did not raise which are well worth looking at, one being the cost of doing the searches. I have been making inquiries and have some preliminary evidence of the cost of doing these inquiries in order to help those who are questioning the banks' practices.

ONTARIO SUPREME COURT DECISION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister knows very well that the most recent court decision was made at the highest level in the Ontario judicial system, the Ontario Supreme Court level. The decision came down on the side of the farmer against the bank and the bank, quite wisely in terms of the law as I understand it, decided not to appeal it. It seems that the bank recognized that justice was on the side of the farmer.

The Minister seems to be implying that the farmer ought to go back to the bank to borrow another $40,000 and when the bank asks for the purpose of the new loan he will say, "I want to take you to court". The Minister would conclude, I think, that most farmers are reluctant to pursue this in the courts because it costs them so much to do that.

Will the Government at least study a whole range of such loans made in the early 1980s to find the extent of damages? It has been estimated that 30 per cent of Canadian farmers are in serious financial difficulty. When will the Government come to the aid of the farmers as quickly as it did to the aid of the banks?

Hon. Tom Hockin (Minister of State (Finance)): First of all, Mr. Speaker, the hon. gentleman wants the verdict of one court case to apply to all other situations. I find that an astonishing view of justice.

Mr. Broadbent: I didn't say that.

Mr. Hockin: Yes you did.

Mr. Speaker: He may or he may not have. That is not the way in which we refer to Hon. Members. The Hon. Minister.

Mr. Hockin: Thank you, Mr. Speaker. Second, on the question of fees I raise the point of doing searches. When a farmer or small-businessman believes that he has been unfairly dealt with by a bank, when he thought he had a fixed interest rate which became a variable rate, he goes to the bank and asks for his records. There are charges for that. I am considering whether those charges are reasonable and whether the research is done properly because that is integral to settling this problem in the courts.

REQUEST THAT MINISTER REVIEW SAMPLE LOANS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, if I understand the Minister correctly, he is saying that the Government's policy is to leave it to the individual farmer to resolve this, that the Government will help the farmer with certain service charges but not with legal costs.

Since not only many farmers are involved in this but many small-businesspeople, will the Government undertake a sample review of the loans that were made at that time to learn the extent of the damage that has been done, and then report and consider the possibility of covering all the legitimate costs of farmers and small businesses to get some justice from the very wealthy and substantial banks?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I have asked the Superintendent of Financial Institutions to try to assess the extent of this problem. It is not that easy. He has been in touch with the banks and they are trying to make that assessment. When I have something to report to the House, I will report.

REQUEST FOR PUBLICATION OF REPORT FORWARDED BY INSPECTOR GENERAL OF BANKS

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is also directed to the Minister of State for Finance. He knows that many farmers and small businessmen have been overcharged by the banks. He has a report in his office from the Inspector General of Banks which he has refused to make public. Will he make that report public?

Since the Minister has not set out any action to recover these funds for farmers and small-businessmen, will he consider establishing a Royal commission to investigate the matter and ensure that action is taken to refund these funds to farmers, many of whom have gone broke already? Perhaps some of those who are still hanging on can survive if the overcharged funds are returned to them.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Hon. Member's question is very similar to the previous set of questions. I can assure him that the Superintendent of Financial Institutions, not the Inspector General of Banks, is making an ongoing study of this. I will report to the House when a further report is given to me.

GOVERNMENT POSITION

Mr. Maurice Foster (Algoma): Mr. Speaker, could the Minister explain why there was a public inquiry almost immediately when two western banks went broke? There was over $1 billion of restitution and assistance for them. Why is it that when banks have overcharged farmers there is no public inquiry and no action to assist them? Tens of thousands of farmers are facing serious financial difficulties. Why the disparity? There is action when a bank goes broke, but when they are overcharging farmers there is no action.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, a little bit of history. The reason the Government did what it did in the case of the Northland Bank and the CCB was to bail out the farmers, not the banks.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

FINANCE

RISKY BANK LOANS—GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is directed to the Minister of Finance. We have just learned that the Government is doing almost nothing to help farmers who have been overcharged by the banks. Could the Minister confirm that his department, the Superintendent of Financial Institutions and the chartered banks signed recently a memorandum of understanding whereby chartered banks would be allowed to increase by approximately $5 billion their reserves against foreign loans deemed "risky"?

Could the Minister also confirm that, contrary to the normal practice of chartered banks, this transfer to the reserves will be made over a one-year period instead of five, and that the cost to the federal treasury will therefore be approximately $2 billion in income taxes which the banks will not have to pay? Could he confirm these facts?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Hon. Member has raised a very complex issue. He has seen the press release which was issued by the Superintendent. I will confirm that there has been an agreement between the Superintendent and the banks to acknowledge what has happened in the public markets and the value of the debts of 34 countries, I believe it is. He has allowed the banks to reflect this in their income statements totally consistent with existing tax policy and the proposals for tax reform with which the Hon. Member is very familiar.

LOAN WRITE-OFFS—EFFECT ON TAX REVENUE

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, would the Minister of Finance confirm that it is the normal practice of the banks, if they have losses to write off, to write them off over five years, but that after meeting with the Superintendent and representatives of his Department the Government has agreed that the banks can write these losses off in one year?

That will mean a loss to taxpayers of something like $2 billion in revenue which the banks would have paid on their profits but will now be able to write off. Is that not a very major cost for taxpayers to have to pay as a result of mistakes made by banks on foreign loans? Why do the banks get that special treatment and farmers cannot get the time of day from the Assistant Minister of Finance?

• (1440)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, there is no change whatsoever in the basis on which these loans are treated for tax purposes. Whether there is a loan to a foreign country, whether there is a loan to business, whether there is a loan to an individual, if that loan goes bad or the value of that loan is reduced because of market circumstances, then the banks are allowed to take a write-off and that is a tax deductible expense.

Mr. Broadbent: It changed from five years to one year.

Mr. Cassidy: It was five years, now it is one. What is the difference?

Mr. Wilson (Etobicoke Centre): It is very hard to deal with a complex issue when the Hon. Members are heckling in the middle of the answer.

Mr. King: It is hard to deal with a knucklehead.

Some Hon. Members: Oh, oh!

Mr. Speaker: There may well be some truth in that comment.

* * *

LABOUR RELATIONS

RAILWAYS—PICKET LINES REPORTED IN MONTREAL

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, my question is directed to the Prime Minister. According to the reports on the Telemedia Radio Network, some railway workers have set up picket lines in front of the CNR maintenance shops in Montreal. A disruption of rail service would certainly have devastating effects. Commuter passengers in large cities would lose an essential means of transportation. The western economy could be crippled if commodities like coal, potash, or grain stopped moving. Certainly the last thing hard-pressed farmers need is a rail strike.

What does the Government intend to do this time to avoid a repeat of the bungling, hands-off approach that led to a postal strike a month ago? Can we expect direct government action this time and, if so, of what kind?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, we can certainly see from the Hon. Member's speech what he would like to have happen. There was no bungling a month ago and there will be no bungling in the next few weeks either.

The unions involved in CN and CP are meeting at the present time, through the agency of the mediator, Mr. Carson, who has been appointed. We hope they will make progress.

We have a free collective bargaining system in this country and the Government has no intention of intervening unless that becomes absolutely necessary on behalf of the public interest, at which time we will certainly act quickly.

With respect to the picketing this morning, that was not by the unions involved in these discussions in Montreal at the present time with Mr. Carson, but by the shop craft unions. I believe the demonstration is over, according to a message I received, and hopefully will not be repeated.

[*Translation*]

EXISTENCE OF EMERGENCY PLANS—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, we have to deal with a different minister. In the case of the postal strike, it was the Minister of Labour. Now, we are offered the same recipe which resulted in a strike, namely that the Government will not interfere, but try to settle the problem through third parties. The information I should like to get from the Government is this: Is there an emergency plan in case of a railway strike? How can we ensure the transportation of goods which is so vital in some areas of this country? Do such plans exist or will the Government maintain its hands-off policy?

[*English*]

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, this is absolutely incredible. The hon. gentleman has been in the House for many years. His Party had been in government for many years and left us a collective bargaining system that applies to the railways of the country. Just because he now wishes to get some publicity, are we to change that whole system because there might conceivably be a strike? There are two parties who are sincerely trying to reach an agreement with the help of a mediator. I suggest that the Hon. Member stop his hypocritical statements—

An Hon. Member: What action are you taking?

Mr. Speaker: Order, please.

Mr. Crosbie: —and hope that the two parties will reach a reasonable settlement.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—SUBSIDIES ISSUE

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Prime Minister. It goes back to the comments of the senior trade official from the United States whom I quoted yesterday, Mr. Cavitt. Mr. Cavitt indicated in his official briefing that the Government has accepted in principle doing away with subsidies that would include low interest and no interest loans. Has that concession in fact also been made and has the Prime Minister obtained anything in return for that give-away?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I can tell the Hon. Member that we are not familiar with Mr. Cavitt. I think the Minister made it very clear last week that between now and the time that negotiations will conclude there will be all kinds of wishes, statements, rumours, papers flying around and so on. I think we should leave it to the negotiators to work out the best possible agreement they can, and then we will discuss it once that agreement is made.

GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the Government's philosophy seems to be to give away as much as possible and then give us the chance to talk about it after the fact.

Mr. Speaker: I know the Hon. Member would want to put his question and not take up too much time in argumentative preamble. The Hon. Member will please put his question.

Mr. Langdon: Will the Government please come clean with Canadians and tell us—

Mr. Clark (Yellowhead): God, you are a fraud.

Mr. Langdon: —if these statements of concession after concession demonstrated by Mr. Cavitt are in fact accurate? Will you at least please confess that that is what is taking place?

Mr. Mazankowski: Stop spreading innuendo.

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I find it passing strange that the New Democratic Party listens to the Americans and never listens to the Canadians.

Some Hon. Members: Hear, hear!

Mr. Broadbent: That is because you don't tell us anything.

Ms. Jewett: Tell us something.

Mr. McDermid: For a Party that wants to walk away from negotiations, forget about the Americans, and to become isolationists, all they do day after day is get up and quote them.

Mr. Speaker: The Hon. Member for York Centre.

* * *

CANADIAN NATIONAL RAILWAYS

REPORTED PLAN TO ABANDON RURAL TRACKS

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Minister of Transport. He has known, as a result of a document leaked to the public from the CNR last September, that CN is seeking to abandon over 5,000 miles of rural track. This will mean in Ontario that all cross-country traffic and all cross-Ontario traffic by rail will be routed through Metro Toronto, including much greater quantities of the deadly toxic chemicals of the sort that were involved in the Mississauga train disaster and are now routed through sparsely populated areas.

A year later, is the Minister prepared to take steps to assure, before the CTC, if necessary, that CN does not close down the lines through these sparsely populated areas?

Mr. Blaikie: Rip Van Kaplan.

Some Hon. Members: Oh, oh!

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, it has been rather unkindly suggested that the Hon. Member should be better known as Rip Van Kaplan. There must be an election under way in Ontario because suddenly all the rail lines are going to disappear, according to the hon. gentleman. What absolute twaddle and twiddle, absolute nonsensical drivel.

GOVERNMENT POSITION

Hon. Bob Kaplan (York Centre): Mr. Speaker, the document to which I am referring is signed by the Assistant Vice-President, Strategic Projects, of the CNR. If I am Rip Van Winkle, perhaps the Minister has had the answer for a year. What is the Government's position on the proposal to close down these rail lines? Is the Minister saying in his answer that the Government will oppose it, or is he saying it will do nothing?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, there is legislation presently in force in this country that deals with railway abandonment of branch lines and the like. It is very difficult for the railways to abandon branch lines. CN, just as CP, wants to abandon a large part of its rail trackage because it gets only 2 per cent of its traffic from about one-third of its railway trackage, and 75 per cent from a third and so on. Actually, CN would like, just as it has in the States, to abandon some of this trackage. But the laws prevent it. It has to go through a very rigorous process and if it is suggested to me that 5,000 miles of railway track be abandoned in Ontario, I would not oppose it, I would just forbid it.

* * *

• (1450)

HOUSE OF COMMONS

PRESENCE IN GALLERY OF SWEDISH PARLIAMENTARIAN

Mr. Speaker: I wish to draw to the attention of Hon. Members the presence in the gallery of Mr. Karl-Erik Svartberg, Member of the Swedish Parliament.

Some Hon. Members: Hear, hear!

* * *

INDUSTRY

HAMILTON FIRESTONE PLANT—INTEREST ON GOVERNMENT LOAN

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. I have a press release here from an executive of the Firestone Company saying that the accrued interest on the $13.5 million in trust would go to the employees who were left out of work, 1,300 families. I thank the Minister for having sent me the agreement. However, I would like to ask him why this statement is not in that agreement?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Naturally, Mr. Speaker, we negotiated with the company in the best interests of the workers. We did consider a number of alternate solutions which would make it possible for these workers to keep their jobs.

We also concluded with the company an agreement under which interests on the $13.5 million would be earmarked for the benefit of workers. But should the plant close down and if we should find a buyer, of course this amount will go to the company.

[*English*]

TERMS OF AGREEMENT

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, that does not appear to be in the agreement I received from the Minister. I would just like to be assured that it is not just a press release but actual confirmation in a legal agreement?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I repeat that throughout the negotiations we tried to do as we always do, which is to protect the best interests of the workers. That is what we did in the case of this company.

* * *

[*English*]

PUBLIC WORKS

FUTURE OF OTTAWA BUILDING VACANT 11 YEARS

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is directed to the Minister of Public Works. It concerns a federally owned uncompleted building on Walkley Road in Ottawa called the Mulligan Building. It was purchased 11 years ago by the Government at a cost of $1.98 million. It has not been used to date.

Will the Minister tell the House when it is going to be properly used by the Government? Or will this building be sold to the private sector?

Hon. Stewart McInnes (Minister of Public Works): Mr. Speaker, I thank the Hon. Member for the question. I wish to indicate that this building has been left vacant since 1976 at a cost for maintenance of some $750,000. I have a plan to introduce to Treasury Board this fall involving an expenditure for renovations of some $22 million to utilize the building for two government Departments.

[*Translation*]

UNEMPLOYMENT INSURANCE

REQUEST FOR REIMBURSEMENT OF CERTAIN OLDER WORKERS FROM 1985

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Employment and Immigration and concerns the unfair treatment of older workers.

After seventeen months of fighting by older workers and the Official Opposition, 46,000 older workers received a refund of their unemployment insurance benefits. Unfortunately, today there are still 42,000 older workers in Canada whose claims have been turned down. The Minister knows perfectly well that these people—in fact thousands are involved—took early retirement before January 5, 1986. They went to the offices of the Canada Employment Centre, but because of the information they were given by employees, these people have now been penalized.

My question to the Minister is quite simple: Is he willing to ask the Unemployment Insurance Commission to refund unemployment insurance benefits to all older workers in the 1985 group who were unable to file a claim? Yes or no?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I think the Conservative Government is doing an excellent job with respect to the early retirees. In fact we are seeing proof of this every day.

We have established criteria, however, and one of those criteria was January 5, 1986. All claims filed after that date have been referred to the Department and may be at the arbitration stage. However, I do not intend to intervene in order to change the rules.

ALLEGED ERRORS BY OFFICIALS—MINISTER'S POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, Mr. Gareau from Brossard would appreciate it if the Minister would tell him why he was forced to take early retirement on December 20, 1985. On January 3, he goes to the employment centre, which is under the authority of the Minister. The official tells him: Sir, come back on February 2, 1986.

Why will that individual be penalized, why should he be denied a refund because an official misled him? Is the Minister ready to acknowledge the errors made by officials and give their money back to those thousands of senior workers in Canada?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I appreciate the Hon. Member's concern for workers in Montreal. I hope he has the same concern for those who are waiting for development that will flow from the investments provided for in Bill C-22. We are awaiting questions from the Hon. Member for Montréal—Sainte Marie on the jobs that are being lost now in Montreal.

As far as employment centres are concerned, applications made before January 5 will be honoured. Applications made after January 5 must be referred to employment centres and will be dealt with according to the statutes.

* * *

[*English*]

CANADA POST CORPORATION

UNION'S OPPOSITION TO PRIVATE SECTOR POST OFFICES—DISMISSAL OF EMPLOYEE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. I have a letter in my hand from the president of the local of Canadian Union of Postal Workers in Calgary. He writes to local private-sector sub-Post Offices that he wants to explain why the union is opposed to offering service at sub-Post Offices and outlets such as this.

The president of that local was fired for having circulated this letter, for having fulfilled his function of representing the workers he represents. Does the Minister realize this raises serious questions about whether the Post office is seeking a settlement or a confrontation, and strikes at the heart of democratic freedoms in this country, the freedom of association? Do you agree with my characterization of—

Some Hon. Members: Order.

Mr. Speaker: The Hon. Minister.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, my understanding of the facts are that there are other letters sent out by that individual which threaten businesses that might undertake franchise operations, commercial operations, on behalf of the Post Office—

Some Hon. Members: Oh, oh!

Mr. Andre: —with harassment, with loss of business, and in various ways. I wonder if it is the view of the NDP that an employee of a company, be it a Crown Corporation or any other company, should be free to go out and threaten potential customers of that company and that the company should still be duty bound to keep that individual in its employ? Is that its position?

Mr. Keeper: Mr. Speaker, I go back—

Mr. Clark (Yellowhead): Answer.

Mr. Keeper: Mr. Speaker, my question to this Minister—

Mr. Clark (Yellowhead): Answer.

Mr. Speaker: The Hon. Member will put his question. I know Hon. Members will, of course, extend the usual courtesies.

MINISTER'S POSITION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I want to know directly from this Minister whether he condones the firing of this president of the union local and whether he realizes that means that Canada Post Corporation can take retribution against persons for fulfilling their function of democratically representing the workers they represent? That flies in the face of democratic human rights in this country. Does he realize that?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this Government and I support the idea that unions are there to represent their members. I do not support the idea that any employee of any company can go out and threaten customers of that company and still expect to retain his or her employment.

This Crown corporation, managed by its management, must obey Canadian law, as do its employees and as do members of the union. There are grievance procedures within the contract. If in fact they have not been followed, the employee will get reinstated. But if in fact he has been threatening customers, I personally would rather not have him employed at the Post Office.

* * *

[*Translation*]

TAX REFORM

IMPACT ON SMALL MANUFACTURING ENTERPRISES

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my question to the Minister of Finance will be put in his absence to the Minister of State for Finance. In the White Paper on tax reform, the minister announced he would reduce from 30 per cent to 23 per cent the tax rate on large manufacturing concerns, while increasing from 10 per cent to 12 per cent the tax rate on small manufacturing enterprises.

I would like to know why the Government, by increasing their tax rate, would penalize those 85 per cent of the Canadian manufacturing sector that created 74 per cent of jobs in Canada.

• (1500)

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, it is my understanding that, unfortunately, the premise of the Hon. Member's question is incorrect. Therefore I cannot confirm the allegation in the question.

TAX RATE APPLICABLE TO SMALL BUSINESSES

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I took the information from the White Paper which states that the small business manufacturing rate is actually 10

per cent and as of January 1, 1988, it will be 12 per cent, an increase of 2 per cent. Why does the Minister want to increase the tax rate of a small manufacturing business when he is reducing the tax rate of a big manufacturing business? Why does the Government want to penalize 85 per cent of the manufacturing sector which creates 74 per cent of the jobs? Is that clear now?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I now understand the question. However, it is only half a question. The true answer is that to understand tax reform one has to understand the over-all level of corporate rates, not simply on the manufactured level but the over-all marginal rates for corporations. They will be lowered and small manufacturing will benefit as well as large.

* * *

[*Translation*]

PATENT ACT

GOVERNMENT POSITION

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, my question to the Minister of Consumer and Corporate Affairs deals with the Patent Act.

As we know, Quebecers are waiting for nearly $1 billion worth of investments to materialize when that bill is passed, especially since the Quebec National Assembly on two occasions expressed unanimous support for that legislation. What does the Minister intend to do to counter the systematic, Trudeaumaniac obstruction on the matter?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I am open to suggestions. The Government will be soon introducing a motion in the House to respond to the Senate's unfortunate decision with respect to this Bill. I hope that those thousands of Quebecers who are waiting for those hundreds of millions of dollars of investment will not have to wait too long. This is too important to the future of too many Canadians to be delayed by these tactics for too much longer.

Some Hon. Members: Hear, hear!

* * *

SHIPBUILDING

HALIFAX SHIPYARD—CONTRACT TO REFIT ICE-BREAKER

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Minister of Supply and Services. Despite the federal Government's commitment in 1984 that it would have a shipbuilding policy for Canada there has been no policy made. In addition, workers at Halifax-Dartmouth Industries Ltd. have only 20 people working at the present time. There used to be 1,000 people at that yard.

In view of the fact that the Minister made an announcement that the refit of the ice-breaker *Louis St. Laurent* would be done at that yard, when will that work finally start?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I think the question should more properly be directed to me.

As a result of representations and the urging of the Minister of Public Works, we were able to announce in June that the mid-life refit of the ice-breaker *Louis St. Laurent* would be done at the Halifax shipyard. In the release which was made at that time it was explained that there would be two contracts, a design contract so that the design of the work could be done and all the detailed engineering done, followed by a construction contract, once we had the shipyard and an agreed to price.

It was expected that the actual construction would proceed in 1988 in accordance with the release that was issued in June. The Government is doing its best to see that government shipbuilding and ship repairing work is spread across the country. Halifax has been looked after. Unfortunately, we cannot do the work until the design is done. That is quite clear. The design work has to be done first.

* * *

CANADIAN TRANSPORT COMMISSION

REPLACEMENT OF COMMISSION—FUTURE OF EMPLOYEES

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, my question is for the Minister of Transport. The Canadian Transport Commission is to be reorganized shortly with a new mandate. I think all who work for the Commission welcome this reorganization, saying it is long overdue. The employees are deeply concerned about their future and whether or not they will be part of the new mandate.

Can the Minister tell us when the Commission will be establishing its new mandate, by what date will the employees be told whether they will be part of the new Commission, and for those who will not be fortunate enough what steps will be taken to find places of employment for them in other parts of the Public Service?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, our hope and expectation are that the new national transportation agency will start to function on January 1, 1988, to replace the present Canadian Transport Commission. However, there are two Bills still to be passed by Parliament as a result of some action taken by the Senate. These two Bills are coming back with amendments that we in the Government find acceptable. We will be presenting them to the House and

recommending them for passage. Hopefully, we can still have all the necessary work done in time for January 1, 1988.

With respect to the employees, these are all valued people. They may not all be needed since the functions of the NTA are somewhat different from the CTC. But we hope to find places for them in other aspects of government work, or certainly see that anybody who does not stay with the new national transportation agency is well looked after.

Mr. Speaker: I wish to thank Hon. Members for their co-operation. There was a better response in Question Period today.

There will be one final question from the Hon. Member for Eglinton—Lawrence, and that will close off Question Period.

* * *

EXTERNAL AFFAIRS

MOZAMBIQUE AND ANGOLA—COMMITTEE CHAIRMAN'S LETTER TO MINISTER

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, as the Secretary of State for External Affairs well knows, a senior member of the Conservative caucus who is also a Chairman of a Standing Committee of the House of Commons, namely, the Hon. Member for Mississauga South, sent a letter recently to the Minister in which he declared that Canada should occupy by force and take over the sovereign and independent nations of Mozambique and Angola. I am wondering what the Secretary of State for External Affairs—

Mr. Speaker: I have to advise the Hon. Member that the Chair has some difficulty with his question. I have listened carefully to the question so far and it does not seem to refer to a matter with respect to which the Right Hon. Minister has jurisdiction. I would ask the Hon. Member to leave the matter with me. Perhaps we can discuss it and it may be appropriate to raise it tomorrow. In view of that I would ask the co-operation of the Hon. Member.

Orders of the Day.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee, and the amendment of Mr. Marchi (p. 7338).

Mr. Speaker: Is the House ready for the question? The question is as follows: Mr. Bouchard, seconded by Mr. McMillan, moves that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee.

And on the amendment of Mr. Marchi, seconded by Mr. Berger, that the motion be amended by deleting all the words after the word "That" and substituting the following therefor:

"Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be not now read a second time but that it be read a second time this day six months hence."

The question is on the amendment. Is it the pleasure of the House to adopt this amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more that five Members having risen:

Mr. Speaker: Call in the members.

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

[*English*]

• (1510)

(*Division No. 225*)

YEAS

Members

Althouse	Gray (Windsor West)	Malépart
Axworthy	Guilbault (Saint-Jacques)	Manly
Blaikie	Heap	Marchi
Broadbent	Henderson	McCurdy
Caccia	Hovdebo	McLaughlin
Cassidy	Jewett	Murphy
de Corneille	Johnston (Saint-Henri—Westmount)	Nicholson (Trinity)
Dewar	Kaplan	Nystrom
Dingwall	Keeper	Orlikow
Foster	Langdon	Ouellet
Fulton	Lapierre	Penner
Gagliano		Pépin
Garneau		Prud'homme
Gauthier		Robichaud

Rossi
Skelly
Tobin
Toupin
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NAYS

Members

Andre
Beatty
Bernier
Blais-Grenier
Blenkarn
Blouin
Bosley
Bradley
Brisco
Cadieux
Caldwell
Cardiff
Champagne
(Champlain)
Clark
(Yellowhead)
Clifford
Coates
Cochrane
Collins
Comeau
Côté
(Lac-Saint-Jean)
Crofton
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Daubney
Della Noce
Domm
Dorin
Duguay
Duplessis
Ellis
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
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Gagnon
Gottselig
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Gustafson
Halliday
Hamelin
Hardey
Hawkes
Hnatyshyn
Holtmann
Howie
James
Johnson
(Bonavista—Trinity—Conception)
Jourdenais
Kelleher
Kempling
King
Lawrence
Layton
Lewis
MacDougall
(Timiskaming)
MacKay
Malone
Marin
Martin
Mazankowski
McCuish
McDermid
McInnes
McKinnon
Moore
Mulroney
Nicholson
(Niagara Falls)
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Porter
Redway
Reimer
Roman
St. Germain
Schellenberg
(Nanaimo—Alberni)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Shields
Siddon
Sparrow
Speyer
Stackhouse
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• (1530)

Mr. Deputy Speaker: I declare the amendment lost.

Resuming debate on the main motion. Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: On debate, the Hon. Member for Winnipeg North Centre (Mr. Keeper).

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, it is wonderful to have a full House.

Some Hon. Members: Oh, oh!

Mr. Keeper: Mr. Speaker, I thought perhaps we would break with tradition. I know the importance of the legislation that is before the House and I know that each and every Member of the House is interested in this legislation. I naturally concluded that since everyone was still sitting here as I rose to speak, we would have a full House for this debate. I believed that that was true not because I am naive but because I thought the Government called the House back to deal with an emergency situation. Therefore, I expected that government Members would be here for the debate, and they were here for a moment.

Mr. McDermid: Look around you. Where are your colleagues?

Mr. Keeper: Of course, government Members have now fled. They have fled the Chamber—

Mr. McDermid: Let the record show that of the NDP, you are the only one in the House. Oops, sorry, Marion.

Mr. Deputy Speaker: Order, please.

Mr. Fretz: Mr. Speaker, I rise on a point of order. I believe that because of the Hon. Member's performance today, instead of having a full House, we have a royal flush as can be seen by looking at the House.

Mr. Keeper: Mr. Speaker, I will not try to top that comment. This is getting a little too *risqué* for my tastes.

I would like to address the legislation before the House because it is a very serious piece of legislation and it has very serious implications for Canadians and Canada's international reputation.

• (1540)

I want to tell you how I size up the situation we are facing today. We are here in an emergency sitting of the House in the middle of the summer to deal with a Draconian piece of legislation concerning refugees. Why? Basically because of the concern of Canadians over the fact that the refugee process is not working and the Government said this is our opportunity to recover our standing in the polls. This is our opportunity to take on the Liberals and NDP and come out on the winning side of public opinion. The Government has for so long been at the bottom of the opinion polls and out of favour with the public that it saw this as its opportunity. That is why the House was called back this summer. That is why we have this legislation before us.

We should remind ourselves of what the Government said before it came into office and how it acted after it was elected in order to evaluate what it is saying in this debate. When the Conservatives ran for office, they started out by condemning the Liberal Party and the Liberal Prime Minister, now Leader of the Official Opposition (Mr. Turner), for abuse of the patronage system. The now Prime Minister (Mr. Mulroney) criticized the Right Hon. Leader of the Opposition in debate and won public approval. Yet what did he do once he got into office? Exactly the same thing the Liberals did. He took the same kind of immoral and depraved actions regarding the patronage system that the Liberals did. He carried on with the same kind of activity he had condemned. That is the difference

between the promises and the actions of the Conservative Government.

We have a parallel in this situation. The Government is promising to fix the refugee determination process. Most Canadians have come to the conclusion that the process is not working. It is being used and abused by people who simply want to come to this country without going through the normal process. That is what so many Canadians find unfair. We all recognize that the process needs to be changed, that we need an adequate and just determination process. So the Government called the House back and brought forward its legislation.

Does the legislation do what it purports to do? It is clear that it does not. One thing it does do is to give the Government the opportunity to say it is coming down hard on the abusers. Of course it is, but in the process it is also tearing apart the democratic traditions of this country. We have heard from human rights advocates across this country. We have heard from representatives of the churches. We have heard Rabbi Plaut who did a thorough study of the refugee determination process. We heard the UN say that this legislation is going to put at risk the possibility of genuine refugees coming to this country. Therefore the legislation is not doing what it purports to do, that is, eliminate the abusers while at the same time allowing for a fair and efficient determination process by which genuine refugees can come to Canada.

In fact it breaks with a generous Canadian tradition of providing a sanctuary for those whose lives are threatened elsewhere. It threatens those who are struggling against the dictatorship in Chile and who are threatened with torture and death. It tears apart the Canadian tradition of sanctuary in the name of fixing a system that is not working.

Not only that, if passed by the House in its present form, which I doubt will happen, it will be torn apart in the courts. The effort will be wasted because it does not do what it claims it will do. It should be withdrawn and humane, effective legislation, which allows for the elimination of abusers while at the same time maintaining our compassionate and open approach to people who need sanctuary, introduced.

We call upon the Government to wake up and stop trying to rush this legislation through. It should realize we are not going to let this go through quickly because we want to make sure the process takes into account not only the abusers of the system but also the human rights of those who need sanctuary.

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, if you and I were to examine the mail I have received from one coast to the other, along with telephone messages in my constituency office, and I am sure it is comparable to that received by other Members, we would see that there are certain common features to the expressions of opinion which have arisen without stimulation from those on Parliament Hill. One of those features is that there has been no racism expressed by the people of Canada in their opposition to the ingress of what they see to be illegal immigrants to this country. Over and over again I have had it said to me that the concern of the population is not based on any consideration of race at all.

Mr. Keeper: None at all?

Mr. Stackhouse: None at all. The Canadian people cannot be accused of racism no matter what the Opposition, including the Hon. Member, may wish to suggest. The people of Canada are saying to us that, regardless of the race of the person concerned, he or she will receive equal treatment before the law and not special privilege.

The second feature is that they want fairness for all, including those who have been waiting patiently, not without frustration, for years in their attempts to gain legal acceptance in this country. The people of this country see what seems to be manifest unfairness in the possibility of someone gaining entry to this country by what appears to them to be a trick. They are asking Parliament and the Government of Canada to provide legislation which will make that kind of fairness possible.

• (1550)

Next, I find a concern among Canadian people for the rule of law. We are a law-abiding people. We are a people that have historically been characterized by a commitment to order as expressed by the laws of the country. It seems to people an utter affront to that tradition of law, that respect for order, that people at will, be it a large group or one or two or three, can somehow insinuate themselves into this country in a way clearly contrary to the demands of the law and the requirements of regulations. They are, therefore, asking us to provide the Government with the authority required to re-establish the rule of law in terms of refugees.

Further, I believe that the Bill before us should be supported, not only by the government Party but by every Member of the House, because there is clearly a demand from the people for action. They have been frustrated over an extended period of time as they have seen the laws broken, traditions flaunted, and unfairness apparently rewarded. We are told that they want some action. We are trying to hurry the Bill through the House but the Liberal Opposition wants to give it an extended examination, a six-month hoist.

We are faced with the utter dismay of the people of Canada at the prospect that once again they may be thwarted. They are appealing to us, and this Bill is an answer to that appeal, an attempt to give them action in the face of need. We have been called together to make a decision.

Along with that demand for action I take it from the mail and calls that I have received that there is an extraordinary but nonetheless impressive message from the people that they wonder if anybody is really in charge. They are demanding to know whether anyone is really in control of admission into the country. If you can just show up on a beach or at an airport

and somehow, without qualifications or credentials, find yourself in the country with *de facto* admission for one, two, three or perhaps five years, they wonder whether the Government really is in control.

I take that question very seriously. If the Government and the legislature of a country are not really in charge, in what sense are we a country? If we do not have control over our own borders, what kind of country are we? That is the situation to which we have come in recent times and which we are attempting to correct, and not with any lack of justice or compassion for those who legitimately merit the term and designation "refugee".

I am sure that all other Members, like myself, have read the Convention of 1951. It is clear from that document, to which this country has been a signatory and to which the Government, like others before it, is committed, that a refugee has designated, covenanted rights. The ambiguity arises over who is a refugee and who determines that. It is quite clear that the country itself determines that refugee status in accordance with the terms of the covenant and its historic application.

I submit to you, Mr. Speaker, that the Bill before us is in accordance with that and will stand the test of challenge. We have every right, indeed every duty as a Parliament, to put our *imprimatur* upon it and to make it the law of the land so that the Government, elected by the people, given a mandate to govern, will truly in this instance be in charge.

I am not unaware that this Bill, like any other that has been introduced in this House since 1867, might well be improved by this amendment or that. I think it would be approaching hypocrisy if either side of the House were allowed to suggest that there is nothing that could not be clarified, nothing that could not be refined. However, in debate on second reading we are talking about the principle of the Bill, the clear message, and of that there can be no doubt if we take the people of Canada seriously.

I am aware that the opposition Parties do not take the people of Canada seriously, that they are really elitist Parties that are with the people if the people are with them and their secret knowledge of the truth. I am appealing to them through you, Mr. Speaker, to listen to the ordinary Canadians, of whom they are apparently so fond, and take seriously what the ordinary Canadians are saying, namely, "give us some action, give us the rule of law, put the Government in charge again".

I have been impressed that the Liberal Opposition, for one, has opposed this Bill. It tried to give it a six-month hoist. I was impressed as well that less than a month ago the Liberals were saying that the Government was at fault because it had not turned the boat back. Now the Liberal Opposition wants to turn this legislation back. I ask them to be consistent, to be concerned, not about turning the boat back but about turning the clock ahead to today, to putting this nation in tune with the times, and to giving us legislation which can cope with this problem which is of this day and age.

The legislation and rules of the past are no longer adequate. To be fair to those who drafted them, they may have met the need then, but they do not meet it now. We have need for legislation which takes seriously an entirely unprecedented development. We have 12 million refugees in various centres in the world. We have frightening population pressures in various parts of the world. There are 5 billion people sharing this globe, many of them crowded into small conurbations—16 million, 18 million, or 20 million in a massed urban sprawl. We can appreciate that there will be great pressure for many years to come on persons to find new opportunities and to offer themselves as refugees when, according to the convention, they do not meet those criteria.

We have a need for this legislation. The Government was right to call this House back through the Speaker to deal with an emergency situation in an emergency way. I hope that we will see reason and pass the Bill.

[*Translation*]

Mrs. Lucie Pépin (Outremont): Mr. Speaker, I should like to say a few words about Bill C-55 and to support my party which considers that the bill provides no solution to the tragic situation and to the international problem raised by the determination of refugee status.

Instead of being consistent with the tradition of assistance to refugees Canada can be proud of, the provisions of Bill C-55 put a stop to any progressive initiative in that area. The proposed legislation does not allow for an accessible and quick mechanism for determination of the refugee status nor does it give sufficient protection through a hearing before a qualified board and through a fair appeal procedure.

The Liberal Party is opposed to Bill C-55 because it essentially provides for a new process for the determination of refugee status without taking into account the Plaut report and all suggestions made by organizations dealing with refugees.

If the Conservative Government is serious and honest about consulting those organizations regarding the reform of the refugee determination process, it should not try to pass legislation in which the basic principles of the future process are laid down.

Besides, this view is largely shared by immigration lawyers and many humanitarian agencies. There are, among others, the concertation group for refugees, SOS Refugees, the Civil Liberties Union, the *Société québécoise de solidarité internationale*, the Immigration Lawyers Association, l'*Association des juristes québécois*, the Inter-Church Committee for Refugees, the Standing Conference of Canadian Organization Concern for Refugees, Amnisty International and the Island Refugees Society of British Columbia.

As you can see, Mr. Speaker, the Liberal Party is not opposing Bill C-55 for the sake of filibustering. This is not a partisan issue but a matter of pure common sense. For instance, if you look at the pre-screening process, it builds up a wall all around the system that we claim to improve. The pre-

screening process is very discretionary and it prevents the full accessibility to the process.

As well, if you look at the Refugee Board, its proceedings are supposed to be non-accusatory, but it is the Crown Prosecutor who will put forward all the relevant facts. There will be an adversarial situation with an officer working for the Department. Where will he find those facts? From the pre-screening process? Why do we put together refugees and immigrants?

Of course, if you look at the appeal mechanism, that is the appeal with the agreement of the Federal Court, if the Court is unable to learn new facts, to re-evaluate the credibility of the claimant or to ask for the opinion of the NGO, it has no real power to review the procedure followed or the relevant facts. We believe that the quality of the system as a whole depends on that of the appeal mechanism. In addition, while the claimant asks for the right to appeal, he will be deported. This procedure is quite inhumane and could be unconstitutional under Section 7 of the Canadian Charter of Rights and Freedoms.

Mr. Speaker, I believe that Canadians have been misinformed. Racist feelings are on the rise in Canada, and such a Bill will exacerbate the situation instead of educating Canadians.

I believe that this is also the opinion of many Canadians. It is time to review the refugee determination process and to initiate an extensive information campaign on refugees. The great majority of Canadians do not know the difference between a refugee and an immigrant.

In the case of immigrants, the receiving country is entitled to set criteria and to accept only those who meet them. It is quite different for refugees. Canada has international obligations. Under the Geneva Convention, the refugee claimant is entitled to assistance. It is not a privilege. Most Canadians and many Members of Parliament are not aware of this. Many forget the political difficulties faced by many people in their own countries.

When you think about apartheid in South Africa, the military dictatorships and police repressions in many Latin-American countries, religious intolerance in Iran, the foreign invasion in Afghanistan, and so on, you are more willing to welcome those who fear persecution in their own countries and seek refuge in Canada.

As emphasized by Rabbi Plaut, compared with the magnitude of the global refugee problem, the task of recognizing the status of those who claim refugee status here, in Canada, is relatively small.

The information campaign which should be initiated should emphasize the economic contribution of newcomers as well as differentiate between immigrants and refugees. We have to put an end to the myth that foreigners are taking away jobs from Canadians.

Many economic studies dealing with immigration have shown that it is impossible to establish a cause-effect relationship between the number of foreigners admitted in this country and the economic situation. A number of economists maintain, however, that by increasing the number of potential consumers in a market, immigrants contribute positively to the economy. In short, it is our whole approach towards immigration which must be improved by increasing this openmindedness and generosity which have characterized Canadian men and women for so long.

This enlightenment of attitude which is urgent should go hand in hand with the reform of the refugee determination process. I feel that its implementation should offer the perfect opportunity to set in motion a refugee awareness campaign from coast to coast. This bandaid solution which the Conservative Government is suggesting today with Bill C-55 seems to be both useless and harmful. If it were adopted, I believe that the government, unfortunately, would delay reforming the refugee status determination process, contrary to what a great many groups involved with refugees are seeking.

In this Bill, Mr. Speaker, we cannot find any recommendation put forward by the special committee created to deal with Bill C-55. Although several groups appeared before the committee, unfortunately, we have the impression that the committee never existed. I wonder why the Government creates such committees. Is it simply for window-dressing purposes, when we realize that not a single recommendation made by this three-party committee which submitted a unanimous report appears in this Bill? I will say, therefore, that I have great reservations about Bill C-55 and will certainly vote against it.

• (1600)

[*English*]

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, today I believe this country is facing problems at many different levels which will not be solved by legislation such as Bill C-55. Our concern is and certainly should be about the increasing international problem of refugees. We have a responsibility to have some input into an international solution and to seeing that the oppressive Governments that are ignoring human rights face international disciplinary action so that people will be able to stay in their own countries where they want to be, safe and secure.

I believe all Canadians are proud of our country which has been built from the different ethnic backgrounds of people who have come here in various ways, including the refugee and immigration process. I believe we have also been careful to ensure that people remain in contact with their own cultures so that they do not deny their roots. This has enriched the fabric of Canada and certainly made us stronger.

The kind of legislation before us does not help to maintain the international image we have had over the years. While I did not think this would be the first Bill to which I would be

speaking in the House of Commons, I felt it was important that I share with Members of the House the experience I had when we called for our community to adopt and sponsor 4,000 refugees in 1979. While the Government of the day had a quota of 8,000, we challenged communities across the country to sponsor these refugees. There was an overwhelming response in the country and within a month the quota was changed to 50,000.

I believe all Canadians were very proud of the Indo-Chinese who came here, and I think the Government of the Right Hon. Secretary of State for External Affairs (Mr. Clark) and his Minister of Immigration, the present Minister of Communications (Miss MacDonald), certainly deserve credit for their action.

It is a tragic and sad day for our country to be faced with the legislation in front of us now. It partly results from the generous action that was taken in 1979 because the number of refugees coming to Canada began to increase. Of course, the cumbersome method of defining a refugee was in place, a very cumbersome method which has not been able to respond to the need. I do not believe there is any disagreement across the country nor in this House, from what I have heard, about queue jumping. No one wants anyone to jump the queue. Certainly those people who arrive on our shores legally are not queue jumping. The real problem is that the present Government has cut back on family reunification by 10 per cent. Therefore, people who have applied and have been waiting for many years in the proper way, through the proper channels, are feeling bitter and angry because the numbers have been cut back.

• (1610)

I am disappointed when I hear some Hon. Members refer to things they heard from their constituents which do not always encompass the most altruistic kind of feelings. I can be a witness to some of the letters and phone calls I received when we put forth Project 4000. They were not always very complimentary. Some things that were said were less than what we would want to hear from people. However, I think we countered that reaction by showing that there was the other part of Canadian society who opened their arms and hearts, showing their generosity and proving we have a better country today because those 50,000 refugees came to Canada.

I feel that what has motivated many of us strongly is that we realize we are not proud of our fathers and mothers who allowed the kind of legislation to happen—and a lot of it was not legislation but regulation—that said many Jewish people had to go back and be murdered because we would not open our hearts and arms to them.

In examining this Bill we can recognize that it is just as cumbersome. We are not allowing people who are declaring themselves as refugees to have even full access to counsel. Because of this there will be people who will have to go back to the country which will persecute them before we ever realize it what we have done.

I am sure some of that rationale was expressed in these very Chambers in 1939. I hope we will not be part of encouraging that kind of thing to happen again. Certainly reports that have come from non-governmental organizations, from the Standing Committee on Labour, Employment and Immigration and from Rabbi Plaut have all recommended things which I believe Canadians can live with and be proud of. What is really being said in those reports is that we want to have a fair and efficient system. We want to have a system where people can be heard, where they can be seen to have universal accessibility.

I was quite shocked to hear yesterday that people did not understand what universal accessibility was. All we are talking about is that it does not matter what colour one's skin is or what part of the planet one comes from, we are all part of the human family and should have the right to be heard. That is all we are saying. At the moment there are about 20,000 refugees in this country who have been here for four or five years.

Mr. McDermid: More.

Ms. Dewar: Yes, and probably more, because the process, has been so cumbersome. Because of this cumbersome process what we are going to do is to punish people who are running for their lives.

I come from a riding which has some very strongly committed volunteers who work day and night to help save the lives of some people from Central America. It seems to me that as these volunteers help to get these people into Canada, not only will they be seen to be criminals but certainly the people whose lives they are attempting to save will not be saved. I think that is something that is very serious. I do not think it is something that anyone in this country wants to have happen.

Surely the Government will recognize, through all the presentations made to it individually and through committee, that there is an easier way to accomplish what it wants to accomplish. I think today, the day we are speaking on this legislation, is the day to say to the Government that there is another way. We agree with the goals it is trying to attain but it is doing it in a very punitive way. Surely to goodness we are talking about a global village where we all live as part of the human family. We are saying that within that human family there are ways of dealing with each other's problems without causing chaos. Without causing chaos we can save each other's lives if we have legislation that is efficient.

I would heartily recommend to the Government that it withdraw this Bill. I believe we should begin to have a parallel system, one which deals with refugee determination efficiently and quickly as well as one which deals with immigration separately.

Right now the Canadian public is very confused about the chaos the system is in. I do not blame them for reacting the

way they are. However, I think the responsibility of this House is to ensure that we have a system that works, a system that is efficient, generous and fair, in the way most Canadians want their system to work.

Mr. Friesen: Mr. Speaker, I do not want to interrupt the debate but I just wanted to point out to Members that this was the maiden speech of the Hon. Member for Hamilton Mountain. I want to compliment her on it. I may not agree with everything she says, but I do compliment her on it.

Some Hon. Members: Hear, hear!

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Cochrane—Superior (Mr. Penner)—Indian Affairs—Post-secondary education assistance program; the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen)—External Affairs—Nicaragua—reported banning of Conservative Party. (b) Access to political prisoners; the Hon. Member for Hamilton Mountain (Ms. Dewar)—Employment—retraining of laid-off older workers. (b) Request for ministerial commitment.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read the second time and referred to a legislative committee.

Mr. Howard Crosby (Halifax West): Mr. Speaker, let me begin my remarks on Bill C-55 by recalling once more the chain of events which led to the recall of the Parliament of Canada from recess. Going back to August of 1986, Members will recall the arrival of 150 so-called Tamil refugees off the coast of Newfoundland. When that event happened, most Canadians were prepared to give the benefit of the doubt to the new arrivals and in that connection they were allowed to come into and remain in Canada. But what surprised a great many Canadians was the process by which these people entered Canada.

They were shocked in many cases to recognize and to understand, and to be told, that there was no real way these people, the so-called Tamils, could be prevented from coming into Canada or could be not allowed to stay here. This quite understandably led to a review of the refugee provisions. I think it is fair to say that that led the Government to construct the legislative provisions now contained in Bill C-55. It was introduced in the House of Commons in May, 1987. Some people say that it took too long a time, but who can judge the process? Sometimes legislation takes months, sometimes it takes years. The fact is that there was a Bill introduced in the House of Commons in May of 1987. It was debated and brought before the Members of the House of Commons on June 18, 1987. The representative of the Liberal Party, the Hon. Member for York West (Mr. Marchi), introduced an amendment at that time which would give the Bill a six-months hoist which would put it into oblivion. That amendment was supported by the New Democratic Party. We just voted on and defeated that amendment a few moments ago in the House of Commons. That is why we are here. It is because the opposition Parties did not want Bill C-55 processed.

That is what we are talking about in relation to refugees. We are talking about legal process. We are not talking about the status of individuals. We are not talking about the fear and pestilence that pervades many countries in the world. We are not talking about people escaping from persecution. We are talking about the legal process. This Parliament of Canada, this House of Commons, is responsible for the legal process in this country. However, what has happened is that we as Members of Parliament have abdicated that responsibility by moving amendments like the six-months hoist for legislative measures such as Bill C-55 instead of coming up with constructive legislation to deal with what is the real problem in the process.

That brings me to July 12, 1987 when there arrived on the coast of Nova Scotia 174 East Indians who entered Canada illegally and said: "We are refugees", and our system collapses because our system does not handle that situation. Why does it not handle that situation? Because once one is in Canada claiming to be a refugee then the legal process no longer works.

• (1620)

It was said that we were faced with our obligations under the UN Convention respecting refugees. I think Canadians were shocked and outraged to learn that under that UN Convention a person in Canada claiming to be a refugee is entitled, for example, to access to the courts and to legal counsel in connection with that access. They are even entitled to public relief. Article 23 of the convention states that the contracting state shall accord to refugees lawfully staying in their territory the same treatment with respect to public relief and assistance as is accorded to its nationals. Not only do we have to accept refugees under certain circumstances, we have

to open the public coffers and pay them money, provide them with assistance and legal aid.

We all consent to that. That has been the position of the Government of Canada. We uphold the accord. But surely we must have the right to determine who comes into Canada and who is a refugee. Surely such a process has to be put in place so that we will not be faced with people who decide that they are coming to Canada, that they are going to claim to be refugees, that they are going to take advantage within our nation, our territory and our home shores, of the UN Convention, whether or not they are escaping from fear of prosecution or difficulties in another country, whether or not they are prepared to tell us what has gone on in their past history that would entitle them to special refugee status in Canada. That is why Canadians are outraged. They want to know what is happening. They want to be in a position to render a judgment. When that judgment is rendered, and rendered effectively and properly, I am sure all Canadians will support it.

I am sure that all Canadians will welcome refugees into the country. I am certain that all Canadians will afford such persons every item listed in the UN Convention, every guarantee of freedom and of liberty. That is what we all want. But we want to provide that sort of assistance only after a proper legal process has been observed.

Anybody—Liberal, Conservative or New Democrat—who denies the outrage of the public in this situation is simply not facing the true facts. I have heard members of the Opposition stand in the House and accuse the Government of fanning public outrage in this case. That is nonsense—absolute nonsense. One wonders how they can hope to represent the people of Hamilton Mountain or any other constituency across the country if they are going to make accusations like that against the Canadian people who were genuinely outraged by this event.

What we are doing is responding to that concern after trying to calm the people after trying to say: "Listen, we can take some time to resolve this problem". That was not the mood of the Canadian people. They wanted parliamentarians back at their seats working on this problem. That was the only course of action that could be sensibly taken, which is the course of action that was taken. Anyone who does not want to sit in the House of Commons to try to resolve this problem here and now has no right, in my opinion, to be here in the first place. The people told us what they wanted to do and we are trying to react to it.

My friend, the Hon. Member for Scarborough West (Mr. Stackhouse), said it very well. He said that we are not here to write laws in stone. This is not Moses coming down from the mountain with the tablets. We are here to write laws of practical application to deal with real problems. We are here to cure the mischief that exists in our society and to try to do something about it. If we make a mistake, then we can correct it. We do not have to wait years or centuries. We do not have to wait for anybody else to tell us what to do; we can recognize our own errors. So we are looking at Bill C-55. It is an attempt to cure what is an obvious mischief in our system, that is, the lack of process in dealing with persons entering Canada and claiming to be refugees so that they can get the benefit of the UN Convention which we readily observe.

Bill C-84 has already been referred to committee. It is a Bill which is intended to rid us of the mischief of those people who would help people invade Canada under improper circumstances and profit by it. We now have to deal with Bill C-55 which will give us an opportunity to deal effectively, speedily and fairly with people who arrive at our doors.

People from Upper Canada often annoy us in the maritime provinces and the Atlantic coast. They sometimes think that we are a little backward. I want to point out to those people from Upper Canada that it is not easy to get an ocean-going vessel into a small place such as Pubnico Bay, a beach on the coast of Nova Scotia. It is more or less like flying an airliner into Malton Airport without consulting air traffic control and over-shooting it and landing in some small airport in some county town.

In order to get an ocean-going vessel to the coast of Nova Scotia at a point such as that one has to avoid all the normal sea routes and all the navigational aids and benefits as well as the Port of Yarmouth and the Port of Halifax. That is exactly what was done. So I say this to Hon. Members from Upper Canada. Do not be surprised when people from Nova Scotia say: "What the heck is going on here? We know that those people who arrived on that vessel were avoiding the lawful process by which people enter Canada. We know that they did not disclose their identity to the traffic controllers. We know that they strained to put the ship in that particular place. So it is no wonder that we are suspicious of those who are involved in this process, no matter what difficulties they faced at home".

How can we get rid of that suspicion? We can only get rid of it if there is a fair hearing at which the facts are disclosed. And what facts were disclosed? The facts that I heard disclosed were the tearing up of identity documents, allegations that did not fit the facts about where the group had come from, how they had arrived here and how they got off the ship and so on. By the way, it was never made clear whether there were 174 or a great many more aboard.

I am well aware that bad cases make bad law. I think that is something that we want to avoid. But I marvel at my colleagues in the Opposition who talk in general terms about refugees and who talk in general terms about immigrants and who do not want to come to grips with the mischief that exists in Canada, that is, people seeking to enter Canada illegally.

We talk about fairness in our system. In 1986, the following immigrants entered Canada. There were 7,000 from the United States; 6,800 from India; 6,400 from Vietnam; 5,800 from Hong Kong; 5,100 from Poland; 4,900 from Great Britain; 4,400 from from Jamaica; 4,100 from Philippines; 3,600 from Guyana; and 3,000 from El Salvador. Does that

sound like racial prejudice? Does that sound as though we were trying to exclude people from some areas and not admit people from others? That sounds like a pretty fair distribution of 50,000 people to me. Yet what does *The Vancouver Sun* state? It states: "PM's recall has taste of racism". I want to tell the editors of *The Vancouver Sun* that there is no racism involved in this issue. There is fairness to all Canadians involved, as well as fairness to refugees and, in particular, fairness to the immigrants who are already in Canada.

I have people in the Punjab right now who want to come to Canada through the legitimate process. I have a heck of a time with the Minister of State for Immigration (Mr. Weiner) and the Minister of Employment and Immigration (Mr. Bouchard) trying to get permission for a visitor's visa for these people. So do not tell me about racial prejudice. We want to talk about fairness, not prejudice. We want fairness. We want fairness for the people in the Punjab who want to come to Canada now. What we all fear will happen out of this is that if we do not achieve a proper process, if we do not achieve a fairness, then there will be a backlash against all immigrants. People will say: "If you cannot establish a decent process, a fair process, to bring refugees and others into the country, then do not bring anybody in. Keep them all out".

If we scratch the surface we often find, unfortunately, that there exists discrimination. But our job as parliamentarians is to ensure that we have a fair system, that we have a good system, that we have a system that will be observed by all people so that there will not be any discrimination. It is the system that prevents discrimination. The people cannot be changed but they can be made to observe a system. That is what we are trying to do with Bill C-55. I believe we are well on the way to having a fair system with this Bill, but we need some help and support from all Members of Parliament and all members of the public.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the last intervention by the Hon. Member for Halifax West (Mr. Crosby) as well as the earlier intervention by the Hon. Member for Scarborough West (Mr. Stackhouse) were a mix of rhetoric and good intention, as well as confused notions about what is the real intent, thrust and purpose of this Bill.

It was disappointing that the Chairman of the Human Rights Committee, the Hon. Member for Scarborough West, would develop a speech the way he did without bringing forward in his capacity the importance of ensuring protection for asylum seekers, legitimate asylum seekers, who are, I am sure, one of the main preoccupations of the committee which the Hon. Member chairs.

• (1630)

The Members opposite are aware of the preoccupations that stem and flow from this Bill. They know that there are serious flaws in this measure. There are flaws in the pre-screening system and the process itself, the safe third country concept, the refugee board, the appeal system, and other aspects. This measure has been put together without taking into account the important principle to which Canada has adhered for decades and which has been recognized by the United Nations, that is, that asylum seekers who are in need of protection must be protected and given an opportunity to apply.

Perhaps this may sound partisan coming from a member of the Official Opposition. I wonder if the Hon. Members for Scarborough West and Halifax West realize that one of their colleagues, the Hon. Member for La Prairie (Mr. Jourdenais), who is the Chairman of the Standing Committee on Labour, Employment and Immigration, himself expressed some serious criticism of this very measure in this House as recently as five days ago. He stated it in the following terms:

> —the Government intends to tighten the admission of refugees via Bill C-55, which will guarantee that the process remain arbitrary, confusing, and endless.

He further stated that the changes in the refugee determination envisaged and proposed by Bill C-55 are such that it would be practically impossible for a great number of legitimate refugees—note the word "legitimate"—to apply for refugee status. This was not said by a member of the Opposition, but by a member of the Government, one who is knowledgeable about this matter because of his role as the Chairman of the committee that studies matters related to immigration.

The same Member also commented that other rational and appropriate solutions to this problem exist, solutions that would not break an international agreement on refugees and could not be challenged in court on the basis of the Canadian Charter of Rights and Freedoms. Note the words that this measure in Bill C-55 contains sections that could be challenged in the courts. Unless it is modified, this measure could end up in the courts. This would tie up the Government in lengthy hearings because of badly drafted and poorly thought out legislation.

The Hon. Member for La Prairie also stated:

> The best way to put the smugglers out of business is to dry up the demand for their services. The best way to stop the queue jumping is to shorten the queue. In short, if we want more orderly borders, we need more liberal borders.

It was courageous of the Hon. Member for La Prairie to issue a press release on this matter in which he commented on Bill C-55 and described it as follows:

> It proposes a series of changes to the refugee determination process which would make it almost impossible for many genuine refugees to make a claim, and is in probable violation of both the UN Convention on Refugees (which we have signed and ratified) as well as our own Charter of Rights and Freedoms—

That sums it up, Mr. Speaker. That will explain why we on the opposition side put forward an amendment to hoist the measure entirely, in order to convince the Government that a clean alternative had to be introduced. That would not have been necessary if the Government had indicated that it would be willing to make certain basic changes of the type pointed out by the Hon. Member for La Prairie. Unfortunately, that did not happen.

It strikes me as curious in this debate that an element of urgency was created last week by the Government on the necessity of moving the Bill through the system as quickly as possible. In one month, it will be three years since the Government came to power. In 1984 and 1985, the Government also had the benefit of studies on the question of refugees and also of the Standing Committee on Labour, Employment and Immigration which produced a substantial amount of information and advice upon which to draft a Bill that would meet the needs of the situation. Yet the Government took until May of this year to introduce this Bill. The Bill then sat on the Order Paper after first reading. There was no sign of urgency and no panic, everything seemed to be calm. On June 17 the Bill was brought forward for debate for three hours, and that was the end of that Bill. It was not seen again.

Mr. McDermid: What did the Liberals do?

Mr. Caccia: Because it was so badly flawed, and because the Liberals put forward such good counter-advice on how to improve it, the Government withdrew and did not know what to do. Instead of having the honesty and saying, "There are some areas where changes can be made, give it second reading and we will get it through", and also instead of listening to the advice of its own members of caucus—the Hon. Member for La Prairie is a very reliable source—why did the Government not listen to the advice by the Chairman of the Standing Committee on Labour, Employment and Immigration? Why did it take almost three years to come forward with this piece of legislation?

Finally, we are facing this notion that we must move very quickly. The Government could have saved itself days of debate. It could have saved itself these exchanges, which I hope eventually will make some impact. On this side of the House we have repeatedly brought to the attention of the Government the flaws of this Bill and the importance of this Bill being written in such a manner that it will not be challenged in our own courts because it infringes on the Charter. That business concerns everybody. It is a very important matter. It is also important that we ensure that Bill C-55 take into account the important principle that we want to make it possible for asylum seekers in need of protection to be able to apply in this country. It has been done in the past. We are willing to support the changes that are within these basic principles. We know that it can be done, and we insist that the Government introduce the essential amendments in order to make it a viable piece of legislation that can be supported by all Canadians.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, when reflecting upon what has been occurring in the House over the last few days, there are many, including myself, who are puzzled by the events which have transpired over that period of time in view of the history of the matter that we are deliberating.

• (1640)

It is perfectly clear that there has been a great deal of concern in the country that our refugee determination process was open to abuse and subjected to abuse. There have been a variety of reports on the issue going back three years. We have had the Plaut report, the Robinson report, and two reports of the Standing Committee on Labour, Employment and Immigration, all of which addressed the issue within the context that the refugee determination process as it exists now has been dragged out for so long that that in itself invites abuse.

There has been within Canada not only a clear consensus that the problem exists, but a clear consensus about the cause of the problem and the solution. This has been going on for quite some time, and it went on without any action by the Government until late spring.

With a history of inaction, we are suddenly brought back to the House of Commons on an emergency basis to deal urgently with an issue, the solution to which was clear and has been clear to everybody for a long time. Therefore one would have thought that in a matter of this sort, involving as it does extremely important human and humanitarian issues, the House of Commons, this Parliament, with the co-operation of all sides could have been able to act on a consensus about the solution to the problem we are here to address.

This raises questions. In view of this consensus and the identification of the problem and the solution, what has been the behaviour upon getting back here? The Government introduced Bill C-55. It also introduced Bill C-84. If one looks at what has happened here and tries to measure what the Government and Members on the government side have been involved in, one has to be deeply suspicious about the fact that we were called back here in the middle of summer to address a matter which could have been addressed a long time ago. When one listens to the rhetoric, one is really inclined to identify something on the government side other than a pure determination to address the problem which all Canadians have identified.

We have heard screams and complaints of queue jumping. We have heard allegations of reverse racism. We have heard intimations that we who have questions about the particular legislation before us are accusing the Government of racism in questioning it.

Let me just give an example. The Hon. Member from a riding with an extremely long name, the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen)—

Mrs. Sparrow: It is a nice name.

Mr. McCurdy: It is a beautiful name, but it is excessive in its verbiage. Just the other day we heard him say that the Leader of the New Democratic Party had reflected upon a previous incident involving Sikhs landing on Canadian shores, and the Hon. Member, having identified within that elements

of racism, documented by all historians since that time, was accusing the Government of racism because this Bill and Bill C-84 were somehow related in a racist way to the landing of the Sikhs in Nova Scotia.

Those of us who understand the battle against discrimination and the expression of racism understand that in the absence of specified and regularized procedures with clear guidelines and opportunities for appeal, all of which elements are absent from Bill C-55, a situation is created in which individuals have an opportunity to express personal views and attitudes that could be prevented by appropriate provisions in the legislation. That is in no way to be interpreted—and I would say it would require a deliberate interpretation to see it in any other context—in a malevolent way.

Let me make a plea. The Government has submitted Bill C-55 as its solution. It is contrary in significant elements—in respect of the screening process, in respect of the concept of a safe third country, in respect of the inadequacies of its appeals and in other respects it is deficient as compared with other propositions which have been advanced. We know that the Canadian Council of Churches, the Canadian Labour Congress, and the Canadian Civil Liberties Association—a whole host of organizations interested in the refugee determination process; respectable, thoughtful, concerned Canadians represented by a variety of organizations—see the Bill as defective in significant respects.

If one looks at the suggestion of the Canadian Council of Churches, which is identical in significant elements to the proposition advanced by the Standing Committee on Labour, Employment and Immigration, one sees that it makes it possible for everyone who would claim refugee status to have access to the determination process. It meets the requirement for appeal, eliminates the notion of a third safe country, and provides at the same time that the whole process will be over in a matter of months. Indeed, it can be argued that the Government's proposition would be more time consuming in its implementation.

My plea is a simple one. Let us recognize that there is a consensus within the House on the need for a rapid and fair determination process which will eliminate abuse. Let us set to work constructively in committee to consider amendments which will strengthen the legislation. Let us do this as parliamentarians, let us do this as Members of this noble House, and let us do this as Canadians concerned as much with abuse as we are with fairness and humanitarianism.

This should not be too much to ask. Commensurate with that proposition, I would seek from the Government an undertaking that it will not eliminate from its appointees to the legislative committee, if that be the case, those people who have not adhered to the rigid line of opportunism which the Government has struck. Bring back the Hon. Member for La Prairie (Mr. Jourdenais). Bring back those others who have given careful consideration to the issue. Let them join with us in constructing legislation which will be universally accepted by Canadians, which will meet the issue of abuse, which will ensure the fairness that the vast majority of those not given to excessive rhetoric would support.

Mr. Alan Redway (York East): Mr. Speaker, I appreciate the opportunity to say a few words in respect of Bill C-55 which deals with amendments to the refugee determination process.

I appreciate the opportunity because I, like most Members of Parliament—and in fact I suspect that it would be all Members of Parliament—have spent this summer being deluged by telephone calls, by letters, and by personal visits from constituents in connection with the arrival on July 12 of some 173 men and one woman on the shores of Nova Scotia. The message I got, as I am sure all Members of Parliament did, was that my constituents felt that these arrivals were queue jumpers and gate-crashers. They felt that they had butted into the line-up. Canadians have all at one time or another experienced being in a line-up and having someone try to get in in front of them. By and large, we do not like that sort of thing. There was a feeling that these people were butting into the line and that in that sense, they were illegal immigrants.

• (1650)

Another message came to me as well and that was a message of concern for the security of Canada. I suppose that was underlined by the Senate special committee report on terrorism which was released, interestingly enough, during this period of time. That report said that our present refugee process constituted a gaping hole in the security of Canada. It was that sort of thing that caused another outcry from my constituents.

I found it very interesting to note which constituents that message came from. The first group it came from was a delegation of the families of the survivors of the Air India crash. They expressed to me concern about the possibility of a gaping hole in our security system caused by the refugee process.

The second group that expressed concern to me came to me just as Parliament was recalled and I was on my way back to the House of Commons. This group was composed of representatives of the Sicilian community. In my constituency, there are about 10,000 Canadians who came originally from the Pachino area of Sicily. They too conveyed the message to me that they did not want potential terrorists getting into Canada through a leaky refugee determination process.

The message came to me as well just today when I received, as I am sure did other Members of the House of Commons, a letter from the President of the Hindu Federation of Canada. He as well expressed that same concern about the gaping hole the refugee determination process leaves in our security system. The message has come to me and to other Members of Parliament from many, many sources. We have heard not only about the need to do something about queue jumpers and gate-

crashers but also about the need for plugging the security holes in the process.

By and large, the people who communicated with me said that we should ship those who arrived illegally back immediately and if we are not going to ship them all back immediately, we should detain them and then ship them back. However, I got the sense, not only from the people who called me and came to visit me, but from the people in my constituency that there was another message there. That message was that we are prepared to see genuine refugees enter Canada, no question about that, but we do not want people using the process in order to butt in and get ahead of people who have been following the rules and waiting for years to enter the country legally as immigrants.

In my view, the reason that people decided there was a group of people trying to enter the country illegally revolved around the fact that every morning and every evening when they turned on their radios or television sets or when they picked up their newspapers, they were getting reports of people who had waded ashore not at a regular port of entry but at a fishing town on the coast of Nova Scotia. They were getting reports about people who did not present their passports when they came but ripped them up on the beach. They were getting reports about people who asked news reporters where they could catch the next bus to Toronto or Montreal. They were getting reports that alleged that some of them were saying that if they were ordered to kill, they would kill.

The people were not getting the other side of the story from the press or the media. They were not being told of the true meaning of refugee status. They were not being told of the distinction between a refugee and an immigrant. They were not getting the message that we were bound by the Geneva Convention, which we had signed as far back as 1969, to accept legitimate refugees and not to turn them away. They were not getting the message that in 1985, the Supreme Court of Canada had decided that anyone who is physically present in this country, whether here legally or illegally, is entitled to all the protection of the Canadian Charter of Rights and Freedoms. Those rights and freedoms, of course, include the right not to be held improperly and without just cause, the right to bail, the right to counsel, and the right to a fair oral hearing. All of those things flow automatically to those who are in Canada, legally or illegally, claiming refugee status.

I found it to be most unfortunate that the media and the press were telling only one side of the story. I do not want to say that that was universal, but by and large that was so. It is understandable, then, that after hearing only one side of the story, Canadians would get up in arms. It is understandable, after hearing only one side of the story, that they would not give us much time to try to explain the other side of the story to them. Indeed, it is not an easy story to explain. It is complex and involves many different steps. When one has made up one's mind in advance because of stories read in the newspaper or seen on television, it is very difficult to accept the comments of a Member of Parliament or a constituency assistant who is trying to tell the other side of the story.

That, of course, led to the Government introducing Bill C-84 and to the debate we are having today on Bill C-55. This whole process is designed to speed up the refugee determination system, which has resulted in a backlog of something like 20,000 cases. In speeding up that process, the whole idea with which everyone agrees, whether in Opposition or Government, is to reduce the amount of time people who are not legitimate refugees are in the country and, by reducing that amount of time and sending them back when it is decided that they are not legitimate refugees, to discourage others from coming. The idea is to set up a system that is fair and equitable.

In order to set up such a system, the Government introduced in February of 1987 some control measures. Those control measures were introduced at a time when the flow of refugees was about 1,200 a week. Those control measures cut that flow down to about 500 a week, and this legislation has now tried to put in place something that will replace those temporary measures with a fair system with which Canadians will agree, a system that will allow legitimate refugees to enter the country but at the same time discourage queue jumpers from entering Canada.

[*Translation*]

Mr. Deputy Speaker: It being 5 o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

• (1700)

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

FOOD AND DRUG REGULATIONS

SUGGESTED DRUG CONTENT LABELLING

Mr. Murray Dorin (Edmonton West) moved:

That, in the opinion of this House, the government should consider the advisability of amending the Food and Drug Regulations in order to require the labelling of all drugs, irrespective of their intended use, in a manner that would include a quantitative list of all medicinal and non-medicinal ingredients.

He said: Mr. Speaker, my main purpose in presenting this motion to the House for debate is to gain the support of my colleagues, and alert them to the difficulties faced by many Canadians, young and old, who take prescription and non-prescription medication without knowing its complete contents. This is a very serious matter for a person with a known allergy to or low tolerance for a certain substance. In some cases people wish to avoid a substance because they know it causes them to suffer adverse reactions. In other cases, people have experienced an adverse or allergic reaction and a list of ingredients on the product label will establish which substance caused the reaction. That way the substance in question can be

avoided in the future. By labelling all ingredients in drugs a person can determine which product contains the offensive substance and can avoid that product. I consider this to be basic information.

The arguments are probably similar in some ways to the debate which took place when the Government introduced a similar requirement for foods in 1976. Many of the arguments faced by the Government in opposition to that labelling apply to my motion as well. Some of the fears were that labelling would reveal a company's secret recipes to the competition. Consumers would not utilize the labels because they would not bother to read them or, if they did, they would not understand the terms. As well, it would be costly and difficult to list ingredients on food packages. None of that happened. In fact, the consumer has greatly benefited from the introduction of food labelling legislation.

In linking food labelling to my motion I wish to point out that the April 27 issue of *Maclean's* magazine featured a cover story entitled "Food That Can Kill". It is evident that many of the arguments put forward in the debate over food additives also apply to my motion. The article indicated that sometime in late 1964 breweries in Quebec began putting increased amounts of a chemical called cobalt sulphate into beer. It had been used for several years to make the foam on a glass of beer last longer. However, during the next six months 48 beer drinkers in Quebec became ill and 20 died. It was the most dramatic episode in Canada so far in what has become a worldwide debate over the safety of chemical additives. We do not want anyone to have to die before making mandatory the labelling of all ingredients in drugs.

The article went on to say that individually additives may be okay, but taken together with other chemical or nutritive factors they may cause adverse reactions. It said that scientists cannot be sure that all food additives are safe because not enough is known about how they react in the body with chemicals, pesticides and insecticide residues, prescription drugs, cosmetics and other foods. I firmly believe the Canadian consumer has the right to know what a drug product contains, be it prescription or non-prescription, when they buy it or use it. This applies to all drug products which are taken internally.

A drug is not dangerous on the store or pharmacy shelf but it can be potentially dangerous when taken by a person who cannot tolerate certain substances. Studies have shown that people do read labels in order to avoid undesirable components in products. People do experience serious side effects and severe allergic reactions. Some such adverse effects could have been avoided had the person had the opportunity to read the label on the medication and find a pharmaceutical product without the agent they need to avoid.

I must pause here and give credit to the key organization responsible for my presentation of this motion for debate. The Allergy Information Association made available to me extensive material and documentation on reactions to various substances. Normally I would not actively call attention to an organization. However, in this instance I believe it is important for me to set out in *Hansard* the address of this organization so that many people who suffer from various allergies or low tolerances to certain substances can contact the association for assistance and support. The Allergy Information Association is located at 25 Poynter Drive, Suite 7, Weston, Ontario, M9R 1K8, telephone (416) 244-8585. I do not want this to sound like a commercial but I believe many Canadians will appreciate knowing of this association if they have or suffer from allergic reactions.

In giving credit to the AIA I should also point out that this motion touches me closely personally. As many of my colleagues know, I am the father of young twins. Unfortunately they suffer from many allergies to various substances. My wife and I have spent many restless days and nights trying various prescription medications to determine those which the children could tolerate and those to which they had a reaction. If the information was readily available, it could have saved us a lot of suffering. My son is also asthmatic, which further complicates the use of medication.

I would also like to give a great deal of credit to Dr. Ed Napke, chief of the Product Related Disease Division, Bureau of Epidemiology, Health Protection Branch of the Department of National Health and Welfare. Dr. Napke provided a great deal of information in preparation for today. He has been working in this field for 20 years and I consider his expertise and knowledge of great benefit in addressing this issue. I would particularly like to use a quotation of his which is:

> Man is a walking test-tube. Each time a chemical is added or subtracted the balance may be upset.

This statement seems to validate beyond question my argument for the passage of this motion.

I should start with a simple definition of a drug. A drug is any substance of therapeutic, diagnostic or prophylactic indication, including medical devices and objects such as an IUCD. An adverse reaction is any action which is not of therapeutic, diagnostic or prophylactic benefit to the patient. I must also define the term "excipient". Medications are composed of two types of ingredients, usually termed the active and non-active. The active ingredients are, for therapeutic purposes, the *raison d'être* of the drug. The inactive ingredients are more properly called excipients. They are those things used as coaters, binders, fillers, colourings and flavourings. They were originally termed inactive because they were considered inert, not adding to or affecting the intended action of the active ingredient.

The actual incidence of adverse drug reactions in the general population is not known. The incidence in the institutionalized population has been obtained from surveys of hospitalized patients where the prevalence ranges from 6 per cent to 15 per cent. In addition, 3 per cent of admissions to acute care hospitals are attributed to adverse drug reactions. Fatal drug reactions are, thankfully, quite rare.

I would have liked nothing better than to come to this House this afternoon prepared with specific numbers of Canadians who have suffered or been treated for an adverse reaction to either a prescribed or non-prescribed drug. I would like to have come prepared with exact cost figures indicating the amount of money adverse drug reactions cost the Canadian taxpayer each year. These figures would have made the Government and my colleagues realize the seriousness of this motion. Unfortunately, it is almost impossible to obtain such data.

It is indeed sad that adverse drug reactions are not well identified and, when they are, are not well reported or analysed as to their bases. While I give credit to the federal Government in studying the various aspects of adverse reactions through the adverse reaction program of the Health Protection Branch, it is more and more evident that more needs to be done. The incidence of drug adverse reactions in hospital patients varies, according to the intensity of monitoring, from a low of 5 per cent to a high of 35 per cent. As many as 5 per cent of monitored patients may suffer from drug adverse reactions, or DAR, on admission to hospital, while more than 3.5 per cent of in-hospital deaths have been drug attributed. Those figure were taken from an article published more than 10 years ago. It is highly possible that the number is higher now because our society seems to be using more and more drugs.

In recent years it has been established that at least some adverse drug reactions are caused by the excipient rather than the therapeutic ingredient. Therefore it is important that the Government take action to require the labelling of all drugs which would include a quantitative list of all medical and non-medical ingredients. In other words, the label would contain both the active and excipient ingredients.

• (1710)

I can quote specific medical cases here but it would prove pointless unless everyone listening had a medical background. I see one or two doctors, but they are in the minority.

Mr. McDermid: But they add a lot of class to the place.

Mr. Dorin: The onus seems to be on persons suffering the allergy, reaction or low tolerance to a substance to determine which products they can and cannot consume. The labelling of food has made this easier and much safer. The labelling of all drugs will have the same impact. It will make the choice easier and safer for the consumer and patient.

To bring this debate to a non-medical level let me say that colouring agents are probably the best studied and most common causes of adverse reactions in excipients. As well, one of the most common food allergens is milk. Many people, including one of my twins during the early stages, suffered from a lactose intolerance. Corn is also a common element causing an allergic reaction. Both these substances are often used as fillers in various medications.

Many pharmaceutical products contain the gluten of wheat, usually as an inert excipient in capsules, tablets and suspensions. I am listing here but a few of the more well known substances which cause reactions in many Canadians. There are many others used in many products, but their names may not be so familiar.

Polyethylene glycol is used in many drugs and in products such as shaving lotions and milk shakes. Alcohols in pharmaceuticals are inappropriate for patients such as children and alcoholics. Alcohol is known to produce a synergistic effect with other medication. Therefore, an alcohol-containing medication should not be taken in conjunction with a medication which interacts with alcohol. Since the content of alcohol in medications is unknown, adverse reactions and lack of therapeutic benefit can result.

Celiac disease is a condition whereby wheat, rye, barley and oats and their products cannot be tolerated by the body. As drugs have fillers, it is important to know what the drug contains on the outside as a coating as well as in the inside as medication. I am fortunate enough to have become aware of this disease through the Edmonton Celiac Association.

The public is now aware of the fatal association of aspirin—acetylsalicylic acid—and Reye's syndrome. The public is probably not aware that many medications contain acetylsalicylic acid as an ingredient.

Many drug products have propylene glycol as their solvents. How many other "active ingredients" are stigmatized as causing or being associated with hypertension, cardiovascular collapse or even sudden, unexplained fatal reactions? The list is unknown since far too often the full formulation of the product is unknown except to the individual manufacturer and a few governmental drug agencies.

Similarly, metabisulphite, a common preservative in Canada in food, drink and drugs, has been found to cause acute asthmatic attacks in chronic asthmatics. More recently this preservative, used in certain intravenous products, has caused respiratory arrest in patients. Presently, inasmuch as these compounds are classified as "inactive", manufacturers are not required to list them on the product label. This makes it virtually impossible for a person to know whether he will have a reaction to a certain medication even if that person knows he or she has a low tolerance level or allergic reaction to a specific substance.

Information concerning the occurrence of these common additives in medications is virtually impossible to obtain. Specifications of dyes, preservatives, fillers, binders, lubricants, glidants, disintegrants, coatings, flavourings and sweeteners, is lacking. The care of patients sensitive to excipients is far more difficult without information on these additives.

The excipients and additives in drug formulations have been described as inert because they do not have an active role in the prevention or treatment of particular ailments. This has led

to the misconception among physicians, pharmacists, drug manufacturers and the public that they are harmless and unworthy of mention. In fact, pharmacists are allowed to substitute drug formulations without regard to the excipients as long as they ensure that the active ingredients in the substitutions are the same as those in the formulation prescribed.

The Canadian public deserves to be better protected. The United States has legislation requiring complete labelling of some food, drugs and cosmetics that incorporate more than one ingredient no matter how innocuous the constituents are believed to be. I refer not to voting constituents this time, Mr. Speaker.

In Canada drug manufacturers are not even required to share this information with physicians or pharmacists when they introduce a new drug or reformulate a product already being marketed. Nor are pharmacists required to disclose the contents of formulations which they prepare in the absence of commercially available products.

The third stream of activity that has contributed to physicians and the paramedical professions not knowing or being aware of the product formulations is industry. Industry in the past has refused to reveal its formulations and know-how to the professions for a very good reason, namely, rivalry in business. However, with modern techniques most trade secrets can soon be unravelled whilst others can be patented. Therefore, the complete formulation should be made known to the health professionals and the general public.

In fact, the Government's Bill C-22 will provide much greater patent protection for the pharmaceutical industry and, unknowingly, the Bill actually strengthens the argument for my motion.

At one time the pharmacist and the physician did know what the excipients were in a product. There once was a time when pharmacists compounded the product and could, with some reasonable assurance, tell physicians what their patients received chemically as far as that product was concerned. Today that is not the case.

The modern pharmacist, for all his declared interest in becoming a drug information expert, often has very little knowledge, or none, of the excipients, colouring matter, particle size, et cetera, which make up a particular drug product. How can he? Sometimes even the manufacturer does not know for the manufacturer may be using a colorant or other additive which was purchased under trade name from another firm. This makes a very strong case indeed in support of the labelling of all ingredients for drugs.

One very important point in this debate—perhaps the most important factor over-all—is that the patient is at multiple risk. He suffers an ill effect, an "active" ingredient is consequently denied him and, on the other hand, a non-active ingredient which is the unsuspected culprit may show up again in the next medication he receives and produce the same unwanted reaction once more. It is conceivable that the patient might be denied proper treatment because of his reactions to unknown ingredients.

The key element in this entire speech is that it is impossible to trace or test for allergic reactions or to treat for allergy without a complete list of excipients. The medical profession cannot treat a patient when they do not know what substances compose a drug and they cannot determine an allergic reaction to a product when they do not know what the product contains.

During the month of June there was a great deal of debate in this House on the issue of unborn foetuses. In this regard it is important to note that the developing foetus or neonatal individual is particularly susceptible to the toxic effects of drugs and other chemicals. The foetus is the unwilling recipient of whatever the mother ingests, inhales or applies to the skin.

More recent studies have confirmed a continuing high drug use during pregnancy. One study reported that women took an average of 15.6 drugs during the course of their pregnancies. This figure represents 6.4 prescription drugs and 3.2 over the counter medications during the pregnancy and six additional drugs during labour and delivery. Despite public awareness of the tragedies associated with drugs such as thalidomide and alcohol, the publicity warning pregnant women to avoid the unnecessary use of drugs during pregnancy has been ineffective.

In closing, I should note that for the manufacture of a new drug identification number Canadian drug regulations require that all submissions contain a quantitative list of ingredients including colouring agents. Although such information is regarded as confidential, the Health Protection Branch has been instrumental in bringing the consumer, physician and manufacturer together in difficult cases. This work by the HPB is to be commended but it certainly does not go far enough.

I am certain every Member in this House has many constituents who suffer from allergies, whether to certain drugs or certain foods. This motion, while directly benefiting a minority in Canada, will indirectly benefit each and every Canadian by enabling the consumer to make the best choice with the greatest amount of relevant information. I urge all Members of this House to support the motion.

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte Marie): Mr. Speaker, in the first place I would like to commend the Hon. Member for Edmonton West (Mr. Dorin) for his proposal. In view of his eloquent and positive presentation and explanation of the matter, technically and otherwise, I think that any Member should support such an initiative, unless there is contrary evidence from the so-called experts. No only has the Hon. Member proved the importance of information brought forward by the Allergy Information Association, but he also quoted from personal experiences, personal cases.

I believe that often it is that kind of specific initiative that forces Governments, of whatever political stripe, to change something.

Unfortunately, it is too often left to some abstract individuals to develop policies, from some building in Ottawa or Hull, on the sixth floor, and often those people do not have specific field experience or are not aware of the impact.

First, I think it would be important to explain the thrust of the motion: it would urge the Government to bring in amendments such that each drug is labelled with a list of all ingredients. Currently medicinal ingredients are listed, but all the non-medicinal ingredients in that drug should be listed so as to inform people of the impact the drug they are taking could have on someone suffering from allergies.

On the other hand, as I told the Hon. Member earlier when he enumerated a series of learned terms only used by doctors because of their training and written on the labels of drug containers and boxes, the vocabulary used by doctors is of no help to the layman.

I therefore believe that the Hon. Member should ask that the labels for every drug include directions for use not only in technical or medical terms, but also in terms that can be understood by the public.

I believe that we should take this opportunity to ensure that all information given on pharmaceutical or food products, and this include dosage, directions for use and ingredients, be printed in large readable characters. There are thousands of senior citizens in Canada who have to take medication because of age or illness, but unfortunately, to save money, the drug companies write the directions for use in virtually unreadable print.

I am in full agreement with the motion of the Hon. Member. If we do not force companies to make their directions easy to read, we shall not meet our objective. I believe however that we should add to the motion that directions for use should be written not only in understandable terms, but also in easy to read characters.

Mr. Speaker, I trust that this motion will receive the support of all Members of this House and that it will be agreed to as quickly as possible because, as the Hon. Member has shown, some companies are saying that they are against such an amendment as their formula could then be copied by competitors. We know what it means when people are afraid of being copied! Others say that it would be too costly. I find this unacceptable.

The first duty of Parliament must be to protect the life, health and welfare of the public. We can think about the cost later. These companies are making a lot of money. It is unacceptable that we, Members of the House of Commons, whatever our political stripe, should give in to blackmail for monetary reasons.

I somebody needs a drug, it is a matter of life and death. A healthy person does not need any drugs. But when someone has to take a drug, it is important to make sure that that drug will improve his or her health, and that it will contribute to cure the disease or ease the pain related to it, but without having adverse effects on people who suffer from allergies.

I will conclude on this, Mr. Speaker, because I feel that the debate will not last very long if we all agree, given that the Conservative Member ... until we have proof to the contrary, I believe that the New Democrats will also be in agreement. On this side, we feel it is useless to go on with this debate and I am prepared to pass this motion right away. Let us act. I congragulate once more the Hon. Member. If his motion is passed rapidly and if we succeed in forcing those companies to change, we might save human lives and avoid many sufferings.

• (1720)

[*English*]

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my loquacious Liberal colleague has intimated that perhaps it is unnecessary for a member of the New Democratic Party to speak because, of course, the NDP, being a Party that represents the enlightened average Canadian, would surely support a Bill of such eminent merit, as it is. It is a motion that is long past due.

The principle that the consumer should be made aware of the contents of what he or she purchases for consumption is an elementary principle that is particularly critical when it involves drugs and medicines.

The Member has suggested that inert ingredients be labelled. Before addressing that specific aspect of his proposition, perhaps he should also give attention to the fact that the consumer who goes to a drugstore to receive a prescription generally gets a little bottle with the date of the prescription, perhaps the contents, the frequency of intake, and perhaps even the size of the dose.

I would suggest that in addition to labelling and making available the inert contents of a drug or pharmaceutical, the time is long past due when a patient should know what the pharmacist and the doctor know, which is the specific characteristics of the drug in terms of its effectiveness, its appropriate dosage, its likely side effects; in terms of its potential toxicity, in terms of its incompatibility with other drugs that might be taken, and any other limitations on the use of a particular drug that would be of importance in protecting the health of an individual.

I hope that the Hon. Member, in considering the provision of the contents of a medicine with respect to excipients, would also address the need for the complete availability of all pertinent information with respect to a pharmaceutical. We know that the druggist gets the information from the original package and a great deal of information is available to the doctor. I believe it also ought to be available to patients.

It is hard to imagine any drug that does not have some degree of toxicity, or limitations in terms of incompatibilities with other agents that might be consumed. It is rare to find an antibiotic or chemotherapeutic agent that does not have those limitations. Perhaps only penicillin can be classified as a commonly used drug that has no significant toxicity. But penicillin is a drug that suggests an element which is often not taken cognizance of in drugs as well as in agents. It is the idiosyncratic reaction of individuals to a variety of agencies. In other words, penicillin causes allergies, as people know.

As the Hon. Member has identified, there are a great many other ingredients that have nothing to do with the therapeutic properties of a drug but are included for a variety of reasons, such as colour, filler, binding agents, and to provide a pleasant taste.

These agents, if not identified, have the potential of causing the same kinds of effects in terms of drugs as the sulphates had with respect to food. Since the majority of us are not susceptible to these idiosyncratic reactions, too little attention has been paid to the potential danger that exists for a relative few. Because it is related to such a relative few, it should not at all be cause for lessening our concern. I was impressed by the reference made by the Hon. Member to his personal experiences and the experiences of his family with respect to a variety of substances. I would say to him that just over the last couple of weeks my family and I have become aware of allergic reactions which have caused a serious impediment to the activities of two of my children. The late recognition of these idiosyncrasies has caused my children considerable difficulty.

• (1730)

It is with congratulations and felicitations that I rise to support the Hon. Member in proposing this resolution. It is a resolution, as the previous speaker from the Liberal Party indicated, that all Members of this House, all three Parties, should be capable of supporting. The implementation of this legislation should be prepared as quickly as possible.

I will not prolong the debate so we may have an opportunity to vote positively on this motion. I would like to express my appreciation once more for having the opportunity to support this motion.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, I would like to deal with an issue which is amongst the priorities set by the Government of Canada in the field of health care. I am referring to the labelling of drugs and more precisely to the listing of the medicinal and non-medicinal ingredients they may contain.

In its 1986 publication entitled *Achieving Health for all: a framework for Health Promotion*, the Government of Canada identifies three areas which are poorly covered by existing health policies and practices. The first one is prevention on which we should put greater emphasis. Various preventable diseases and injuries continue to jeopardize the health and quality of life of Canadians.

Even though most Canadians are unaffected, some non-medicinal ingredients have been incriminated in benign or serious side effects, especially various forms of allergies.

Mr. Speaker, some non-medicinal ingredients may be used routinely in pharmaceutical products for safety reasons or for effectiveness. For example, an ingredient may be used to prevent tablets from crumbling or to maintain the sterility of a product. Others may promote the release of the active ingredient in the body after ingestion or help maintain the potency of that ingredient.

In general, non-medicinal ingredients have no detectable effect on the people taking the drug. However, in the last few years, health professionals and regulatory agencies have started to observe that some groups of Canadians show a degree of intolerance or allergy to certain ingredients.

Mr. Speaker, reports on such reactions show considerable variations. Among the most extreme I could mention a few cases of anaphylaxis, some of them followed by death. However, the responsible ingredient is seldom identified. Beside causing direct anaphylaxis, some non-medicinal ingredients have been reported to be the cause of strain-induced anaphylaxis.

Fatigue, nervousness and headaches are typical examples of symptoms related to reactions caused by non-medicinal ingredients ranking at the bottom of the scale with respect to health hazards.

A wide variety of chemical products used as non-medicinal ingredients in drugs are also added to some foods. When explaining the details of symptoms noticed in conjunction with some of these substances, I will be more specific about their more widespread use as food additives.

Sodium metabisulphite and similar compounds were often found in fruit juices, wine and beer; these substances were also sprayed on mushrooms, vegetables, potato chips and seafoods to maintain their flavour and preserve them longer. Being an oxidizing agent, bisulphite removes the oxygen required for bacterial growth and thus prevents deterioration. This is why sodium metabisulphite would also be sprayed on freshly-prepared salads in restaurants and on grocery stores fruits and vegetables stands to keep them fresh. It has been ascertained that swallowing metabisulphite may cause vomiting, skin rashes and, sometimes, congestive breath, high blood pressure and respiratory problems. However there is no explanation for the precise mechanism of reactions to metabisulphite.

It is known that monosodic glutamate, an additive often used with Chinese food, will cause wheezing respiration in some asthmatic patients. For other sensitive persons it will lead to numbness of the back of the neck, facial tension, thoracic pain and difficult breathing. Sensitive subjects showed

symptoms of the syndrome after ingesting up to three grams of MSG.

In one study, benzoates, butylated hydroxytoluene and butylated hydroxyanisole, were incriminated, respectively, in 11 and 15 per cent of chronic and recurrent skin rashes. These preservatives are often present in prepared foods, bread, powdered milk and potato flakes. It is hard to believe, Mr. Speaker, that the food we normally eat contains substances with such complicated names. The same preservatives are also found in fats, oil, margarine, mayonnaise, jam, chocolate, soft drinks and powdered beverage mixes. Although seldom causing gastro-intestinal symptoms, nitrates and nitrites have been blamed in cases of cyanosis in babies who were fed spinach.

Clearly, Mr. Speaker, the range of side effects is very extensive, even if only a small proportion of Canadians seem to have adverse reactions to some of these ingredients. Nor is there any doubt that some of these additives are widely used in our society and do not cause any obvious problems for most Canadians. Because of the wide variety of chemicals used in drugs available in Canada, it is impossible to eliminate completely non-medicinal ingredients from all products.

For instance, some non-medicinal ingredients are essential to prevent the growth of bacteria, fungi, and algae in medication. Granted, some Canadians may have adverse reactions associated with such substances. However, when a substitute non-medicinal ingredient cannot be found, we must not forget that various toxins released by bacteria, fungi and algae have been associated with serious intestinal, and sometimes even neurological, symptoms.

Sulphite is one of the remarquable non-medicinal ingredients which have been used in food and drugs. Mr. Speaker, I want to emphasize that though it is impossible to eliminate it from all pharmaceutical products, its use in foods is not considered essential. Last October, the Government of Canada, therefore, limited the use of sulphites in fresh food, such as salad preparations in restaurants.

Moreover, Mr. Speaker, since it is impossible to replace or eliminate all non-medicinal ingredients from all drugs, steps have been taken to protect Canadians from being uselessly exposed to non-medicinal ingredients to which they know they are sensitive or allergic. This is in fact an avoidable risk factor. In this connection, I have been advised that the Health Protection Branch has been concerned for a number of years by the presence of non-medicinal ingredients in drugs.

Approximately two years ago, associations of pharmaceutical manufacturers adopted voluntary guidelines concerning the disclosure of potentially dangerous non-medicinal ingredients. The manufacturers of prescription drugs have agreed to disclose the presence of those ingredients which had been clearly associated with symptoms of intolerance or allergy among certain patients. This disclosure has been made to the Canadian Pharmaceutical Association for inclusion in the descriptions of drugs which appear in the reference book entitled "Compendium of Pharmaceutical and Specialties". As to the makers of over-the-counter drugs, they have accepted to indicate the presence of non-medicinal ingredients on their labels.

In conclusion, Mr. Speaker, these measures reflect both our concern for and our monitoring of the useless exposure of Canadian men and women to non-medicinal ingredients which their systems just cannot tolerate. On the other hand, Mr. Speaker, these measures are only an example of the concerted commitment of the regulating agencies, the health professionals and drug manufacturers to enhancing prevention in health care.

• (1740)

[*English*]

Mr. Bruce Halliday (Oxford): Mr. Speaker, I find myself somewhat uncomfortable this afternoon speaking to the motion of the Hon. Member for Edmonton West (Mr. Dorin). I wish to give him a great deal of credit for the fact that he has brought this matter to the attention of the House and, more particularly, to the attention of the Government, although I have some fears that the Government is not as receptive to the idea as I might like to think it should be. I dare say that there are some problems that need to be worked out with respect to this matter.

I wish to commend the Hon. Member since he has done an excellent job of presenting the problems that exist now for many people in the country who have cause to take a drug of some form and find that they have an idiosyncratic or an allergic reaction to it. I would have preferred, had I had any influence in the wording of the motion, to expand it since I continually come across products at my home that are bought from the drug store, the grocery store or the hardware store, be they liquids, solids or powders, which absolutely fail to mention on their labels what is in them. That is just as dangerous because if a child takes one of those products we have no way of knowing whether or not it is a dangerous product. There may be a warning printed on the product, for example, "Danger If Ingested", "Do Not Ingest" or "Keep Away From Children", but these warnings do not tell us what the actual ingredients are. That is the real hazard we should be addressing. The motion is extremely timely, but it needs to be expanded to other products which are not deemed to be drugs.

I was particularly interested in the personal references that the Hon. Member for Edmonton West made inasmuch as two of them struck a particular note with me in a personal manner as well. First, he mentioned his famous twins. We certainly want to congratulate him on his young family by way of twins. I am interested in those twins, too, because I have heard about them and a bit about their problems since one of their babysitters is a girl who worked in my office here in Ottawa for several years. I know that she is very fond of those twins and is concerned about the problems they have by way of allergies.

The Hon. Member referred to consultations that he has had with one of the officials in the Department who is in charge of the adverse reaction program, Dr. Ed Napke. Interestingly enough, Dr. Napke and I were class-mates at the University of Toronto Medical School a number of years ago. We have all enjoyed Dr. Napke's humour over the years and the very serious approach he takes to adverse drug reactions. I want to commend him for the work that he has done on behalf of the Department in this area. I think it likely that if we had a chance to talk to Dr. Napke further we would probably find that he is very sympathetic to many of the proposals included in the Hon. Member's motion.

I was also interested in the presentation made by the Hon. Member for Windsor—Walkerville (Mr. McCurdy). He and I have occasion to sit together on the Standing Committee on National Health and Welfare. I have a great deal of respect for the contributions he makes to the deliberations of our committee. Today, for instance, he talked about the need for patients to have more information about drugs. To a large extent I think that he is right. On the other hand, as a practising physician, I would say that in the past I have never hesitated to provide a patient with the very kind of information he wants to have with respect to the adverse effects of a drug, what the synergistic effects may be with other drugs and so on. I think people are entitled to that information, although I have some reservation about providing it to every patient unless he or she particularly asks for it, because there are anxieties that can be produced in people if they read all the details about the adverse reports that have been documented on any given drug. However, I think the Hon. Member's contribution was very useful and I commend him for it.

Having said that, I am sure that there are some problems with the motion before the House. I wish to touch on those briefly. They are probably sufficient not to allow it to be passed today. I encourage the Hon. Member not to let this issue die. I think it is a very fundamental issue. He and the people who are interested in allergies with whom he has consulted have a valid concern.

I remind the Hon. Member and the House that there are other ways of pursuing this matter. In the Hon. Member's case we should undoubtedly see this issue brought before our caucus committee on health. There is no reason why the Hon. Member could not present this issue before those of us in our caucus who are interested in health care issues. There is no reason that he should not make representation to the Standing Committee on National Health and Welfare to ask it to consider discussing it at the level of the standing committee. Failing that, as a Member of Parliament he has a right to attend the meeting of the standing committee at which the Minister himself is present to answer for his Estimates. If I were the chairman of that committee I would want to see the Hon. Member recognized to have a chance to ask questions in this regard. I think that is a very legitimate use of the standing committee.

Having said that, there are some matters concerning this issue that are of concern to the Government. I suppose they should be put on the floor at this time. The disclosure of non-medicinal ingredients is considered to be a solution to the problem. However, it should be interpreted in light of the full problem. The determination of which agent or agents which someone may be sensitive to is often an elusive process. This is particularly true for allergic reactions involving the gastro-intestinal tract. This system, unlike other systems in the body, is relatively inaccessible as compared to organs such as the skin and it is therefore hard to see reactions. Thus, a patient's symptoms of intolerance may be heightened or modified by reactions to other substances to which concurrent exposure has occurred. These substances may be airborne, ingested or have come into contact with a patient's skin. In fact, all three modes of contact may occur simultaneously.

• (1750)

The whole issue of the diagnosis of what is an allergic reaction and what the allergen or cause of it may be, also is compounded or confounded, one might use either word, by the placebo effect. I wish to touch upon that for a moment.

This well documented syndrome revolves around the erroneous attribution of symptoms to some particular chemical food or circumstance of events. In this case, the presumed cause is incorrect and cannot be scientifically demonstrated to have an effect. This agent is termed a placebo. To appreciate fully the magnitude of the placebo effect, and, therefore, the gravity of its implications, I wish to summarize briefly the scope of the scientifically documented medical effects of placebos.

Almost any type of pain may respond to placebos: pain after surgery, pain during and after childbirth, dental pain, and the distress of cancer. In the treatment of 150 patients with headaches caused by tension, the common cold, sinusitis, premenstrual tension, and eye strain, one investigator found that placebos relieved pain completely in 43 per cent of cases, and partially in another 31 per cent. Others have come to similar conclusions. Cough, insomnia, seasickness, chronic bronchitis, and the common cold may all yield to the placebo. Patients with osteoarthritis and rheumatoid arthritis have shown improvement. In some studies stomach ulcers, stomach irritation, and heartburn have shown amelioration after placebo administration in 92 per cent of patients. This showing was so impressive that certain gastroenterologists have speculated on whether most of the hundreds of older "treatments" for ulcers were not primarily placebo remedies.

Other aspects of body function such as blood pressure and sputum production, have also displayed a change due to a placebo. In the classic Cornell studies on one subject who had a serious stomach problem, placebos and manipulation of psychological beliefs produced impressive changes in the appearance and motility of the stomach lining, and in the secretion of gastric juice. The same investigators were able to prevent vomiting from an emetic in a pregnant woman by

assuring her that this nauseating drug would actually relieve the excess vomiting from which she suffered.

In Boston, dental student volunteers produced increased amounts of saliva when they were given water that was suggested to be sour, and they showed a decrease in flow when citric acid was given with the suggestion that it was tasteless.

To the great surprise of two researchers in Surrey, England, the incontinence of "deteriorated" psychotic patients changed dramatically for the better when the patients were given sugar pills three times a day. Similar results were observed in a study in Maryland of schizophrenic and senile patients.

I would add my own anecdotal observation as a physician, in my early days when we dispensed drugs from our own office, people with certain types of pain would tell us that the aspirin they had taken had no effect at all. We would give them a brown coloured aspirin and they might find complete relief or they may have taken a pink aspirin and received no relief at all. This placebo effect is very important when one is trying to assess the effect of drugs on patients. It is very readily demonstrable.

On the other hand, the placebo also has the capacity for producing many types of adverse effects. While most side effects after a placebo are hard to measure, such as nausea, thirst, headache, dizziness, sleepiness, insomnia, fatigue, depression, numbness, difficulty in concentrating, hallucinations, feelings of cold or warmth, itching, and the like, some side effects are of the kind that are verifiable by the observer. These include vomiting, tremor, fast heart beat, diarrhea, changes in blood pressure, pallor, skin rashes of alarming severity, hives, unsteadiness of gait, and swelling.

Two prominent researchers described three major reactions to placebos in 31 patients engaged in a clinical trial. One had sudden, overwhelming weakness, palpitation, and nausea within 15 minutes of taking a placebo. A second patient developed a diffuse, itchy red rash which was diagnosed by a dermatologist as a typical dermatitis from drugs. The third patient had repeated reactions within 10 minutes of taking the pills that included abdominal pain, watery diarrhea, skin rashes, and swelling of the lips.

In another study a patient who had travelled to Miami on holiday called his physician to complain that his medicine had so weakened him as to cause a near drowning accident in the surf. A hasty check of the records showed that the patient was taking a placebo.

One could go on and give further evidence of the peculiar effects of placebos, and the involvement that this strange phenomenon has on the whole taking of drugs. I can appreciate why some of our officials in the Government are loath, at this time, to see a full blown acceptance of the motion put forward by the Hon. Member for Edmonton West.

In closing, I would certainly encourage him not to put this to rest and to make sure that he comes back with this motion again, either to committee or to the House. I compliment him for the effort that he has put into his presentation to the House today.

[*Translation*]

Mrs. Suzanne Duplessis (Louis-Hébert): Mr. Speaker, first, I wish to congratulate my colleague for Edmonton West (Mr. Dorin) on his motion.

Mr. Speaker, the presence of non-medicinal ingredients in drugs is always a source of concern for the Canadian Government.

It is quite usual for non-medicinal ingredients to be added in various concentrations to pharmaceutical products sold on the market to increase their safety and effectiveness. Some of these non-medicinal ingredients keep the drug active while others delay micro-biological contamination. Many of these drugs are sold in Canada, each with its own physical and chemical properties which must be taken into account in determining the dosage appropriate to the patient and his state of health.

While most of these non-medicinal ingredients can be consumed without apparent ill effect by most patients under treatment, a limited number of them have been associated with adverse side effects. The ingredients most often mentioned in such cases include sulfites, tartrazines, parabens, gluten, sugars and alcohols. For technical reasons, it is impossible to eliminate consistently all these ingredients from all drugs. Indeed, in some cases, their absence could reduce the availability of the drugs themselves.

Mr. Speaker, although a policy aimed at eliminating these non-medicinal products from all Canadian-made drugs cannot possibly protect sub-groups of Canadians against all risks of undesirable secondary effects, we must not forget that the Department of National Health and Welfare's Health Protection Branch requires that all pharmaceutical products be tested before they are marketed in this country, and that drugs so tested must contain all non-medicinal ingredients that will be added to the product sold to the public.

Checking the acceptability of a new drug makes it possible to control the harmlessness and efficiency of any non-medicinal ingredients it may include. In addition, about two years ago the associations of drug manufacturers voluntarily decided to establish guidelines concerning the disclosure of non-medicinal ingredients. Manufacturers of prescription drugs agreed to make public the non-medicinal ingredients most commonly associated with reactions of intolerance, and they conveyed this information to the Canadian Pharmaceutical Association. For their part, manufacturers of unrestricted drugs agreed to list on labels all non-medicinal ingredients contained in their products.

There is no doubt that health professionals, drug manufacturers and regulating agencies in this sector in Canada have combined their efforts in the interest of our population.

Mr. Speaker, I should like to take this opportunity to commend all parties involved in this endeavour. The tables prepared by the Canadian Pharmaceutical Association are a telling example of the role which professional associations have voluntarily agreed to play. One of the first priorities of our health care system is to make Canadians increasingly aware of the various types of illnesses and injuries they might be able to avoid. Prevention means that such factors as may lead to an undesirable condition must first be identified, and then reduced or eliminated. In this context, Mr. Speaker, the spirit of co-operation which has been the hallmark of Canada's intervention with respect to non-medicinal ingredients attests to our commitment to lay even more emphasis on prevention within our health care system.

• (1800)

[*English*]

Mr. Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the Order is dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

INDIAN AFFAIRS—POST-SECONDARY EDUCATION ASSISTANCE PROGRAM

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, on May 14 the Minister of Indian Affairs and Northern Development (Mr. McKnight), in a communiqué related to changes to be made in the Indian post-secondary education program, made the following statement:

> Education and training are important tools in today's technological society. They are even more important for Indian people in the process of developing self-government and economic self-reliance.

I agree entirely with what the Minister said in that communiqué. In another interesting document entitled "A Framework for Diversification in Western Canada" we read the following on page 9:

> Over time the greatest returns to Canada will result from an investment in our people. Education and training, while broadly a provincial responsibility, is of special interest to the federal Government both with respect to highly qualified workers and to native people. The federal Government is anxious to see this nation's current performance improved in these areas.

The Indian post-secondary education program has been a huge success. It certainly is the avenue which leads Indian and Inuit people from social assistance to economic independence, from welfare to personal well-being, self-respect, and self-sufficiency.

That being so, I would ask the House why there is such a schizophrenic response to the delivery of these valuable programs. I want the House and the country to know that there has been a severe capping of one of the most successful and one of the most important federal government programs in existence.

I also want the House to know what is the Minister's case. The Minister's case is that the participation rate of this program has grown. Ten years ago there were 3,500 eligible students in this Indian post-secondary education program, and today there are 12,000. The costs have grown from $8 million to $93.7 million. That is the beginning and that is the end of the Minister's case.

I want to tell the House that that is no case at all, because it does not say anything about inflation over those years. It does not say anything about the growing demand which must be met for reasons the Minister himself has given. It does not say anything at all about the fact that Indian and Inuit people are rapidly taking control over their own lives.

In that same communiqué the Minister said that education and training remained a priority for him. At the same time, applications for assistance under this program are to be considered on a very strict priority basis.

I cannot take the time of the House to go through all the priorities, but I want the House to know that out of the five categories described by the Minister, only categories one and two—that is, Indian and Inuit students who were enrolled in 1986-87 and are continuing on in 1987-88, and students whose applications for assistance were deferred in 1986-87—will be funded out of this allocation advanced by the Minister and approved by Parliament.

Who will be left out? Eligible high school graduates are to be left out. Mature students who are enrolling in post-secondary education for the first time are to be left out. Would you believe it, sir, that students enrolling in programs for the LL B, the law degree, for the MD, the medical degree, or for the bachelor of education degree are to be left out? If along the way one of these students in any program has dropped out and wants to return, he will have no chance at all of getting back. Those are the priorities. This means that a large number of students will be turned away.

• (1805)

Let me quote from the *Debates* of the other place. Senator Len Marchand, himself an Indian person, has said the following:

> In my home band alone, which consists of 900 to 1,000 members, there are 26 students who will not receive funding for post-secondary education this fall.
>
> From talking with members of other bands around the country, I have learned that there are literally going to be hundreds, or a few thousand, of students who will not be able to pursue post-secondary education this fall. I call this a disastrous policy.

I just learned that a very fine cultural college in Hobbema, Alberta, the Maskwachees Cultural College, has already in the

month of August had to turn down 31 applications for this program.

At this very moment, on the Alexander Reserve in Alberta, an emergency meeting is being held, attended by grassroots educational leaders who are members of the Indian community or serve the Indian community. They call the current situation a crisis. It is a crisis because we know that there is a clear link between education and future employment and economic development. There is a clear link between education and aboriginal self-government.

The Government talks about economic development, believing that it is the most important route for Indian people. It talks about Indian self-government. It uses the terminology and the phraseology. I want to tell the House and the country, however, that the Government uses all the right words, but it denies the substance thereof. I call upon the Minister to take dramatic action to show that his priorities are real and that education for Indian and Inuit students will not be denied but that this program will be met to the fullest possible extent.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I am honoured to rise on behalf of the Minister to respond to my friend, the Hon. Member for Cochrane—Superior (Mr. Penner). He has raised an interesting question. It is certainly the case that the Indian post-secondary education assistance program established by the Department of Indian and Northern Affairs is unique.

As the Hon. Member indicated, the budget for the program has grown substantially, from $8 million a decade ago to $93.7 million in 1987-88. Over the same period, the number of full-time equivalent students has increased from roughly 3,500 to approximately 12,000.

I would like to highlight the major provisions of this program which has the goal of enabling Indian access to post-secondary education. Full-time students can receive financial assistance for undergraduate, masters and doctoral programs, community college diplomas and college-entrance preparation courses. The costs of tuition, books, supplies and transportation for students and dependents is covered, together with living allowances of from $120 to $184 a week, shelter and child care allowances and a special incentive for graduate students. The funding is provided as a grant; there is no loan component nor is there a means test.

This year's increased budget will mean that most of the students applying for assistance will receive it. A priority system ensures fairness and consistency in approving applications. Students who are continuing their post-secondary education programs must have first draw on the budget. This includes students who were enrolled in undergraduate programs last year and who will be enrolling in graduate programs or professional degree programs in 1987-88. Next are those who were deferred last year for lack of funds.

In order to provide additional access to post-secondary studies, the Department's next priorities are new undergraduate and college entrants and college preparation students. Students who are beginning post-graduate studies or studies toward a second professional degree and who were not enrolled in post-secondary studies last year have been given a lower priority.

• (1810)

To assist individuals in achieving their personal career potential and strengthen the process of self-government and devolution of programs to bands, we must provide the opportunity within government resources for post-secondary education. The Department is now reviewing other options for student assistance and special post-secondary programs and will be discussing these with Indian leaders in the months ahead.

EXTERNAL AFFAIRS—NICARAGUA—REPORTED BANNING OF CONSERVATIVE PARTY—ACCESS TO POLITICAL PRISONERS

Mr. Benno Friesen (Surrey—White Rock—North Delta): Mr. Speaker, on June 5 I rose in this House to ask a question of the Secretary of State for External Affairs (Mr. Clark) regarding a situation in Nicaragua that was of great concern to me. Two months previously I, as chairman of the Canadian section of the IPU, along with others, visited Nicaragua. I had looked forward with some anticipation to determining the level of pluralism in that country. President Ortega assured us that pluralism was alive and well. However, there were a number of signs in that country at that time which indicated that was not true at all.

When we got back in June, we heard that the chairman of the Conservative Party had been put under house arrest and subsequently released, but that his Party had been banned.

Since that time we have seen some very promising developments in Central America. The recent proposal to bring about peace in that troubled part of the world seems to be gathering momentum. The President of the United States has made a proposal as well and has looked with some favour at least on the other proposal. I hope, and I think all Members of the House will agree, that these negotiations will bear fruit and that there will be genuine, lasting, and total peace in that part of the world.

The key to peace and stability in that part of the world, however, rests on one ingredient, and that is the willingness to provide verification. Among the people and groups in those lands the level of distrust is so high that you cannot restore confidence unless there is verification. You will recall, sir, that the Government of Nicaragua, the Sandinista Government, celebrated the inauguration of its Constitution last January. The next day it withdrew that Constitution and declared a state of emergency. It in fact withdrew all of the major provisions for civil and human rights in that country.

I have with me a copy of that Constitution provided to me by the embassy here and I note Article 185:

> The President of the Republic may suspend, within part or all of the national territory, the rights and guarantees consecrated in this Constitution in case of war or when demanded by national security, economic conditions or a national catastrophe.

It goes on in the next article to indicate certain sections of the Constitution which cannot be suspended. For example, Article 33(2.1), which says that you cannot arbitrarily be detained or imprisoned. However, Article 33(2.2) can be suspended and that article says:

> To be brought before a competent legal authority within 72 hours.

That is, every citizen of Nicaragua has the right to be brought before a judge or competent legal authority within 72 hours.

For years we heard about the terrors of the Somoza regime, and we understand that, and the terror of its El Chipote prison. Now we have the shocking news that the Sandinista Government is using that very same installation and denying the right to be heard before a competent legal authority. We met with mothers and wives of political prisoners in Nicaragua. We have a right to be concerned about the level of rights being respected in that country.

• (1825)

My question to the Secretary of State for External Affairs was simply whether he would corroborate the news that I had received, that the President of the Conservative Party had been apprehended and that the Party had been banned. There must be some truth to it because when we were there at a conference, we tried to organize a meeting of the opposition Party leaders and were prohibited from meeting with those people within the conference centre. We had to find a room in the hotel to do that.

I come back to my original point. We have now sent two Canadian officials there to provide Canadian aid in bringing about peace. I welcome that. I think we have taken a good initiative. I hope that Canada will do its part together with other nations which are interested in a secure and lasting peace there, that we will provide those means necessary to bring verification to any agreement so that the Cuban, Soviet and Contra troops all become disarmed, so that the people do not have to fear militarization, and that a lasting, just and secure peace can exist for the people of Nicaragua and the surrounding countries. I hope that we will provide the verification which will give everyone the confidence that that will be a just peace.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, my honourable colleague asked his question on June 5, 1987. The Canadian Embassy in Costa Rica has since investigated the allegations made by the Honourable Member about human rights abuses in Nicaragua. The opposition leader to whom he referred is Mr. Maurio Rappaciolli, the leader of the Conservative Party of Nicaragua. Members of his party have confirmed that neither their leader nor other members were detained or put under house arrest at the time of the IPU meeting.

The Conservative Party of that country was not included among the opposition parties which met IPU delegates because it has no members in the National Assembly, having boycotted the 1984 elections.

The Party attempted to organize a demonstration during the IPU meeting but was unable to do so because State Security agents surrounded its headquarters. The Party has not been banned and there appears to be no legal mechanism for doing so because it is not an officially recognized political party. This does not prevent it carrying out political activities subject to the restrictions which apply to all political parties. For instance, they cannot hold outdoor meetings without prior permission.

The International Committee of the Red Cross has confirmed that its representatives are denied access to the prisoners held in El Chipote because they are political prisoners held by the Ministry for the Interior under administrative detention. The International Committee is given full access to political prisoners once they have been brought before the courts and moved into the national penitentiary system.

The International Committee is denied access to political prisoners who are being held under administrative detention while their cases are investigated. Under the provisions of the state of emergency, there is no limit to the time prisoners can be held in this way.

Although no reliable figures are available, President Ortega said in May 1987 that there were 8,000 to 10,000 prisoners in Nicaragua of whom 60 per cent were common criminals, which presumably means that the other 3,200 to 4,000 are political prisoners. Other independent estimates range from 4,000 to 10,000.

Canada remains concerned by continuing breaches of human and civil rights in Nicaragua, especially instances of arbitrary arrest and harrassment of the churches, opposition groups, the press and trade unions. These concerns have been made known to the Nicaraguan Government on many occasions.

Canada welcomes the fact that the Central American peace plan signed in Guatemala City on August 7 by the five regional Presidents includes a commitment to representative and pluralist democratic systems of government in all countries in the region. We hope that the implementation of the peace plan will result in the lifting of the state of emergency in Nicaragua and the removal of the current restrictions on the press and opposition groups. We urge the Nicaraguan Government to fulfill the original goals of the revolution which have recently been reaffirmed in the Constitution. These goals include political pluralism, a mixed economy and non-intervention in the affairs of other states.

• (1820)

[*English*]

EMPLOYMENT—RETRAINING OF LAID-OFF OLDER WORKERS. REQUEST FOR MINISTERIAL COMMITMENT

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, I asked the Minister of Labour (Mr. Cadieux) when the Government would implement the program for the adjustment of older workers that it had announced 18 months ago. The Minister said that he was negotiating with the provinces.

While the Labour Adjustment Benefit Program that was introduced by the previous Government was not totally adequate, it did something for older workers. That has been phased out and we now face a vacuum while the federal Government is negotiating with the provinces. This is a disaster for people between the ages of 54 and 65, who are left without any benefits through no fault of their own, but because plants have closed down.

We must consider a program to fill the vacuum that has been left by the phasing out of the Labour Adjustment Benefit Program. Last year, some $91 million was spent on the Labour Adjustment Benefit Program. That amount has been reduced to $82 million this year.

People in my riding of Hamilton Mountain are being laid off because of the closure of Firestone and Otis Elevator. They will be left to fall through the cracks, with nothing for them. Also, if there is no program from which older workers can quickly benefit, their situation will deteriorate more rapidly. They can adjust very well to new skill training and will enter a new job situation. However, if they are left to fall through the cracks, there will be a lot of domestic pressures and human misery.

The Minister's response that he is negotiating with the provinces is inadequate. Canadians were told 18 months ago that another program would be established. That still has not taken place, which is grossly unfair and certainly does not fulfil a promise. People 54 years old and over in my riding, as well as in others, are the ones who are suffering severely. Not only are they suffering, but their families are suffering as well.

It is not right that people who have contributed to this society by being responsible workers and taking part in this economy should be allowed to fall through the cracks. It is not fair that they should be told to wait for a couple of politicians to negotiate their welfare, which is basically what is happening.

The negotiations with the provinces are taking place behind closed doors. No one knows what is happening. The Minister responds by saying that these people will be looked after when the provinces and the federal Government get on board. The federal Government has a responsibility. It has always paid 100 cent dollars for these kinds of programs and has no right to phase one out if it is not being replaced by another, and if it has not done the negotiations before it is replaced.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): First of all, Mr. Speaker, I want to say how pleased I am to have this opportunity to respond to the Hon. Member for Hamilton Mountain (Ms. Dewar), and especially to congratulate her on being elected to the House. Since this is the first time I have had the privilege of speaking to her in the House, I think congratulations are particularly in order, all the more so because I had the privilege of meeting her when, as mayor of Ottawa, she invited all newly elected Members to City Hall. I may add that it was a very big reception because so many new Members were elected on September 4, 1984.

Mr. Speaker, I want to emphasize that this Government believes that the first line of defence in assisting older workers is not only setting up programs but providing jobs for Canadians. Our performance in this area has been quite remarkable.

With respect to the specific lay-offs mentioned by the Honourable Member, she should be aware that in the case of Firestone, my colleague the Minister of Regional Industrial Expansion has already indicated that he is working with the Government of Ontario and the company to find a buyer to continue operating the plant and to preserve these jobs. That is our main objective.

When this government took office in September 1984, there was the LAB program, which provided adjustment assistance to laid-off older workers and was due to expire in August 1985. There were 4,200 older workers receiving benefits under this program, total payments being about $42.2 million.

Now let me tell you what has happened since then. We extended the LAB program for one year and launched consultations with the province. I must admit that these consultations may not be proceeding as quickly as we had hoped.

We also extended the LAB designations for the communities of Gagnon, Fermont, Port-Cartier, Sept-Iles, Schefferville, Labrador City, Wabush, Asbestos and Thetford Mines.

Furthermore, in December 1985, we introduced seven new regional designations under LAB: Corner Brook, Newfoundland; Buchans, Newfoundland; Glace Bay, Nova Scotia; Murdochville, Grande Vallée, Québec; Nelson, British Columbia; Salmon Arm, British Columbia; and Logan Lake, British Columbia.

In the February 1986 budget, we committed $125 million in new monies to the new Program for Older Worker Adjustment you described so well.

Finally, we are continuing negotiations with the provinces. As I said earlier, the process may not be as fast as we had hoped, but in any case, the Minister of Labour has met several times with the provincial ministers.

The results of these initiatives, Mr. Speaker, have been to greatly increase the federal government's assistance for older

workers. Over 9,000 older workers are currently receiving adjustment benefits and expenditures are expected to reach $96 million this year. As a result, the federal Government's financial commitment to older worker adjustment has increased from $141 million over the five years prior to 1986-87 to an anticipated $510 million over the five years from 1986-87 to 1990-91.

While negotiations on the development of POWA are still ongoing, there is a growing recognition of the needs of older workers among all governments in Canada. For example, Ontario recently introduced a modest program for retraining of older workers and we are hoping that it will join us in the more comprehensive POWA which we have proposed.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.30 p.m.

HOUSE OF COMMONS

Wednesday, August 19, 1987

The House met at 2 a.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

INDIAN AFFAIRS

BRITISH COLUMBIA LAND CLAIMS TRIAL—FUNDING SHORTAGE EXPERIENCED BY PLAINTIFFS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, the Gitksan-Wet'suwet'en Indian bands are seeking through court action recognition of their rights to their traditional lands in northern British Columbia.

The Government of Canada, as the trustee for Indian people under our Constitution, has an obligation to see that justice is done and that this case is heard in its entirety. The defendants in this case are both the province and the federal Government.

Three weeks into the trial the Department of Indian and Northern Affairs reduced its legal aid support to the bands by more than $1 million. The presiding judge, Chief Justice Allan McEachern of the B.C. Supreme Court, says it is imperative and in the public interest that this trial continue. He went on to say that anything other than that is a confession of failure on the part of all of us, and all those who support the justice system in our country.

Both the plaintiffs, that is the Indian bands, and the public must have a resolution of this vital question related to aboriginal rights. Therefore I ask that the Minister of Indian Affairs and Northern Development (Mr. McKnight) not try to win this case by reducing the funding for legal costs required by the Indian bands.

* * *

WAR CRIMINALS

CALL FOR EARLY PASSAGE OF LEGISLATION

Mr. Bill Attewell (Don Valley East): Mr. Speaker, on June 29 I rose in this House to make the record clear about the Government's commendable action on war criminal legislation. Unlike previous Governments we had the moral courage to set up a special commission chaired by Mr. Justice Jules Deschênes to investigate the delicate issue of the possibility of war criminals living in Canada and to make recommendations concerning the prosecution of such individuals.

• (1405)

Our current Minister of Justice (Mr. Hnatyshyn) responded to the recommendations in a sensitive manner while insisting on a made-in-Canada solution. Bill C-71 provides the required legislation. Unfortunately, we were not able to pass this legislation in the last days of June due to some genuine concerns by two of my colleagues.

Since Parliament has been recalled to deal with the refugee legislation, I urge the Government and both opposition Parties to support quick passage of Bill C-71 during this emergency sitting. I spoke to the Minister of Justice this morning and he assured me that Bill C-71 is ready to be presented to the House of Commons. Let us get on with this historically important task.

* * *

SPECIAL CANADIAN GRAINS PROGRAM

ELIGIBILITY FOR IRRIGATION PAYMENTS

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, the Government's recent decision to provide supplementary benefits to irrigated production under the Special Canadian Grains Program appeared to be a good decision. Perhaps it was a good decision, but on the surface it now appears to be flawed. In what appears to be a hallmark of the Government, it has again clouded the issue.

For some unknown reason 80 per cent of Saskatchewan's intensively irrigated acreage is not eligible for supplementary benefits under the Special Canadian Grains Program. Irrigation farmers in Saskatchewan want to know why they are not eligible for these special payments. In Alberta only 20 per cent of intensely irrigated acreage is not eligible for these special benefits.

Why is there a discrepancy between Alberta and Saskatchewan under this program? If there is a good reason, why has the Government not bothered to tell the producers?

S. O. 21

[*Translation*]

THE ECONOMY

EFFECT OF ADOPTING BILL C-22

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, in a few days, if the Liberal Senators do not change their minds about the drug legislation, Bill C-22, the authority of this House will have been questioned and the twice-given unanimous consent of the Quebec National Assembly will have been ignored.

One of the most important projects of this decade, which would represent 1,300 permanent jobs and $700 million in capital expenditures, will be lost to Montreal and Quebec as a whole.

In this issue, we have to recognize that the Liberal Leader is powerless and that the Quebec Members for Laval-des-Rapides (Mr. Garneau) and Montreal—Sainte-Marie (Mr. Malépart) are embarrassed and silent.

Mr. Speaker, it is now up to Montrealers to rise in protest. Mayor Doré, members of the Chamber of Commerce and the Board of Trade, South Shore residents of Montreal, elected public representatives, businessmen, consumers and workers, you must all come to the Senate and say that you want those jobs. Come and demonstrate before the east door of Parliament, before the doors of the Senate, where the whigs are holding your jobs hostage. Quebec Senators especially should be held to account. Come and speak your mind.

* * *

TAX REFORM

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, in the White Paper on Tax Reform tabled on June 18 this year, the Conservative Government promised to reduce our taxes by $5 billion. It forgot to mention that since 1984, the Government has taken $22 billion from Canadian taxpayers.

Once again, the present Government is trying to throw up a smoke screen by pretending to reduce expenditures, although it is actually increasing the amount of money Canadians must spend by $17 billion.

As if that were not enough, the proposed reform includes a new federal sales tax, to be applied to goods and services. Despite representations made by the Opposition, the Government has refused to promise not to tax food. When we know that 46.8 per cent or nearly half of our senior citizens live below the poverty line, and that more than 16 per cent of their expenditures are for food, taxing this vital element of our daily lives would further aggravate the financial burden of these Canadians who spent their lives building our country. This tax is unacceptable and it is unfair. While the Government is reducing corporate taxes, it is increasing taxes for single parent families and low-income families. In fact, it is taking the bread out of the mouths of those Canadians who are in greatest need.

* * *

• (1410)

[*English*]

FRESHWATER FISH MARKETING CORPORATION

CONDEMNATION OF PRACTICES

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the Freshwater Fish Marketing Corporation ill serves fishermen in the Northwest Territories.

It has a stranglehold over their lives and seems almost useless at its stated purpose of marketing fish.

Its monopoly, granted by previous Governments, stamps out any private marketing initiative which would lead to higher prices being paid to fishermen.

The recent decision not to open the Wool Bay receiving station on Great Slave Lake goes against any economic sense and constitutes a threat to the livelihood of fishermen. The only reason can be that the corporation is deliberately trying to cut back production because of its failure to fulfil its sales mandate.

It is time that we removed this millstone from around the necks of northern fishermen.

* * *

[*Translation*]

POVERTY

INSTITUTION OF MINIMUM INCOME PROGRAM

Mr. Robert Toupin (Terrebonne): Mr. Speaker, all Canadian men and women must be rejoicing at the Canadian Council on Social Development's recent report featuring recommendations pertaining to work and income. Canadian Council officials stress that four million Canadians live below the poverty level and they advocate the establishment of a minimum income program providing basic support payments for people who are unable to work, cannot find employment, or hold unpaid jobs like those who have to remain at home.

The income security system endorsed by the Canadian Council would make a significant contribution to families with children as well as to low- and middle-income households, and it would mark the end of the scandalous situation of poor children in this country.

Mr. Speaker, I am delighted that business circles and labour leaders have welcomed this important report with unrestrained

enthusiasm, and I urge the federal Government to implement these recommendations at the earliest opportunity.

* * *

[*English*]

REGIONAL DEVELOPMENT

CAPE BRETON—UNEMPLOYMENT REDUCED

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, it is less than three years since my election. I have argued that new approaches could improve economic opportunities in my native region. Our Party promised to try, and its efforts have resulted in successes.

People are being put to work. All Canadians want an opportunity to enjoy meaningful employment.

A recent headline in a Nova Scotia daily tells the story: "Nova Scotia unemployment down. Cape Breton leads the way". In my riding we have agencies, Enterprise Cape Breton, SCIDA; we have the Cape Breton Investment Tax Credit, IRDP, and the topping up assistance. We have increased local control. These are major reasons for success.

I have advocated increased support for our primary industries. The Government of Canada has responded with a special $10 million forestry program, a $14 million tourism agreement, harbour improvements, the development of a new clam fishery, and a feed freight assistance program for all of Nova Scotia. Manufacturing facilities are under construction for the first time.

The Government has a regional development record to be proud of and I am proud of what has been accomplished. We have reversed the trend. The process of building a strong and diversified economy is well under way in Cape Breton Highlands—Canso.

* * *

CANADIAN NATIONAL RAILWAYS

ANNOUNCEMENT OF LAY-OFFS AT TRANSCONA SHOPS IN WINNIPEG

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, we learned today that the CNR has announced the lay-off of 49 workers at the Transcona shops, with more to be expected soon. What is more disturbing is the reason for the announcement. It is that CN intends to abandon the commitments that have been made by federal Governments over the last 20 years to the rehabilitation and upgrading of branch lines in western Canada.

This makes a mockery of the so-called commitment of the Government to western development and diversification. When the Government can abandon the vital transportation resources of the west and not hold CNR to the kinds of commitments that are essential to the movement of our basic commodities, it simply says to the Minister of Transport (Mr. Crosbie) and the Prime Minister (Mr. Mulroney) that once again we have a scam in front of us.

I ask this House to demand immediately that the Minister of Transport deal with CNR and ask it to live up to its commitments and immediately make a decision to restore the branch line rehabilitation program for prairie farmers.

* * *

[*Translation*]

THE ECONOMY

CONTRIBUTION OF REED PAPER COMPANY TO QUEBEC CITY

Mr. Marcel R. Tremblay (Québec-Est): Mr. Speaker, as Member for Québec-Est I want to commend Reed Paper Company management for their initiative and the confidence they have shown in this Government led by the Progressive Conservative Party.

Reed Paper officials have unveiled a $146 million investment project at their Quebec City mill, a project which will protect the 1,500 existing jobs and directly or indirectly create 500 new jobs.

The climate of confidence in the Canadian economy is due mainly to the very timely and well-advised interventions of the regional Minister, the Hon. Michel Côté, who has been criss-crossing Canada to meet job-creating company officials, and to the exceptional leadership of the Right Hon. Prime Minister Brian Mulroney who has managed to restore Canada's credibility the world over, shore up Canadian unity, enable Quebec to endorse the Constitutional Accord with respect and dignity, and launch productive and respectful negotiations between Canada and our neighbour, the United States.

Mr. Speaker, I want to draw attention to this momentous event and, personally and on behalf of my constituents, thank management President Peter William and Vice-President André Sarazin for this contribution to the economic and social life of the beautiful region of greater Quebec City.

• (1415)

[*English*]

CANADIAN NATIONAL RAILWAYS

ANNOUNCEMENT OF LAY-OFFS AT TRANSCONA SHOPS IN WINNIPEG

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, the announcement of the lay-off at the rail plant in Transcona shows that the Canadian National Railways is abusing the goodwill of railway workers once again as well as abusing the goodwill of the Canadian people with respect to their commitment for branch-line upgrading.

The Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) says this makes a mockery of the Government's commitment to western Canada. It does. It also makes a fool out of the former Liberal Government which led this country to believe that if the Crow rate was changed we would have consistent upgrading of the rail lines in western Canada. The Hon. Member for Winnipeg—Fort Garry fell for that business and he should be the last one to lecture anyone on this matter.

The railways are abusing the goodwill of railway workers. They are up to their old tricks. They are laying off while negotiations are going on. The Government should take heed of the conciliators report which shows that the railways have not been dealing in good faith with neither the workers nor the Canadian people and get the CNR and CPR to start to dealing fairly with their employees.

* * *

[*Translation*]

TAX REFORM

EFFECT ON SMALL BUSINESSES

Mr. Alphonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, in stage two of its tax reform, the Government wants to introduce a new 8 per cent sales tax that would apply to nearly all goods and services, including food. The Minister of Finance (Mr. Wilson) has ignored entirely the problems this kind of tax might create for small businesses.

The Canadian Federation of Independent Businesses very accurately described what the impact would be on these businesses. First, the new tax would be an administrative nightmare for all small businesses. Second, small businesses are not in the same position as large companies to pass the cost of the new tax on to the consumer. And third, the new tax will discourage consumption.

Mr. Speaker, 75 per cent of Canadian businesses have an annual turnover of less than $250,000, which is only 5 per cent of total Canadian sales.

ORAL QUESTION PERIOD

[*Translation*]

CONSUMER AFFAIRS

OPPORTUNITY TO AMEND BILL C-22

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Liberal Party has proposed some reasonable improvements to the drug patents Bill, improvements that are based on the recommendations of the Eastman Report. Our proposals would guarantee jobs for Canadians, including young Quebecers, and at the same time let their grandparents pay lower prices for their medication.

I would like to ask the Minister of Consumer and Corporate Affairs why he is refusing to consider changes that are so reasonable and so fair and that have the support of the Canadian people.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, if the Right Hon. Leader of the Opposition had been following the debate on this Bill he would have recognized, and seen the evidence, that in fact what we are proposing will be of enormous benefit to the health of Canadians by promoting a lot more health research in this country, $1.4 billion more, as well as 3000 jobs in this area. Our young people now have to go overseas if they want to work in this area.

Because of the Drug Prices Review Board looking at the prices of all drugs, including that 93 per cent that do not have generic competitors, there will be downward pressure on drug prices for the first time in Canadian history at the federal level.

Besides, as the Liberal Party quite properly concluded in 1983, with the White Paper issued by the then Minister, the Hon. Member for Papineau, and as the Right Hon. Leader of the Opposition has himself said on many occasions when he was Chairman of the Board of Sandoz, it simply makes sense for Canada to do this.

AMENDMENTS PROPOSED BY LIBERAL PARTY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it would make sense for the country to accept the Eastman report.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Those are the changes we have already supported and have always supported. The Minister said there are guarantees of investment, but the legislation which will come back before the House has no guarantee written into it. The Liberal amendments are based upon the well received Eastman report and the package of recommendations returning to this House, one of which is to establish a royalty fund which will disburse moneys against

proven research, guarantee long-term research and development. They guarantee new jobs for Canadians and they put a lid on drug prices.

• (1420)

In these circumstances, based upon the facts, the studies and the Eastman report, why is it that the Minister refuses to do what is best for Canadian consumers in a way that will not lessen research and development possibilities in Canada?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the proposals of the Senate will not make things better for consumers. The proposals in Bill C-22 will.

In terms of the royalty fund, let me deal with one particular aspect of it. As the Right Hon. Leader of the Opposition should be aware, and I am sure he is, there is in Canada today a number of new pharmaceutical research companies, biotechnology companies. In my province alone there are three or four. They are all over the country. Canadian scientists are interested in getting involved in this exciting area which promises to have tremendous benefit for the health of not just Canadians but of the entire world. We in Canada want to be a part of that technological revolution. It would be a shame—it would be immoral—to deal ourselves out.

Nothing proposed by the Senate, nothing in the royalty fund, will provide one penny to those companies. Without patent protection for their discoveries they will not be able to raise the capital. The Hon. Member should talk to John Evans who at one time was touted as a future Leader of the Liberal Party. Ask him what he thinks about this. The Hon. Member should talk to Dr. Polanyi, our Nobel Prize winner. Ask them what they think about this.

Some Hon. Members: Hear, hear!

COST OF DRUGS—REQUEST THAT STUDIES BE CHANGED

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we have talked to Dr. Eastman who has made the most thorough study of this matter in Canada.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): All the experts, all the public studies, the findings of the Eastman report itself, even the independent findings of the Research Branch of the Library of Parliament here in Ottawa, have concluded that the legislation proposed by the Government will raise drug prices dramatically.

The Minister shakes his head and denies that implicitly. He has said that he has studies to prove otherwise. Will he table those studies in the House of Commons? If he will not, will he not finally admit that the real impetus for this legislation is the pressure from the Americans to keep the free trade negotiations going?

Some Hon. Members: Hear, hear!

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Right Hon. Leader of the Opposition totally dismisses—in fact, he never talks about, and I can understand why although he ought to—the 3,000 jobs. He ought to talk about the hundreds of millions of dollars that will be invested in Montreal alone. He ought to talk about the previous Liberal Government to try to make up, in part, for all the lost jobs caused by the 1969 amendments and the funding of the Biotechnology Institute in Montreal. He ought to talk to the people who work there and ask them about this.

If the Hon. Member has been watching television over the last two days he will have noted that the U.S. has authorized human testing on a new AIDS vaccine developed by a Canadian, a Canadian here in Canada who had to move to the United States because we are not doing that research. Does he want to continue that?

Some Hon. Members: Hear, hear!

VIEWS OF RALPH NADER

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs. The Minister well knows that under the present legislation there are no guarantees for jobs. There are no guarantees with regard to research and development.

Yesterday, the consumer advocate, Ralph Nader, stated, and I quote—

Some Hon. Members: Oh, oh!

Mr. Dingwall: —the Canadian Government "is close to making a very serious mistake by choosing corporate wealth over the Canadian public's health". Will the Minister explain why he refuses to listen to this consumer advocate when in fact we know from officials in Washington at the Canadian Embassy that he has listened to and has acted on the best interests of multinational corporations in the United States? Why does he not at least give some consideration to the consumer advocate and the suggestions he makes?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the guarantee of jobs comes from the over $900 million of investment already committed, and the $1.4 billion that we estimate will be committed over the next three years.

• (1425)

Perhaps when he is returning to Cape Breton this weekend, the Hon. Member should stop in Montreal and talk with people on the island, and look at the hundreds and hundreds of jobs that he is putting in jeopardy in the high-tech area by his constant persistence with his allies in the other place.

It strikes me passing strange that the Hon. Member's Leader stands up and falsely accuses us of listening to

advocates in Washington, while the Hon. Member stands up and says we should listen to advocates in Washington.

'I have a detailed reply to Mr. Nader, and I would be pleased to table this letter. Mr. Nader fails to realize that this is Canada and not the United States. In Canada we have medicare, and we have social safety nets. Eighty-five per cent of the population is covered by drug plans, including virtually 100 per cent of senior citizens. No one who receives welfare goes without drugs. We have a tremendously beneficial health care system to which Bill C-22 is a positive addition.

MINISTER'S POSITION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the same Minister. The Minister may choose not to give consideration to an internationally acclaimed consumer advocate. But why does the Minister refuse to listen to the United Church, the Royal Canadian Legion, six provincial Governments, and senior citizens across the country? Why does the Minister refuse to listen to those Canadians? Is this another consultation process of the Prime Minister and his Government, saying one thing and doing the opposite?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Why does the Liberal Party of Canada refuse to listen to the Liberal Legislature and the Liberal Premier of Quebec? Why do they refuse to listen to virtually everybody who is interested in the technological progress of this country, in Quebec and elsewhere?

Why does the Hon. Member not listen to his former colleague, Judy Erola? Why does he not read the White Paper put out by the previous Government, and the Hon. Member's colleague, the Member for Papineau? Why does he not talk to researchers? Why does he not talk to the students?

ADVICE OFFERED TO MINISTER

Hon. Edward Broadbent (Oshawa): Mr. Speaker, a minute ago the Minister said that he did not want to listen to the advice of Mr. Nader who gave his opinion after experience in the United States, and after studying the impact of the proposed legislation in Canada. I have a straightforward question for the Minister.

As the Minister of Consumer Affairs in Canada, why has he persistently listened to the advice of drug company interests in the United States, but refuses to listen to the most outstanding spokesperson for consumer interests in the United States?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, in an August 1 edition of the Montreal *Gazette* it points out that Mr. Fingerhutt, a prominent Washington consultant, sits permanently on the NDP strategy committee.

Some Hon. Members: Oh, oh!

Mr. Andre: The Leader of the NDP falsely accuses us of acting on advice from elsewhere when we are doing this for the benefit of Canadians. Presumably, he is receiving this tactical advice from Mr. Fingerhutt, the Washington consultant who apparently advises him on how he should act in this House. Now the Leader of the NDP feels that we should do the same thing in terms of Mr. Nader.

I suggest he return to his Washington consultant and ask that consultant to read the Act, and to look at the benefits that will come to Canadians, and ask him if they should put political opportunism ahead of the interests of Canadians.

PRIME MINISTER'S DISCUSSIONS WITH UNITED STATES PRESIDENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, perhaps the Minister will answer the question. Will he confirm to the House that at the first summit that our newly elected Prime Minister had with President Reagan, the question of this legislation was brought up? Pressure was created then. It was brought up at the second summit that the Prime Minister had with President Reagan. It was brought up at that time by the Vice-President of the United States, George Bush.

Will the Consumer Affairs Minister actually acknowledge that he has yielded to very serious American pressure on this legislation, and is not acting in the interest of Canadians?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I, and every other spokesperson for the Government, have indicated that we have been under pressure from all of our partners for many years. Earlier this week in the House that was stated by the Secretary of State for External Affairs. The British, the French, the Germans, the Swiss, and the Americans have all said to Canada, stop behaving like Taiwan and Bolivia, and respect intellectual property.

• (1430)

If the Hon. Leader of the New Democratic Party is really interested in the health care of Canadians, in research and development, and in future cures for diseases which inflict mankind, I suggest that on one of his trips, perhaps on the way to Socialists International, he stop at one of our medical schools and talk to people doing the research.

Mr. Broadbent: Mr. Speaker, the whole country knows that right after this Government was elected we saw the most massive cuts, in recent history, in research and development money of any Government, and he knows that.

[*Translation*]

REQUEST THAT MINISTER LISTEN TO CONSUMERS

Hon. Edward Broadbent (Oshawa): My last question is simply this: Will the Minister accept the suggestions made by spokespersons for U.S. consumers and pay no attention to the interests of U.S. corporations? That would be fair to Canada.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, in committee—and perhaps he could talk to some of his Members who were there—we looked at the effect Bill C-22 would have and asked the question if in 1969 we had introduced Bill C-22, with a drug prices review board, seven years for manufacturing, and 10 years for importing exclusivity, what would be the impact in 1983, which was the year Eastman concluded that there was a $211 million savings from generic competition. If Bill C-22 had been in place, there would have been between $230 million and $360 million more savings.

The Leader of the New Democratic Party, in continuing to make this false accusation of rising prices, ought to do the House a favour and, in all conscience, ought to take a look at that study—I understand that at one time he taught economics; he should be able to understand it—and he will see that this is beneficial to consumers, not detrimental to consumers.

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BANKS AND BANKING

REPORTED OVERCHARGING OF FARMERS—REQUEST FOR ESTABLISHMENT OF ROYAL COMMISSION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Minister of State for Finance. Yesterday, in response to a question put by the Hon. Member for Algoma, the Minister made the statement that the reason the Government did what it did in the case of the Northland Bank and the Canadian Commercial Bank was to bail out the farmers, not the banks. That is like saying we are feeding the sharks to help the drowning man. It is one of the most outrageous statements made in the House.

If the $1 billion bail-out for the banks suggested and required a Royal commission investigation, why does the fact that the banks are now overcharging thousands of farmers in an inequitable and unjust way not also require a proper investigation and commission of inquiry? Will the Minister, today, establish that kind of Royal commission of inquiry on behalf of the farmers of western Canada?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Hon. Member knows, first of all, that the two banks disappeared and that the farmers and customers of those banks are very much with us.

When we speak of farmers, for example, thanks to the $1 billion Special Canadian Grains Program, thanks to the $60 million interim stabilization program, and thanks to program after program, it adds up to over $6 billion. This Government's efforts on behalf of farmers are well known.

The particular case raised by the Hon. Member, however, is not just an issue for farmers. It was a general question which was raised when he was a Minister in Government. Between 1980 and 1984, interest rates reached 22.75 per cent.

Some Hon. Members: Shame!

Mr. Hockin: It was when interest rates went right through the roof that caused this problem. Nothing was done by the previous Government to bring down interest rates, to speak of, or to help in this particular regard.

Six months ago a Member from our side of the aisle—

Mr. Speaker: The Hon. Member for Winnipeg—Fort Garry.

Mr. Axworthy: Mr. Speaker, while the Hon. Minister is talking about history, I remind him that it was the previous Government that brought down the inflation rate, which is the reason interest rates have gone down. That was the reason for it.

FARMERS' LEGAL COSTS—REQUEST FOR GOVERNMENT ASSISTANCE

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I want to ask the Minister another serious question, seeing that he has flunked his history lesson.

He said yesterday that the farmers must go to court to try to obtain some relief from this major transgression. Will the Minister not provide assistance to those farmers who are presently facing bankruptcy and the loss of their farms and cannot afford the legal costs? Will the Government provide them direct financial assistance to undertake those legal cases?

Will the Minister also insist that the banks begin to provide open books on those loans rather than require the $500 fee which they presently demand from those farmers? Those are in the jurisdiction of the Minister. He can take action now, and we are asking him to take it today.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I would be very happy to answer that question. I know this particular issue was raised on a television program two nights ago and then picked up by the NDP, but this was six months after the Hon. Member for Mackenzie raised this issue with me and I started to conduct inquiries.

Mr. Axworthy: And we are still waiting for an answer.

Mr. Hockin: The Hon. Member, as usual, is third in line in looking into these kinds of issues. Let me tell him what the situation is.

We have not just farmers who are affected by this; we have small-businessmen, large businessmen, and individuals. Many Members of the House are concerned about variable rates.

I have satisfied myself through my inquiry that the kinds of disclosure in place now will not allow this to happen any more. As for those who have suffered, I instructed, after I watched the television program and before I came to the House—

Some Hon. Members: Oh, oh!

Mr. Hockin: —the Superintendent of Financial Institutions to meet with some representatives from Innisfail, Alberta, to find out what we can do to help them.

We want to help, but we cannot intercede in a third party issue.

Mr. Axworthy: Yes, you can.

Mr. Hockin: We cannot help one side instead of the other. We will help the farmers in this particular case in any way we can, but we cannot interfere in a court case.

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AIR SAFETY

INCREASING FREQUENCY OF NEAR COLLISIONS IN UNITED STATES AIRSPACE

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Prime Minister. A number of Canadians are concerned with the increasing frequency of near misses in American airspace. I would like to have the Government assure Canadians that it will look into the matter to ensure that Canadian lives are not a threat and that adequate safety precautions are in place in the United States.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport: Mr. Speaker, I can assure the Hon. Member that that very thing is being done and has been done for many months, indeed years, in this country.

Although they are a separate sovereign nation, they also have a huge number of people operating in a much smaller space than we have in Canada, so the situation is not comparable in any way, but it is being monitored virtually daily.

SAFETY OF CANADIAN PUBLIC

Mr. Rod Murphy (Churchill): Mr. Speaker, we are not comparing Canada with the United States. We want to ensure that the Canadian public is safe when it is flying over that country.

We would ask that the Government ensure that the reports, which it says are being made on an ongoing basis, are made public so that we know what the risks are.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport: Mr. Speaker, again I assure the Hon. Member that everything is safe and is being done, and will continue to be done.

Indeed, I think it was just today in California that they adopted standards for visual flight rules which we have had for years and years in this country. They are moving to our system, rather than the other way.

PENITENTIARIES

JOYCEVILLE PENITENTIARY RIOT—REPORTED CONSUMPTION OF ALCOHOL

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is for the Solicitor General. It concerns the serious riot last night at Joyceville Penitentiary. The Minister knows that one of the causes of the riot was the behaviour of several intoxicated inmates. The Minister has known for some time now that there is a serious alcohol problem at this particular institution. In the past year there were over 60 alcohol seizures; two stills were seized at this particular institution.

Could the Minister indicate what is wrong with security at this penitentiary? How is it possible for alcohol to be manufactured and consumed in a Canadian penitentiary?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, in reply to the Hon. Member, I would advise him that the security at Joyceville is excellent. I think, frankly, the Hon. Member should have commended the members of the guards at that particular institution for the commendable way in which they put down the disturbance last evening.

Some Hon. Members: Hear, hear!

Mr. Nunziata: Mr. Speaker, I am prepared to commend prison officials while at the same time condemn the Minister for his inaction. He knows that it is a result of his inaction that Canadian penitentiaries are a powder-keg ready to explode.

Some Hon. Members: Oh, oh!

• (1440)

OVERCROWDING AT PENITENTIARY

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Solicitor General knows that another cause of this particular riot last night was the overcrowding that exists at Joyceville. Over the past three years, 10 per cent to 20 per cent of its inmates have been double-bunked. Instead of addressing the problem of overcrowding in Canadian penitentiaries, the Prime Minister builds a $68 million unnecessary prison in his riding—

Mr. Speaker: I would ask the Hon. Member to put his question, please.

Mr. Nunziata: Mr. Speaker, in view of the very serious problem in Canadian penitentiaries of overcrowding and double-bunking, what has the Solicitor General done and what does he propose to do to address this particular problem, in order to avoid the possibility of future riots in Canadian prisons?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I find it somewhat difficult to understand the Hon. Member when, on the one hand, he tells us there is overcrowding and, on the other hand, he chastises us for building more prisons. He cannot have it both ways.

Some Hon. Members: Hear, hear!

Mr. Nunziata: It wasn't needed in his riding and you know it.

Mr. Kelleher: Mr. Speaker, I remained silent while the Hon. Member was asking his question. Perhaps he could remain silent while I try to respond to it.

I would like to point out that overcrowding is not a serious problem in our prisons. At this particular institution there are 531 cells housing 584 prisoners. That is an overbunking of approximately 10 per cent which I think is extremely reasonable.

* * *

IMMIGRATION

BILL C-84—COMPATIBILITY WITH UNITED NATIONS OBLIGATIONS

Mr. Dan Heap (Spadina): Mr. Speaker, my question is directed to the Prime Minister. As the Government knows, last week the United Nations High Commissioner for Refugees criticized Bill C-84 as falling short of Canada's duty under the United Nations to protect refugees. Yesterday our Ambassador to the United Nations said that this Bill could be made compatible with our UN obligations. Was our Ambassador speaking for the Government?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, our eminent UN Ambassador, Stephen Lewis, has apparently said that our Bill is fair and humane, our history of generosity and openness will not be compromised, and indeed our legislation will not breach our international covenants.

REQUEST THAT BILL BE AMENDED

Mr. Dan Heap (Spadina): Mr. Speaker, really Mr. Lewis was indicating discontent with Bill C-84 when he said that it can be brought into line and made compatible with our UN obligations and then would be fair. Based on his criticism implied in that remark and the criticisms of civil rights groups and churches, will the Government do the right thing and take the necessary steps to bring Bill C-84 into line with our UN obligations to refugees who come to our shores unable to bring documents with them?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the abuse of immigration laws cannot continue.

Some Hon. Members: Hear, hear!

Mr. Weiner: The profiteering and trafficking in human flesh cannot continue. We have no sympathy for that. What we have before us is a Bill whose purpose is the following:

(a) to preserve for persons in genuine need of protection access to the procedures for determining refugee claims;—

(c) to deter the smuggling of persons into Canada—

(d) to respond to security concerns, including the fulfilment of Canada's obligations in respect of internationally protected persons.

COLLECTION OF PASSPORTS BY AIRLINE ATTENDANTS

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, my question is directed to the Minister of State for Immigration. Contrary to the instructions of the Department of External Affairs calling upon Canadians not to forfeit or surrender their passports to anyone, is the Minister aware that he is asking the staff of all airlines, including foreign carriers, to undertake the responsibility of taking up and later on returning to passengers hundreds of passports on each and every international flight, to risk the danger of losing them or mixing them up, and to act in effect as untrained Canadian immigration officers in a foreign country under foreign laws? Is the Minister aware that that is what he is asking for?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the Bill gives us certain powers. It does not say, however, that we must use them. It gives us the power to collect the documents if needed. It does not say that we must collect them all. It gives us the power to issue detention certificates. It gives us the power to turn around ships if needed, but not every ship on the horizon. It gives us the power to fine and jail if needed. We may do it if we have to and we will do it if we must, if and when a situation warrants it. However, we will deter abuse and that is what is clear to all Canadians.

HIJACKING INCIDENTS—IDENTIFICATION OF PASSENGERS

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, I wish the Minister had answered my question. However, I would like to ask him about the question of nationality in the case of a hijacking. IATA spokesmen are concerned, if carrier staff have in their possession all passports and hijackers ask them to identify particular nationalities such as Jews or Israelis, about where the crew stands. What is the role of the crew in the protection of passengers as well as their own safety with this kind of law in force?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the legislative committee is now reviewing all aspects of the current legislation. We have had wonderful co-operation with the IATA people. I might say that the interception abroad is working and working well. We have continued training of airline personnel. Of 6,700 improperly documented arrivals last year, there were 1,300 interceptions made abroad. This year the figure is running even higher. New legislation will help the airlines do even better, and the collection of documents is not mandatory but could be useful when seriously in doubt.

Oral Questions

BANKS AND BANKING

FARMERS' LITIGATION WITH BANKS—REQUEST FOR GOVERNMENT ASSISTANCE

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, my question is for the Minister of State for Finance and is regarding the rip-off of farmers by the banks and their interest rate shenanigans. The Hon. Member for Humboldt—Lake Centre brought this issue up six months ago. The Minister suggests that the money that has been given to farmers for the situation in the west is the Government's commitment to farmers. Meanwhile he is abandoning those same farmers to fight the powerful banks unaided. Will he put some money where his mouth is and give assistance to the farmers in fighting those powerful banks?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the financial institutions involved in this particular matter are not just banks. A whole range of trust companies and credit unions also had similar problems. I would like to help any groups affected in any way I can, and particularly farmers. Would the Hon. Member tell me exactly what kind of assistance he has in mind?

NATURE OF ASSISTANCE

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, the Government bailed out the banks with $1 billion. I want to take a part of that $1 billion and give it to the farmers so that they can legally fight those banks to get justice in their interest rate problems.

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I would like to ask the Hon. Member—

Mr. Broadbent: You're answering the question.

Mr. Hockin: I am going to answer the question. Would he like us to support financial institutions which are small, regional, and undercapitalized as well?

Mr. Ouellet: Mr. Speaker, in the absence of the Minister of Transport, I have a question for the Parliamentary Secretary.

* * *

[*Translation*]

RAILWAYS

REQUEST THAT MINISTER OF TRANSPORT VISIT ABITIBI-TÉMISCAMINGUE TO SEE IMPACT OF CN DECISION

Hon. André Ouellet (Papineau): Can the Parliamentary Secretary confirm whether the Minister of Transport will be in Abitibi-Témiscamingue to attend the weekend meeting of Quebec Conservative Members to defend CN management's decision to shut down their freight train service in Abitibi, thus causing the direct or indirect loss of some 9,500 jobs in that region?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I can confirm that all Quebec Conservative Members will be present in Northwestern Quebec where we will review the various files concerning Quebec, including one of the most important cases involving investments of $700 million about to be made in the Montreal metropolitan area where 1,300 new jobs are being created, while a handful of Liberal Senators are thwarting this massive flow of capital towards Montreal. We intend to review the situation in light of Premier Bourassa's representations on the heels of a National Assembly unanimous motion directed against the Liberal Senators here in Ottawa. The motion is to the effect that enough is enough, let Quebec have its share of industrial expansion in the scientific field of research and development.

EXTENT OF PROTECTION OFFERED TO PHARMACEUTICAL COMPAGNIES—IMPACT

Hon. André Ouellet (Papineau): Mr. Speaker, my supplementary is directed to the Prime Minister, who is giving me an opportunity to inquire about a situation that is entirely incomprehensible to public opinion. And perhaps he could advise his Minister for Consumer and Corporate Affairs to be more conciliatory and reasonable when dealing with consumers.

What the Liberal Senators propose is not to prevent investment but to get certain conditions for such investment in Canada, without letting the drug companies make excessive profits. The four-year period proposed by the Liberal Senators is the one recommended in the Eastman Report. I therefore ask the Prime Minister why he insists on letting the drug companies make excessive profits by giving them a monopoly that is totally unacceptable, according to Professor Eastman who did the study, a 10 year monopoly that is unnecessary.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member asked me to speak to the Minister of Consumer and Corporate Affairs. The Minister has protected the interests of consumers, and I think that is clear to everyone, and I will certainly give him the message.

I will also ask the Hon. Member to send a message to his leader, who is supposed to look after the interests and future of the Liberal Caucus, including non-elected Liberal Senators who are not only preventing elected Members here in the House from expressing their democratic will—this handful of Senators, who are not elected and who are very well paid, are not only undermining the democratic will of the House but also jeopardizing the creation of 1,300 highly sought-after jobs in the science and technology field as well as investments totalling $700 million for Montreal. I tell you, the Liberal Party is about to cause an industrial catastrophe in Montreal. Talk to your leader about this because Quebecers' time is running out.

• (1450)

[*English*]

ADMINISTRATION OF JUSTICE

LEGAL AID—SASKATCHEWAN USER FEES

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Minister of Justice. He will be aware of the fact that the Saskatchewan Legal Aid Commission recently introduced user fees for legal aid services as a result of the Conservative Government slashing its Budget by 8 per cent this year. This is in clear breach of the federal-provincial memoranda of agreement on legal aid. What action is he prepared to take to ensure equal access to justice for all, not just those who can afford to pay for it?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, as all Hon. Members will know, the federal Government is fully committed to funding legal aid across Canada. We have entered into agreements and are in effect funding 50 per cent of the cost of legal aid in each province.

I have of course been in touch with my officials concerning the provisions of the agreement between Saskatchewan and the federal Government. I should point out to the Hon. Member that I understand litigation is now contemplated and will be before the courts. It seems to me under those circumstances I should not comment further on the basis that it will be *sub judice*.

TERMS OF FEDERAL-PROVINCIAL AGREEMENT

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, while this litigation is before the courts, it is quite clear that poor people in Saskatchewan are being turned away from legal aid—

Mr. Lewis: Name one.

Mr. Robinson: —because they cannot afford the fees. A memorandum from the acting chairman of the commission asks all directors to record the applicants who are denied services as a result of inability to pay. Does the Minister not agree that the imposition of user fees in legal aid is in clear breach of the federal-provincial agreement? If so, what action is he prepared to take to ensure that the Government of Saskatchewan stops breaking the agreement and ensures access to justice for those who cannot otherwise afford it?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, all I can say is that I cannot confirm the allegation made by the Hon. Member. All I am telling him is that the federal Government has a commitment to fund legal aid to the extent of 50 per cent. This Government has a commitment to legal aid across the country. Under our agreement, this being a matter of provincial jurisdiction we cannot fund unless there has been a contribution of equal amount by the province. If he does not understand that, he does not understand anything.

NATIONAL DEFENCE

PROJECT COST OF NUCLEAR POWERED SUBMARINES

Mr. Patrick Crofton (Esquimalt—Saanich): Mr. Speaker, my question is directed to the Minister of National Defence. There is a CBC story today quoting the latest edition of that well-known British military journal *Jane's Fighting Ships*. It says the editors suggest that the nuclear submarine acquisition program that Canada proposes to embark on will cost in the vicinity of $12 billion rather than the $7 billion cited by the Government. Has the Minister had an opportunity to review the criteria on which this article is based and, if so, how does he respond?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, the CBC story this morning was apparently based on a Canadian Press dispatch from London which was a review of the current issue of *Jane's Fighting Ships*. What the CBC overlooked, or failed to mention, was the fact that when Jane's referred to higher costs, that was to purchase the American *Los Angeles* class nuclear submarine which we are not looking at. The CP story says *Jane's* accepts the Canadian cost estimate of $7.5 billion Canadian if the Government buys and builds under licence the British *Trafalgar* class submarine.

Some Hon. Members: Hear, hear!

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CANADIAN ARMED FORCES

REQUEST THAT ATLANTIC SEA CADET FACILITY BE ESTABLISHED IN NEWFOUNDLAND

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Minister of National Defence. He will know that the Premier of Newfoundland, the Minister of Transport, Newfoundland's representative in the federal Cabinet, all of Newfoundland's Senators, myself, and the Hon. Member from Stephenville have all urged the Government to establish a new Atlantic Sea Cadet training facility at Stephenville, Newfoundland.

Some 60 per cent of all Atlantic Canada sea cadets come from Newfoundland. That province also has the lowest per capita defence expenditure of any province in Canada. Given that, can the Minister tell the House when the Government is going to announce that Sea Cadet facility will be placed in Stephenville, Newfoundland?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, as the Hon. Member knows, the Government's White Paper on Defence committed the Government to rebuilding Canada's defence capabilities after they were allowed to slide for so many years. We are currently examining a whole range of options for expansion. One of those will be Stephenville, obviously, and we welcome any input from the Hon. Member on that.

REPORT PREPARED BY CONSULTING COMPANY

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the Minister has had my input as well as that of almost every single Newfoundland Member of Parliament. Can he confirm that he has had in his office since June of this year a report by McFann & Rodgers, a consulting company in Halifax—copies of it are floating around—which recommends that the Sea Cadet training facility not be placed in Newfoundland, the province which provides 60 per cent of all Sea Cadets, but in the province which already has the highest per capita defence expenditure in the country?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, what I can confirm is that the Government is committed to rebuilding Canada's defence capabilities—

Mr. Tobin: Sea Cadets!

Mr. Beatty: —and that there is a strong commitment as well to the Cadet movement. We are doing that after a period of decline in Canada's defences while the Trudeau Government was in power.

• (1500)

If the Liberal Party, instead of harping and complaining about us rebuilding Canada's defences, supported us in doing so, I think we would be able to make much faster progress.

* * *

SMALL BUSINESS

NATIVE ECONOMIC DEVELOPMENT PROGRAM

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my question is directed to either the Minister of State for Small Businesses and Tourism or the Minister of Regional Industrial Expansion. Applicants under the Native Economic Development Program are becoming thoroughly frustrated and discouraged by the Government's mismanagement of this program.

At one bureaucratic level they hear there is a freeze on and at another bureaucratic level they are told there is not. Will the Minister tell the House how many new programs have been funded under this program since June 1, 1987?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I have already replied to such questions many times and I have said that, since June, 1987, hundreds of projects have been approved, representing just under $200 million. I shall be happy to reply to my colleague and tell her exactly which projects the Government has approved since June for Western Canada. I can assure her that we are doing everything possible to promote regional development in the regions most especially concerned.

[*English*]

EXPENDITURE OF FUNDS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, will the Minister then give his assurance to aboriginal Canadians that the $76 million allocated to this program in this fiscal year will be spent and that the full amount of $345 million will be allocated by March, 1989?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I can tell the Hon. Member that, in 1983-84, the Government spent $770 million for regional development. In 1987-88, we shall be spending over $1 billion. I think that this shows the concern of this Government for regional development.

[*English*]

Mr. Speaker: I want to advise the House that there will be a supplementary question by the Hon. Member for South-west Nova which will be followed by a single question from the Hon. Member for Levis. That will close off Question Period.

* * *

CANADIAN ARMED FORCES

LOCATION OF PROPOSED ATLANTIC SEA CADET FACILITY

Mr. Gerald Comeau (South West Nova): Mr. Speaker, in response to a question from the Member for Humber—Port au Port—St. Barbe the Minister indicated that he would be prepared to listen to representations from Members from Newfoundland and that such representation would be taken into consideration.

If the Minister will grant me the same privilege, I would like to make representations on behalf of the great riding of South West Nova in which is presently located the Sea Cadet School. I hope the Minister will accept my representations on this matter.

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, I will indeed.

[*Translation*]

CONSUMERS AFFAIRS

BILL C-22—REQUEST THAT MINISTER VISIT MONTREAL AND MEET INTERESTED PARTIES

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs and has to do with the Patents Act which would make it possible to create 1,300 jobs and invest $700 million in Montreal. This legislation is in limbo as a result of the ineffectiveness of the Liberal leader and his sidekick from Laval-des-Rapides—and both of them should indeed be listening to me. Montrealers will now have to make their representations directly to the Senate, Mr. Speaker.

I ask the Minister whether he would be prepared to accompany me to Montreal next week to meet with the Mayor of Montreal, city councillors, the Chamber of Commerce, and the Board of Trade and tell them how they can come here and explain to Quebec Liberal Senators how we will pass this legislation and what benefits are in store for Quebec.

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this Bill is vitally important to the technological advancement and future of all of Canada, but particularly to that of the west island of Montreal where a lot of our high-tech pharmaceutical biotechnology research is located.

I cannot for the life of me understand how anyone representing Quebec could stand by and watch the other place destroy this economic opportunity for that part of the country.

Some Hon. Members: Hear, hear!

ROUTINE PROCEEDINGS

[*English*]

PRIVATE MEMBERS' BUSINESS

PRESENTATION OF FIFTH REPORT OF STANDING COMMITTEE

Mr. Bill Kempling (Burlington): Mr. Speaker, I have the honour to present the fifth report of the Standing Committee on Private Members' Business, in both official languages. This report deals with the selection of votable items pertaining to the fifth draw which took place on June 23, 1987.

May I note that pursuant to Standing Order 36(1)(b) this fifth report is deemed adopted when laid upon the table.

[*Editor's Note: See today's Votes and Proceedings.*]

Petitions

PETITIONS

OPPOSITION TO AIRLINES DEREGULATION

Mr. Rod Murphy (Churchill): Mr. Speaker, I have the honour to present three petitions in the House today. They all relate to Bills C-18 and C-19. The petitioners express their concern that the experience of airline deregulation in the United States has resulted in a reduction of safety standards and practices in that country. They call upon the House of Commons to reject Bills C-18 and C-19 so that we do not have the same deregulated and unsafe conditions in Canada.

[*Translation*]

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, it gives me pleasure to present a petition pursuant to Standing Order 106, which petition was signed by constituents from my riding and visitors to the Byward market in lower town Ottawa, also in my constituency, who have had an opportunity to discuss with us this summer the Government proposal to impose a tax on food.

The petition reads as follows:

"Whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food;

And whereas food constitutes a vital element of day-to-day life and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low income taxpayers, youths and students;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

• (1510)

[*English*]

REQUEST FOR TOUGH LEGISLATION DEALING WITH PORNOGRAPHY

Mr. John Reimer (Kitchener): Mr. Speaker, it is a pleasure to present a petition signed by 1,325 residents of Kitchener and the Waterloo region. They are convinced, and I totally agree with them, that tough legislation is needed to deal with the ever growing problem that pornography poses to Canadian society.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Tuesday, August 18, consideration of the motion of Mr. Bouchard that Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, be read a second time and referred to a legislative committee.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, yesterday, speaking on the hoist motion, I had a chance to express some of the background relating to Bill C-55. I pointed out the changing situation of refugees around the world. We focused on the refugee situation in Europe and Iron Curtain countries after the Second World War. Now the focus tends to be on the Third World. There has been a growth of restrictive measures in western countries so that refugees are having a more difficult time gaining access to all countries in the western world. Instead of refugees being seen as people in need, they are being seen more and more as threats to the *status quo*. We are taking a very self-centred approach to people who are in the most extreme kinds of need.

I pointed to the unacceptable abuse of our own refugee determination system and the need to improve that, but at the same time we have had the failure of the Conservative Government to take timely action to deal with it. It was presented with the Plaut report. Instead of acting on that, it mandated the Standing Committee on Labour, Employment and Immigration to study it. When the standing committee presented its report, the Government took no action.

I pointed to the latent racism that exists among Canadians, as, indeed, exists among people all over the world. It lies not too far beneath the surface in most of our lives. Racism is something that needs to be resisted, not catered to. Unfortunately, Bill C-55 and Bill C-84 are catering to a fear of other peoples, a fear of other cultures. It is a kind of xenophobia that is unacceptable for the kind of Canada we want to build in the 1980s and into the 21st century.

Racism has had its time. We should leave it behind and develop the kind of legislation that will lead to a more open society, not one that is more fearful and based on the belief that we have to put up walls in order to protect our values. If we have faith in our values we should be willing to test them in a multicultural society and world.

When the standing committee presented its report in November, 1985, it outlined four basic principles as fundamental to the approach of the committee. I want to read those four principles because I believe they are key to the whole refugee determination process:

> 1. It is the Committee's strongly-held conviction that Canadians do not want people sent back to countries where they may be persecuted.
>
> 2. Every person in Canada who wishes to claim that he or she is a Convention refugee should have an unqualified right of access to a formal process that will adjudicate the claim.
>
> 3. All Convention refugee claimants should have their case decided at a non-adversarial oral hearing.
>
> 4. The decision-maker in the formal process shall have the power, in addition to declaring an individual to be a Convention refugee, to recommend to the Minister that specific individuals who are not within the strict definition of Convention refugee, nevertheless should be considered for landing on compassionate and humanitarian grounds.

Those four principles have not been adhered to in Bill C-55.

The committee pointed out that it had been persuaded by Rabbi Plaut and other witnesses that the decision to provide the protection of Canada to those who have well-founded fears of returning to their own country should be undertaken by a body of people knowledgeable and sensitive to human rights issues rather than immigration issues. The determination decision is not an immigration matter, but instead a decision as to who are Convention refugees in need of Canada's protection.

Care must be taken to make sure that our international obligations to Convention refugee claimants are dealt with by a refugee determination system that is not part of our immigration system.

Those are the four principles that the standing committee set out and which, unfortunately, Bill C-55 does not adhere to. The refugee determination system does not follow the general recommendation of the committee.

Rabbi Plaut said, and the committee concurs with him, that declaring a claimant to be a refugee is not a privilege we grant

but rather a right we acknowledge. I think it is important for us to think about the meaning of that assertion. We think of citizenship in Canada as a privilege. Certainly those who come as immigrants in the normal stream, coming to Canada is a privilege. However, with respect to those who come as refugees, we say we are recognizing a right rather than granting a privilege.

We recognize this as a right because we, as a nation, have signed certain international covenants. We recognize that we have broad obligations to humanity, broad obligations to our brothers and sisters throughout the world. Where people are in need of refuge, we as a nation that prides itself on a humane tradition, a tradition of fairness and helping those in need, have an obligation to provide that refuge. It is not a privilege we extend but a right that we recognize.

The committee agreed with Rabbi Plaut that there should be no distinction between those who have entered Canada legally and those who have entered illegally when it comes to applying for refugee status. That is, there are those who come to Canada without full documentation and without going through all the procedures. However, the committee said that they should still be entitled to apply for refugee status.

The committee recommended that there should be broad grounds for appeal when refugee status has been denied, and not just on points of law as Bill C-55 provides.

The committee provided for a shorter appeal process. This really is the crux of the abuse of the system. Our appeal process is so long and drawn out that people can take advantage of it. The committee and other people such as Rabbi Plaut have proposed models that would have a much shorter appeal process but would still be fair and would give the benefit of due process to refugee claimants while not allowing them to stay in Canada for up to five years.

These kinds of recommendations would have eliminated the abuses but would also have left a fair system in place. Unfortunately, Bill C-55 is legislation that does not leave a fair system.

I want to point out some of the objections to Bill C-55 that have been raised in a submission by the Montreal Coalition for Refugees. It is a submission that I commend to all Members of Parliament for their study and thought.

The committee states:

> —we see as dangerous and unacceptable a proposed system which will govern our borders and yet fails to reach basic human right standards. For instance, the bill requires that the "burden of proof" lies with the claimant. Thus the bill contains a "presumption of abuse" unless the individual, despite his likely initial confusion and distress can prove otherwise.

When people arrive as refugees I think we all recognize that they have been under a great deal of stress. I believe it is not fair to lay upon them the additional stress that they have to prove that they are not abusing the system. The Coalition points to certain moral failures in the Bill. It states:

> The denial of a complete hearing is unjust. The practitioners opposing this document know from experience that it is extremely difficult for refugees having just arrived in Canada to immediately (within twenty-four hours) present their claim and expose their reasons. It is more than probable that an adjudicator preoccupied with immigration demands, will not recognize that a person is a refugee at the instant of his arrival.
>
> Yet, such a person will not have a second chance to present his case. Furthermore, the speedy character of the pre-selection process will in practice deny the claimant of the right to counsel of his choice.

• (1520)

Secondly:

> The list of "safe third countries" goes against Canada's humanitarian tradition. No country is safe for everyone.

Either we are creating diplomatic difficulties for Canada or we are creating a very unfair system for refugees. If we have a situation where we have to declare, for example, that the United States is an unsafe third country, as it very obviously is for Salvadorans or Guatemalan refugees, we are then creating some diplomatic difficulties between ourselves and the United States. Why are we doing this to ourselves? Why do we not eliminate the possibility of a "safe third country" because there is no such thing.

The Coalition goes on to state:

> The pre-selection process for refugee claimants violates international norms of protection.

It points out that Bill C-55 violates the principles of justice upheld in Canada. It states:

> Bill C-55 does not in any way reflect the consensus that emerged from Government consultations with, among others, the Canadian Bar Association, Rabbi Gunther Plaut, the churches and non-governmental organizations who continuing to demand:
>
> (i) universal access to a simple, fair and efficient system
>
> (ii) an impartial decision making body formed by refugee experts and chosen in consultation with other concerned organizations.
>
> (iii) an initial and full hearing
>
> (iv) the right to a lawyer of one's choice
>
> (v) a full right of appeal
>
> (vi) the independence of the refugee system from immigration
>
> (vii) equitable treatment of claims made abroad.

The Government has never formally rejected these objectives in principle but Bill C-55 denies them.

In conclusion, I would urge the Government to withdraw Bill C-55 and bring in a Bill which would eliminate the abuse, provide for a shorter appeal process, but still provide for a full and fair hearing for refugee claimants so that Canada will continue to be a country that can hold its head high when it looks at the whole refugee situation throughout our world.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, the debate on Bill C-55 is important and we are now into our ninth hour of debate in the House. Therefore I am not exaggerating when I say that it is imperative to appreciate fully what is being proposed through Bill C-55 which is aimed

at revamping the refugee determination process and establishing mechanisms—stricter perhaps, and perhaps even more adequate—to be able to decide who is a bona fide refugee.

As you know, Mr. Speaker, the Government has had three years to study this important question. It has done precious little during those three years. It came to the House last May 5 and introduced the Bill for first reading. We waited until June 18 to begin second reading of the Bill, a day which, as we recall, was full of other things—that was the day the Minister of Finance (Mr. Wilson) made his famous statement on tax reform. And the Government used Bill C-55 as a kind of filler. Since then, the Government has not seemed too anxious to follow through on Bill C-55. And as Hon. Members are aware, many non-governmental organizations with special expertise in this field have recommended the Government give the Bill a great deal of thought. Mr. Speaker, I welcome this opportunity to take part in the debate because even if we have only 10 minutes each, I will try to get across my personal position on Bill C-55, a Bill that, I admit, has its good points but also contains a number of weaknesses which I think should be corrected in committee. It is important to realize that when, either today or tomorrow, we finish the second reading stage here in the House, the committee that will consider the Bill will, I hope, consider the substantive amendments that are in order.

Mr. Speaker, we have had information from every possible source regarding refugee status determination in Canada. There was a major commission chaired by Rabbi Gunther Plaut and appointed by the Minister of Employment and Immigration at the time, Miss Flora MacDonald, which produced a voluminous report which, I imagine, has been thoroughly examined by Hon. Members and contains a number of recommendations.

I would like to start my comments by reading the report's conclusion which, I think, is particularly important, and I quote from page 215 of the Plaut Report:

> I end this report with two observations made by the United Nations High Commissioner for Refugees in the summer of 1984.
>
> The ability to states to respond positively to refugee situations, he said, "depends very largely on a favourable climate of public opinion." He further stressed the unhappy fact that there has been
>
> increasing evidence in recent years of confusion in the public mind between the very special situation of refugees and that of the many millions of other aliens who are endeavouring to gain entry into countries otherthan their own. This confusion has been to the detriment of refugees and has tended to impede a sympathetic approach to refugees at the official level.

I shall go on, because I think this is important. It is not that long.

> We in Canada will do well to heed this caution. We need to give urgent attention to promoting a renewed understanding of the special situation of the refugee, and both governmental and non-governmental organizations will wish to co-operate in doing so.

Mr. Speaker, I submit that since the session resumed on August 11, there has been a lot of confusion between, on the one hand, Bill C-84, a deterrent measure that also provides for the detention of some individuals that enter this country under perhaps special conditions, and the overall immigration question on the other hand. All that has been mixed up, and confused in the minds of Canadians, sometimes by a Government that was not too clear as to its objectives, and that I must recognize, sometimes according to the perceptions and views that we have at least in my constituency of Ottawa—Vanier, wanted to spread confusion by making Canadians believe there was an emergency because of 174 Sikhs who landed in Nova Scotia.

Mr. Speaker, like many other Members I went through the experience of welcoming refugees in Ottawa when the Vietnamese, the boat people faced an emergency situation. At that time, we accepted a significant number; I am told 100,000 Vietnamese were accepted in this country. In my own city, 4,000 were. We put in place systems, mechanisms to help human beings who were going through a crisis. That was the Canadian way. That was absolutely honest and open in my view.

All of a sudden we have 174 people arriving in the middle of the night, under very unique and difficult circumstances, as I mentioned earlier. So a state of crisis is declared and public opinion is fed the idea that the refugee system is subjected to terrible abuse and that immigrants and refugees are one and the same.

I feel that the Government should clarify the situation and that is why I do not hesitate to ask my colleagues in the House to rise and speak to this issue, over which we have debated a mere nine hours, so that Canadians can be made to understand what is at stake here, which is not to make it possible or easy to abuse the system. I would think that all Hon. Members have understood this, as have all Canadians. We are against abuse, we do not want people to break the law and get away with it. But what Bill C-55 is concerned with is the determination of what the refugee status is. This is important since the public does not have a clear idea as to who is an immigrant and who is a refugee. We do not get one hundred thousand of them every year. Barely 20,000 people qualify as refugees every year. It is true that at the present time there are more applications for refugee status than our officials or the system can handle.

A ready solution comes to mind: we need only increase our capacity to handle such applications and put in place a mechanism to deal with them as expeditiously as possible.

Mr. Speaker, the essential merit of Bill C-55 is to allow the number of unprocessed applications for refugee status to be worked down to a manageable level by decreasing the amount of time elapsed between the initial request and its final acceptance or rejection. The idea is to speed up the process to take care of what has been termed the back-log problem.

The whole process entails a maximum of three stages: a pre-selection at the initial hearing stage; a hearing before two members of the Refugee Board; and, as a last resort, an appeal to the Federal Court on legal grounds only, if necessary.

Mr. Speaker, the present mechanism comprises at least seven stages. Their number is thus more than halved under the new procedure. Up until now, the process could stretch over five years, as we well know. It was drawn out, often costly and difficult as well.

The amendments in Bill C-55 would allow for the shortening of the first stage. As I said, that can translate into acceptance or removal.

I could speak for much more than 10 minutes on the flaws of the Bill, because there are many. Indeed, I raised the matter a number of times in this debate on the occasion of questions put to Hon. Members. The numerous flaws start with the pre-selection process, the safe third country approach, the Refugeee Board, the appeal mechanism and the precedent encouraging other countries to take similar steps while claiming they are concerned with the well-being of refugees.

Mr. Speaker, when a claimant appears before the adjudicator and the member of the Refugee Board, under the pre-selection process, as proposed in Bill C-55, his claim unfortunately is treated according to the country of origin, which jeopardizes the protection that should be afforded to people who claim refugee status.

This is why I put the following question to the Conservative Member when he had the floor: How will we determine what is a safe third country? Is the United States a safe third country? They do not accept people from Guatemala. They also refuse to accept people from El Salvador, returning them back home.

So there should be an exact determination of what is a safe country to which we can return an individual, a human being in distress who comes here as a refugee.

Mr. Speaker, this in my view is the work that will have to be accomplished in committee.

I see that you are about to interrupt my comments, Mr. Speaker, and I will conclude on that.

I know the Government told us they would not return an individual to a country where that individual could be prosecuted or unfairly treated.

But the question that comes to mind is this: If we return an individual to the country of origin, whichever—Holland in the case of Tamils or the United States in the case of someone from Guatemala—Mr. Speaker, this should be determined and I feel the committee has an important task to accomplish. It is important in my view that the Bill be reconsidered, and if possible amended in committee. I thank hon. Members for their attention.

• (1530)

[*English*]

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I am sorry to have to participate in this debate again. I am sorry about what is happening, that the House has met in the middle of August when I think Members should be out in their constituencies or taking some time to prepare for the jobs that need to be done when the session gets going again in the fall.

We are here because of an emergency, because of a crisis. But, unfortunately, it seems to me that this is a crisis because of the standing of the Progressive Conservative Party in the polls much more than it is a crisis in terms of a need for instant action on an issue related to refugees on which there have been some solid and constructive proposals put forward by the Standing Committee on Labour, Employment and Immigration, as well as in the report of Rabbi Gunther Plaut of Toronto some two years ago.

If this were a priority the Government could have acted at that time to begin to shorten the very long period of time that it takes for refugee claimants to have their cases adjudicated. Everyone agrees that that time is too long. But I want to address some comments through you, Mr. Speaker, to those citizens who will read this debate or who are perhaps watching the debate today and who are scratching their heads with respect to what has happened.

Certain members of the Conservative Party have cited opinion polls saying that Canadians want action on this particular issue. It is true that if one asks people if something should be done to prevent people trafficking in people who may be false refugees and from dumping them off our coast, most Canadians say yes. We say yes, too. I say yes as a New Democrat. I think what Canadians have to be aware of is that what we have from the Government is, in Gunther Plaut's words, an hysterical over-reaction to a situation, a situation which required change, yes, but not a situation which required the kind of change that we have right now.

I wish to cite and to deplore the comments made by the Minister of Employment and Immigration (Mr. Bouchard) when he appeared before the legislative committee on Bill C-84 yesterday. He accused the churches of having violated immigration law for the past 10 years in terms of the assistance they have given to refugees. He admitted that the Bill which we sent from this place a day or so ago, Bill C-84, does nothing to stop those immigration consultants who were instrumental in bringing in people from Portugal, Turkey and Brazil who, it would appear, were actually false claimants of refugee status and who certainly did not come from countries which have generated large numbers of refugees in the past.

Yet the Bill which the Government put forward in response to what it says is a crisis and an emergency did nothing to impose penalties on these consultants who have, I believe, in seeking to abuse our laws in the process, abused the generosity that most Canadians feel in helping people who are genuinely

in fear, in legitimate fear of persecution in their home countries. None of those consultants involved with the Portuguese and the other groups that came have in fact been prosecuted.

One asks, if the Minister or the Government wanted to send a signal, why has that kind of signal not been sent and why are there no proposals today to change the penalties from what existed before?

I believe that Canadians are being given a wrong picture in terms of the refugee situation as a consequence of the landing of a group of Sikhs off the shores of Nova Scotia. Some 17,000 people have sought refugee status this year. Some 174 additional ones coming in is equivalent to an extra 1 per cent. It is a very small number. The only previous time we have had a similar incident was when the Tamils came in one year ago. I remind Canadians that at that time the Prime Minister (Mr. Mulroney) himself welcomed that group of Tamils and said, "We will do our best to ensure that you are seriously considered for the refugee status you seek", despite the curious circumstances under which they were brought to Canada's shores.

Last year that was okay; this year it is not. I believe that the Government and members of the Government are trying to place in peoples' minds an impression that hordes—very large numbers—of dark-skinned applicants for refugee status are coming to Canada.

• (1540)

The Government has taken different sides in this issue, and perhaps it is seeking to exploit fears relating to internal politics in India where there are tensions between the Sikh and Hindu populations. Because Sikhs wear turbans and look different, it is being suggested that there is something wrong with Sikhs being here in Canada. Canada has 150,000 Sikhs. The vast majority, like the vast majority of immigrants from every country, make a solid and constructive contribution, regardless of the national or religious dress they choose to wear.

Every person seeking or applying for refugee status is not necessarily a legitimate refugee. That is not the question. The question is whether somebody who is seeking refugee status has a reasonable case to be there. The figures this year indicate that of the 17,000 people who have applied 4,000 came from El Salvador. That country has a history of death squads and dictatorship that has continued despite the election of the government under President Napoleon Duarte which was going to clean things up. The serious problems there are exacerbated by the meddling of the Central Intelligence Agency, and of the Americans in Central America where their shenanigans have extended beyond Nicaragua to other countries in that region.

A further 1,208 applicants came from Guatemala. The same situation prevails in that country. Hundreds of thousands of people have become displaced, stateless, or forced into refugee status in Central America because of political disturbances, and state terrorism in those areas.

One thousand six hundred and eighty-seven applicants came from Sri Lanka. I would hope that the recent agreement between Prime Minister Ghandi and the President of Sri Lanka regarding the status of the Tamils and the decentralization of power to the northern states in Sri Lanka will lead to a settling of the grievances of the Tamil population, and of the problems which have created refugees. In the past, Canada has accepted a number of Tamils as refugees. One has to assume that a number of the people from Sri Lanka were legitimately seeking refuge because of their Tamil origins, and their legitimate fear of persecution, oppression, or death.

One thousand six hundred and fifty-two people were seeking refugee status from Iran. I need not comment on the situation in Iran, and what has been done to the people of the Baha'i religion, or those deemed to be enemies of the ruling religious regime in Iran.

One thousand two hundred and ninety people have applied from Chile where the Pinochet dictatorship continues. This weekend I read the devastating novel by Isabel Allende, the niece of the former President, Salvador Allende. In her novel she describes the events that took place there, and the degree to which the Conservative right wing in Chile were disillusioned, and deeply disturbed and distressed by the manner in which their country literally went to the dogs during the takeover by the military at the time that President Allende was murdered, and the democratically elected progressive Government was defeated. Certainly, Chileans have a legitimate case to argue that they are suffering fear of political persecution.

Of the top six refugee applicant producing countries, the only one which we might question would be Brazil. It produced 1,681 applicants. I am not qualified to judge whether or not those applicants are genuine.

We have to bear in mind that out of total immigration this year of approximately 120,000, there was a relatively small number of people seeking to have their refugee claims dealt with fairly. I believe this total should be increased. The other day in the House the Minister announced that this total will be increased because of a relaxation of the family reunification policies.

Churches, refugee aid groups, the Canadian Bar Association, and other groups, have put forward constructive proposals to accelerate the consideration of refugee status claims. At the same time, they have stated solidly that they believe that Bill C-55 is wrong. In particular, they feel that it is wrong for Canada to have a situation in place where applicants for refugee status can be turned away at the border because of an administrative determination taken within 72 hours that they have touched down on a safe country on the way to Canada.

People who have come from Sri Lanka, El Salvador, Iran, Chile, Afghanistan, and other countries generating refugee applicants can hardly help but pass through another country.

Bill C-55 effectively gives these quick tribunals at the border the authority to turn away most applicants for refugee status, without any serious look at whether their claims are valid. I do not believe that is in the spirit of Canadians.

Most Canadians feel it is wrong when our Minister of Employment and Immigration suggests that the churches, and other refugee groups working out of charity and generosity are breaking the law, and should continue to live under the threat that they may be prosecuted for continuing to break the law. Surely, that is wrong. That is one of the reasons why I believe that Bill C-55 should be opposed. Instead, Canada should put in place recommendations and proposals along the lines of those put forward to accelerate the process without victimizing persons who seek refugee status.

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, it is an unhappy reality that the House of Commons is still debating Bill C-55 in principle. I had hoped that the Bill would either have been delayed for six months by the vote yesterday, or withdrawn by the Government. There has been extremely cogent and detailed criticism of the gross inadequacies in the Bill, and the serious dangers to our tradition as a humanitarian country open to immigrants and refugees. Those people have made a tremendous contribution to our country. Instead, this piece of legislation is still in front of us.

The Canadian Conference of Catholic Bishops described this proposed legislation in the following terms:

> This proposed legislation and its objective go against the humanitarian traditions of the people of this country, who in great majority are descendants of immigrants and/or refugees.

Yet, the Bill is still in front of us, and the Government persists, despite the fact that there are three fundamental faults that are self-evident to anyone who has looked through the legislation with any care.

First, the procedure for refugees which is established by this Bill makes our country inaccessible to a great many people who would like to be able to claim at least the chance for a hearing. They are not claiming the right to settle here, but the right to a hearing. Instead of ensuring that everyone can have their claim heard, this Bill sets up a system which I predict will eliminate the chances of 75 to 80 per cent of those who come to our borders seeking to have their claims heard. That means that 75 per cent to 80 per cent will not even have the opportunity of a hearing.

Second, there is a basic contradiction of the notion that those who judge claims should be independent of those who are regulating the system.

Let me quote from the news release of the Inter-Church Committee for Refugees:

• (1550)

> Instead of providing an independent procedure specialized in refugee determination and related international law, this legislation relies on decision-makers operating in an immigration control environment who have shown little understanding of standards of justice or human rights,—

Finally, there is within this legislation no meaningful appeal. Instead of allowing access to a specialized independent appeal body, the legislation seeks to use the Federal Court in an inappropriate and unworkable way. It permits rights of appeal only on points of law, not on the merits of the case, which in itself is a further movement away from the traditions of justice as we have known them in Canada.

The legislation, as the Inter-Church Committee says, represents no improvement on the proposals of May 21, 1986 which were condemned at the Canadian Council for Refugees meeting that followed the announcement of that initiative. Of course the most recent Canadian Council for Refugees meeting was even more scathing in respect of the injustice and unfairness within the legislation.

If one had a choice between this and the previous legislation and nothing else—if that was the choice before us—one might well have to look at some parts of the Bill which are at least an improvement over the incredibly lengthy, unfair, and completely inadequate systems of refugee determination we presently have. However, an alternative has been presented by the Canadian Council of Churches. It is an alternative that sets out five stages through which refugee determination would take place.

The first stage would be a simple arrival stage with the refugee claimant arriving at the border and immigration officials registering the person and referring the person to a refugee board. At that point we would not have the principle of refugees being returnable, accepted by legislation, as this piece of legislation would do.

Stage two would be the stage at which the refugee himself makes an appointment with the refugee board for an oral hearing within a fixed time period after the referral has taken place.

Stage three would be the oral hearing itself at which the claimant and an independent legal counsel the claimant would be able to obtain, rather than a duty counsel, as is the case in the present legislation, would present the case to a two-person panel of competent, specialized persons on a refugee board who would decide whether or not they believe the person is a refugee.

If at that stage the answer from the refugee board is no, there would be an appeal review stage at which unsuccessful claimants could submit additional information for a paper review, as the Council of Churches puts it, by a specialized level of the independent refugee board within a fixed time of receipt of reasons for refusal in the context of a transcript being available. At that stage the appeal body could overrule a negative decision or request a rehearing. The Council of Churches suggests that this would take a maximum of about 14 weeks, which is far less than the present system.

Finally, there would be the potential for appeal to the Federal Court on points of law, because an appeal would already have taken place on substantive issues. It is suggested

by the Council of Churches that that would require four weeks to thirteen weeks. Therefore, the maximum amount of time we could be talking about would be 27 weeks for a full, fair, and effective review procedure.

That is the alternative which exists. That is why the approach by the Government is so unfair and so unjust and will ultimately be part of what brings the Government down when an election is finally called.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, every poll which has been taken has indicated to us as Members of Parliament that the people of Canada are very sympathetic to a policy permitting a substantial number of legitimate refugees to come to Canada. What they are opposed to is people who are not really refugees being permitted to come here. They are opposed to people who may be refugees jumping to the head of the line, as did the Tamils who came here a year ago, were welcomed by the Prime Minister (Mr. Mulroney), and were assured that Canada would always be generous to refugees who came here. They are also opposed to the recent entry of Sikhs into Canada by boat.

What they want is a fair and humane system. When the Government says that the people support what it is proposing, it is right, except it has not explained to ordinary Canadians what this Bill really means.

People who are interested in and supportive of helping refugees come to Canada, such as Amnesty International, the Canadian Labour Congress, the Canadian Jewish Congress, the Ethno-Cultural Council, and the major churches, having looked at the legislation and thought through its implications and the power it gives to Government and to officials of various Departments, have unanimously expressed opposition to it.

Let me quote a couple of lines from a telex sent to the Prime Minister on June 1 of this year on behalf of 11 major church groups in Canada. In part it reads:

> We urge you and your government to replace Bill C-55 with legislation which provides:
>
> —access for all claimants to a full, fair and independent hearing,
>
> —a meaningful appeal.

Then it went on to indicate:

> The Bill is being promoted on the false premise that it will protect genuine refugees. It is clear that the effect of the Bill, with a preliminary hearing which is no more than an elaborate mechanical screening, and with no meaningful appeals, will be to turn away genuine refugees. In addition, the provisions of this Bill undermine rights and standards of justice in Canada for everyone.

Also Members of Parliament received a letter from the General Secretary of the Canadian Conference of Catholic Bishops dated June 11 of this year, in which the following was indicated:

• (1600)

> This proposed legislation and its objective go against the humanitarian traditions of the people of this country, who in great majority are descendants of immigrants and/or refugees.

Let us look at the powers this Bill gives to the Government and the people who work for the Government. Allan Borovoy, the leading activist for the Canadian Civil Liberties Association and a very prominent lawyer has said:

> Almost every section violates some fundamental principle of civil liberties and democracy.

He is talking about Bill C-55.

Let us look at the analysis of this Bill of the Manitoba Bar Association, as reported by *The Toronto Star*. Bill C-84 would allow officials to do the following:

> Detain people without documents for seven days without higher authorization.
>
> Extend detention for another 21 days with a Minister's certificate.
>
> Keep undocumented claimants in detention indefinitely if an adjudicator agrees the Government is making reasonable efforts to track down their identity. After the first 28 days of detention, the case will be reviewed every seven days—
>
> Make an arbitrary decision on who is or is not a security threat, based on any evidence the Government wishes to consider.

If I can digress for a moment, one can imagine the kind of security advice on potential refugees one would receive from the Governments of Chile, El Salvador or some Communist countries.

The Bill will permit the Government to do the following:

> Lock up people earmarked for deportation until a federal court hearing is set.
>
> Bar the suspect and his lawyer from seeing the complete evidence against him if the Canadian Security and Intelligence Service or RCMP classifies it as secret.
>
> Bar the court from seeing the complete evidence for similar reasons.

Imagine a Canadian law which would bar a judge from seeing evidence in a case with which he is dealing. That is a disgraceful proposal.

The analysis continues by indicating that the Bill would do the following:

> Deny appeal to anybody judged a security risk by the court—though Canadian law grants the right of appeal to those convicted of crimes. (Lawyers say it may be possible to retain right of appeal through court procedures).
>
> Deport those considered security risks as soon as possible.
>
> Remove the right of those apprehended as security risks to a review of the evidence of their case by the Security and Intelligence Review Committee.

The article goes on to say:

> If immigration officials or police are on the trail of illegal immigrants or a smuggling racket, Bill C-84 gives them sweeping powers to search homes, offices, property or vehicles that will supply evidence if a justice of the peace signs a certificate.

We know how quickly justices of the peace or judges will sign any certificate asked for by the police.

The article goes on:

> According to the Government, the powers are needed to apprehend criminals and avoid destruction of evidence. But lawyers, including the Manitoba Bar Association, say the legislation goes farther than the powerful narcotics laws.

I for one know that the Manitoba Bar Association is not a very radical organization, to say the least.

The article continues by saying that the Bill would also allow the following:

> Search of property in any part of the country, even if the original warrant is issued in another province.
>
> Search of private homes where landlords rent space to non-Canadian tenants, if immigration officials suspect they are illegal immigrants.
>
> Forcible search of property including smashing doors, windows, locks, floors, ceilings, walls or anything deemed necessary by immigration officers or police if they suspect evidence will be destroyed.
>
> Search and seizure without warrant if "by reason of exigent circumstances it would not be practical to obtain the warrant."
>
> Confiscation of any property officials or police think necessary.

I do not think that a Communist country like the Soviet Union would possibly give its police any more power than this Bill gives immigration officials and RCMP officers.

It is not surprising that all those groups and organizations to which I referred oppose this Bill. It is not surprising that Manitobans to whom I have spoken in the last few days including Mennonites, Roman Catholics, Anglicans and members of the United Church who have been helping refugees have told me in very clear and unequivocal terms that if the things which they have done in the past and which they continue to do in the future to help refugees settle in Canada will violate this law when it is passed, they are prepared to suffer the consequences. If they are arrested, charged, tried and sentenced by a court, they are prepared to pay the penalty.

It is a sad day for Canada when people who want to do the right thing, the humanitarian thing, are told that if they continue to do so they may indeed wind up in jail. As members of my Party, I have no intention of supporting this Bill as it is drafted at the present time. We will do everything we can to oppose the passage and implementation of this Bill.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, Canada has a very long tradition of welcoming refugees fleeing from persecution. In fact, it accepted some 37,000 Hungarians in the mid-fifties, some 12,000 Czechs in the late sixties, some 7,000 Ugandans in 1972, some 700 Cypriots in 1975 and nearly 10,000 Vietnamese in 1975, 1976 and 1977, and quite recently, early in the 1980s, some 9,000 Poles.

It should be emphasized that this reputation has also made it possible for us to accept a few thousand other refugees from Iran, El Salvador, Lebanon, Sri Lanka and Guatemala more recently. Altogether, when we add up all these new Canadians, we find that we have accepted some 360,000 refugees since 1950, or an average of 12,000 people a year.

In view of the size of Canada, opening our door every year to some 12,000 people who live under difficult and painful circumstances and who are sometimes persecuted in countries where freedom does not exist quite as much as here is nothing to write home about. There is certainly plenty of room for them in Canada. In fact, our country was awarded the prestigious Nansen Medal by the United Nations in recognition of our action in favour of the needy. It should be emphasized that this medal was awarded to the Canadian Government, both present and past, but above all to the Canadian people who have always very well accepted these people who are in need and difficulty. We would have felt that this Conservative Government would have been anxious to maintain this generous and welcoming attitude towards these unfortunate people in search of a new country.

In fact, the Prime Minister (Mr. Mulroney) had stated when the Tamils arrived in August, 1986, that if the scale were to tilt, it would on the side of compassion and justice. Well, Mr. Speaker, we simply cannot understand the attitude of the Conservative Government which has now introduced a series of legislation that go squarely against this spirit of generosity and good will that has always characterized Canada.

To want to limit the flow of false refugee claimants to Canada is legitimate and something we can accept and support. But the measures announced by the Government go far beyond that and are aimed at closing the door on many refugee claimants who arrive in Canada, and not at changing the refugee determination process.

As the Leader of the Liberal Opposition (Mr. Turner) was saying, in order to stop the queue-jumpers, the Conservative Government has decided to close the theatre. Instead of telling these people who do not want to wait their turn to please go back and wait in line, the Conservative Government has decided to penalize everybody and shut the door. It is an unacceptable and incomprehensible attitude which we denounce.

I should like to quote from an editorial by Pierre Venat which appeared in *La Presse* under the heading: "A Bill that needs to be amended". "The Bill, which minister Bouchard introduced last week for the purpose of strengthening the Canadian legislation on immigration, does not deserve to be adopted unless it is thoroughly amended."

Even the Hon. Member for La Prairie (Mr. Jourdenais) who belongs to the Progressive Conservative Party, shares this view.

There can be no doubt that people are ill at ease when they see this flood of foreign citizens whose customs and habits are sometimes altogether different from their own—"

But a number of people simply do not know what to make of the Government's approach to this problem, and indeed it ought to be reconsidered. This is the view of Montreal's *Coalition pour les réfugiés*, the Canadian Bar, Amnesty International, and the Civil Liberties Union—they all want the Bill to be amended. As it happens, the Liberal Party of Canada has unequivocally expressed its concerns about the Bill, and I will recall them very briefly.

First, we believe that the prescreening mechanism builds a wall around the system we seek to improve. In a way the Government washes its hands of the refugee problem, leaving

other countries to deal with it. As we see it, this Pontius Pilate attitude is unacceptable.

Second, we believe that the prescreening procedure creates more problems than it solves. Why confuse the two issues of immigration and refugees when in fact the purpose of the whole exercise is to make a distinction between the two.

Every year, there are thousands of Canadians across this country who want to bring their relatives to Canada. These are people who emigrated to Canada from various other countries. They are happy in their new country and they want to bring their mother or brothers or a cousin over to join them in Canada and live in this beautiful country of ours.

The family reunification policy, which has always been the cornerstone of the Liberal Party's immigration policy when it was in power, is now being maliciously undermined by a Conservative Government that wants to close the door to immigration. It is using the fact that a couple of people wanted to jump the queue as an excuse to impose new immigration criteria in Canada that will destroy not only the open policy we have always had with respect to refugees but also the policy maintained vis-à-vis those who want to bring relatives over to Canada.

I have no hesitation in saying that the Government's policy will be disastrous not only for refugees who absolutely must find a new country but also for Canada's family reunification policy which should be permanent.

Canadians of many origins have made extraordinary contributions to this country. They have enriched our culture and are now living happily and in harmony with other Canadians, and they have the right to hope that their family members will be able to join them in this country. We believe this Bill may actually diminish their chances of family reunification.

That is why we do not like this Bill and why we, the Liberal Party of Canada, intend to vote against this measure which in the circumstances, we feel, is excessive just to deal with a minor problem. To amend legislation, the Government is using a sledge hammer. To end certain abuses that are easy to control, the Government is closing our doors to many people who normally would have been able to enter Canada to join our growing Canadian labour force. We believe the Government is on the wrong track with this poorly prepared, poorly drafted and philosophically unsound legislation.

• (1610)

[*English*]

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I do not know if the Hon. Minister is applauding the last speech or my introduction.

Mr. McInnes: Both.

Mr. Waddell: Thank you.

I am pleased to rise and speak in the debate on Bill C-55. As you know, we are considering two immigration Bills, this one and Bill C-84 which is now in committee. We were called back into emergency session because the Government decided a crisis situation existed, and the first Bill tabled was C-84. I spoke on that Bill on the first day, Tuesday, August 11, as recorded at page 7955 of *Hansard*.

I do not want to repeat my remarks, but I did acknowledge there was tremendous public pressure, to judge by the telephone calls and letters we received at our constituency offices, to act to change what was considered an unfair process. People were coming in as refugees and using the process to stay in Canada for two, three, four or five years. At the same time legitimate immigrants could not get into the country at all. Obviously something had to be done.

During my speech I said I thought if we could sum up the public's attitude it was to let the real refugees in, because we are bound by the UN Convention we signed, and throw the phoney ones out. We must have a fair procedure to do that. Canadians are fair people and are prepared to deal with the matter in a fair way. I thought the Government was going to do that.

• (1620)

I watched the CBC's *Journal* last night. In my speech of a few days ago I warned about an overkill, that the Government might over-react to this matter. Sure enough, on the *Journal* was a woman, a grandmother, who was helping legitimate refugees from Central America. She now expresses the fear that due to the Government's Bill C-84 she could be locked up for assisting these refugees. A nun came on after that and said that she too could be locked up for bringing people into Canada without papers, as she has been doing. Legitimate refugees do not have any papers. They flee for their lives and only their lives, literally, not with their papers.

The Government now has itself in a position in which it is putting grandmothers and nuns in jail. Can the Mulroney Government not do anything right? It is going to put grandmothers and nuns in prison for helping refugees? I suggest to the Minister, who is a reasonable man, that he bring in a reasoned amendment to clear up that situation. Members can read the Bill. I am a lawyer and can read the law. There are other lawyers in the House. It is quite plain that under this Bill the grandmothers and nuns would go to jail.

Mr. Côté (Lac-Saint-Jean): You should be put in jail for talking like that.

Mr. Waddell: The Member wants to put me in jail. He is a typical Conservative. They want to put everyone in jail to solve the problem.

I would like to deal with Bill C-55. Since I have already expressed many of my own views on the matter, in the time I have left I would like to read into the record and make comments on a letter from Amnesty International to the Prime

Minister (Mr. Mulroney) dated August 7, 1987. As you know, Mr. Speaker, Amnesty International won the Nobel prize for the peaceful work it has done on behalf of people locked up in jails all over the world. Amnesty International says:

> As you may be aware, Amnesty International opposes the forcible return of persons to countries where they may reasonably be expected to be arbitrarily detained for the non-violent expression of their beliefs, tortured or executed. A law which increases the likelihood of such events occurring is therefore of great concern to our organization.
>
> Before outlining some of Amnesty International's concerns about the legislation itself, we wish to address the process of consultation which took place prior to the introduction of the Bill. Non-governmental organizations working with refugees were unanimous in recommending that a new refugee determination procedure embody the principles of universal access, an independent decision-making process, and an appeal on the merits. These principles were also reflected in the recommendations made by the Standing Committee in Labour, Employment and Immigration. Regrettably these recommendations were ignored by Cabinet in proposing this Bill.

Indeed, if the Cabinet had acted sooner and responded to the recommendations of the committee of this House, we would not have had to come back for this special session and would not have had the recent problem which we did with the boat coming in.

The letter continues:

> The Bill itself is an attempt to prevent abuse of the determination procedure while at the same time ensuring that genuine refugees will not be returned to countries where their fear of persecution is well-founded. Amnesty shares these concerns.

So do we in the New Democratic Party, Mr. Speaker, and we can agree with the principles which the Government has put in this Bill.

The letter continues:

> As we have stated many times in the past, abuse of the process has a detrimental effect upon legitimate claimants.
>
> In fact, we urged your government to impose, long before any action was taken, a visa restriction on Portugal, whose citizens were clogging the system with fraudulent claims.

A lot of people have been afraid to say that in the House of Commons but it needs to be said. There were a lot of fraudulent refugee claims from people from Portugal. They should have been immigrants. If we had a decent and fair procedure for immigrants we might not have had those phoney refugee claims.

Amnesty says:

> We therefore support legislation which attempts to curb abuse. However, in its zeal to prevent abuse, Cabinet has seriously undermined the very objective which should be the cornerstone of any law dealing with refugee determination—the protection of genuine refugees.
>
> In our view, the major deficiencies of Bill C-55 lie in its restriction of access, the limited right of appeal and non-independent decision-making. The details of our concerns can be found under the following categories:
>
> (1) Eligibility Criteria
>
> Under Bill C-55 certain refugee claimants are considered ineligible to have a full hearing of their claims on the merits. Five classes of claimants will be excluded from the determination process at a very early stage of the inquiry. Of these, the greatest number will be found ineligible because they have come to Canada from a country which has been prescribed as a "safe third country".

I do not have time to read the whole letter so I will summarize it. Amnesty goes on to say that we could get into real trouble with this. For example, if we return Guatemalan and Salvadoran claimants to the United States, a so-called safe third country, they may be sent back to their countries. The Government is then faced with a difficult dilemma. Does it say that the United States, our friend and ally, is not a safe third country? That is a very sticky wicket. I can see what Amnesty is getting at.

They talk about a credible basis test and about who should be making the determination. They talk about a limited right of appeal and the problem of not having full appeals.

We have suggested that there could be a fair appeal process in a much shorter period of time. Amnesty talks about the difficulties of appealing on the law, having an appeal on a legal point, rather than on fact, which is the real basis of determining whether someone is a legitimate refugee. Amnesty concludes by saying:

> We reiterate our concern about preventing abuse of the refugee determination process. However, fundamental safeguards are necessary to ensure that genuine refugees will not be returned to face persecution. The life or liberty of one *bona fide* refugee lost as a result of Canada's restrictive refugee policy would be enough to render such policy a failure. We urge you and your government to amend or withdraw and replace Bill C-55 with legislation which incorporates the fundamental principles of universal access, an appeal on the merits and independent decision-making.

Remember, Mr. Speaker, that this country once returned a boatful of Jewish people and some of those people died as a result. That is a bad blot on our history. None of us want that to be repeated. We all want to make this a fair process. I urge the Minister to study this in committee and make the proper amendments so that there will be proper legal procedure. We will co-operate with the Government on that. However, do not over-react again and get into the position of sending grandmothers and nuns to jail through an overkill process.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I am glad to see that the Minister is in the House. I intend to concentrate on a couple of concerns I have with the situation in which the Government has put us, by recalling Parliament and asking us to deal with this very complicated matter in a somewhat hurried fashion.

I begin by questioning whether or not there is in fact a genuine emergency. I do not think there is an emergency with respect to Canada's refugee policy, certainly not a situation which is so much of a crisis that we could not have been permitted the ordinary parliamentary time for dealing with this very difficult matter. I suspect, without imputing motives to the Minister, who may be acting only on instructions, that there was a political emergency with respect to the Government's own popularity. This is a very cynical, and I think unsuccessful, attempt to take advantage of a great deal of popular concern, in many respects legitimate concerns of the Canadian people with respect to the abuse of Canada's open attitude toward refugees and Canada's refugee policy. Unfortunately, the legislation before us and Bill C-84 which is

now in committee would not deal with the most serious abuses of that system. The Hon. Member for Spadina (Mr. Heap) pointed out on numerous occasions that the Bill would not deal with the people who arrived from Brazil, Portugal and Turkey on registered airline flights with the documentation and everything else they needed. Instead, the Bill is written in such a way that rather than dealing with such obvious abuses it may put at risk genuine refugees.

• (1630)

One element of almost all religious traditions, from as long ago as antiquity, is that a human community is to be judged largely by the way it treats strangers. The Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen) is here and I recall saying this with his approval and the approval of other Canadian members of the delegation to the meeting of the Interparliamentary Union in East Berlin in September, 1980. I spoke on behalf of the Canadian delegation with respect to refugee concerns that were being debated at that time.

I noted that refugee policy was traditionally one of the moral measures by which the quality of a particular country could be judged. I say that because I want people to understand that Canada's soul is at stake in this debate. Our refugee policy will say a lot about what kind of country we are.

Let me move to two concerns which I believe the Minister can address. Obviously, the Government and the Opposition will continue to have legitimate differences about a number of provisions in this Bill. However, it seems to me that there are two improvements to the legislation that would at least meet the following concerns. Church groups and others have quite properly raised a concern that the measures the Government wants to establish will not only catch people who are deliberately abusing the system for profit but will also make lawbreakers out of those who help others who do not have documents come into the country in the genuine belief that these people are refugees.

The Minister knows that there is quite a difference between someone in Manitoba who drives to Grand Forks to pick up a person whom he believes to be a legitimate refugee from Central America and takes that person directly to an immigration officer in Emerson in the personal, conscientious belief that this person has a claim to refugee status that will stand the test of Canada's determination process even though that person does not have papers, the Minister knows that there is a significant difference between that case and the abuses that the Minister quite rightly wants to stop.

I have not heard the Government make a convincing denial to our belief that the measures the Government wants to introduce do not make any distinction between that person in Manitoba and those who can be convincingly accused of abusing the system. We have suggested some ways in which the Government can change the legislation to meet that concern. I believe that on the basis of simple political advice, such a change would certainly overcome many of the objections that have been raised with respect to what the Government wants to implement.

Second, in no way should anything we do with respect to refugee policy, either in Bill C-55 or Bill C-84, be seen to be in breach of our international obligations. There was some foo fa raw in the House earlier today about whether our Ambassador to the United Nations was taken out of context with respect to his comments about the Bill. Leaving that debate aside, the fact is that the Ambassador spoke about the possibility of the Bill being made compatible with our international covenants. While that suggests that the Bill in its present form does not meet international covenants, it also suggests that there is a willingness on the part of the Government to attempt to find a way to make the legislation compatible. I believe that is very important.

When I had the opportunity to speak in an international forum on refugee policy, I was pleased to be able to get up as a Canadian, knowing that Canada had a certain credibility, not just in practical terms, but in terms of the respect it had shown for the United Nations High Commission for Refugees and other concerns. I ask the Minister to consider the price we will pay for being open to the accusation of being in violation of UN and other international agreements with respect to refugees. Whether the Minister believes that to be the case or not, I ask him to consider the price we will pay even if we are perceived to be in violation of those agreements.

I believe much is at stake. One of the most important roles that Canada plays, not only with respect to refugees but other issues, is our honest broker role, a country with credibility in a great many humanitarian issues. I would hate to see that credibility put at risk.

I urge the Government to at least find a way to change these Bills with respect to refugee policy even if it insists on being consistent with its other objectives, so that Canada will not be open to those accusations.

I hope the Minister will take these two suggestions to heart because they are two areas in which I believe movement is possible on the part of the Government.

I will not even attempt to deal with the larger debate because I do not believe I have enough expertise. However, I have paid attention to those two issues because they struck me as two glaring weaknesses in the Government's position. I hope the Minister will carefully consider correcting the legislation, and I look forward to the Government actually making some changes in that direction.

Mr. Neil Young (Beaches): Mr. Speaker, I welcome the opportunity to say a few words on Bill C-55. All Members have received letters, correspondence, and telephone calls from concerned Canadians who want to make sure that our refugee and immigration policy has integrity. I certainly do not question much of the concern that has been expressed to me by individuals who have called or written. However, the question

that I and many other Canadians are asking is whether the Government's response to this kind of problem is not too harsh or extreme.

There are other Canadians who certainly have another point of view. They arrived at their position in an equally honest manner, as individuals who are expressing concern on the other side of the question.

• (1640)

I am glad to have this opportunity to advise the House that I received a letter today from a constituent. I am quite sure she would not have any objection to her name being mentioned. Her name is Jill McNall. She has written two letters to the Prime Minister (Mr. Mulroney) expressing her point of view on Canada's refugee policy and her concern that this Government is attempting to change that policy. I am sure Hon. Members in the House will be interested to hear what this constituent has to say, so I will read her letter as my contribution to this debate. She begins, and I quote:

Dear Prime Minister,

Further to my letter to you in February, 1987, I am again writing to express my grave concern about the direction of Canada's refugee policy.

As I indicated in my letter, I was most disturbed by the policies which were imposed in February, 1987, but the introduction of Bill C-55 to the Legislature has left me truly appalled. I feel we are reverting to attitudes and practices which I had hoped we had left behind forever: practices reminiscent of government-sanctioned racism and of the refoulement of Jewish refugees in the Second World War.

I recognize and appreciate that there have been abuses of our refugee determination process in the past, however, those abuses have largely stemmed from an inappropriate process.

Numerous humane alternative procedures have been suggested in the past which would enable us to deal quickly and fairly with each refugee claimant. A quick procedure is essential to the prevention of abuse of the system. However, a quick procedure which jeopardizes genuine refugees in favour of preventing abuse is completely inappropriate and unacceptable in a country which has prided itself on its assistance to refugees. Bill C-55 will eliminate many refugee claimants in the very early stages of the process before they have even had a chance to tell their own story or to have their own claim judged on its merits.

Refugee claimants are people fleeing from persecution in their native countries, hoping to be given an opportunity to start a new life. They arrive frightened and tired, often speaking very little or no English, and usually with only a minimal idea of what life in Canada is, let alone what our immigration and refugee policy is or how it all works.

The expectation that refugee claimants can be given a fair chance in three to seven days is absurd. Many will not even know that they should indicate their desire to claim refugee status immediately, and they will certainly not have time to get independent advice or counsel.

A great area of concern is also the so-called "safe third country" to which refugee claimants can be returned. These countries will be designated by Cabinet, and I ask myself what factors will be considered? In view of our political ties to the United States for example, how likely is it that the United States could be determined to be a "safe country" for Guatemalan and El Salvadoran refugee claimants, even though virtually all refugee claims from those countries are denied in the United States. This imposition of political considerations on Canada's refugee policy would seriously undermine the integrity of the system.

The right of appeal is a cornerstone of Canadian law, even $500 claim in Small Claim's Court has the right of appeal, yet we would deny that right to people whose lives may be at stake. Bill C-55 drastically restricts the grounds of appeal basically to points of law rather than fact, yet refugee claims are based on fact and credibility. Another reason for the right of appeal is that mistakes happen in any system, and an appeal is a tool for correcting those mistakes. A meaningful right of appeal should be a cornerstone of any policy, but especially where life and liberty may hang in the balance.

Ms. McNall goes on to state:

One of the unfortunate circumstances in this issue is the lack of accurate and up-to-date information available to the general public. I am very concerned by the confusing, often biased, and frequently inaccurate media coverage of matters relating to refugees and immigrants, as the media acts as major source of information for a large number of Canadians. A lot has been said about public opinion being opposed to a so-called "open door" policy, but I believe that, with an accurate information, the majority of Canadians would recognize that refugees are not immigrants or queue-jumpers.

It is difficult for most of us to really understand the plight of refugees, because we were born here or came by choice. It is almost impossible for us to imagine living in fear of our own Government. Refugees are people seeking asylum because of persecution; people who want a chance to start a new life in freedom; people who are willing to work hard and to become contributing members of Canadian society.

In conclusion, I would like to request that Bill C-55 be discarded as an inappropriate and wholly unacceptable solution to a grave and potentially life-threatening concern. Safe, quick and humane alternatives have already been suggested in the past.

I will stop there because I feel that Ms. McNall has made her argument, which I consider to be one of the best I have heard. This is someone who I do not think has a legal background or any expertise in immigration or refugee matters. She is a person who is speaking from the heart as a decent Canadian. We have always had a decent attitude towards those in other countries who wanted to come here to live within our civilized Canadian society.

If this Government had really wanted to do something about illegal refugees, as it likes to call them, or an immigration system which plainly does not seem to be working as well as it should, why did the Government not act six months ago when it was aware of these problems rather than waiting until a perceived emergency existed? I will tell you why, Mr. Speaker, in my opinion. The Government jumped in because it saw this as being a politically opportune time to respond to a feeling in society towards which it has contributed. If the Government had wanted to go after the smugglers rather than the people being smuggled, I do not believe anyone would have any objection. If it had gone after the individuals who exploited disadvantaged peoples like the Sikhs who came in a month ago, we would have supported it. However, rather than go after the smugglers, it has gone after the people being smuggled and I think the Government should be ashamed of itself for lending its support to that kind of attitude.

Mr. Rod Murphy (Churchill): Mr. Speaker, I only intend to speak for a few minutes on this legislation at this particular stage. I have a number of concerns about Bill C-55, some of which I expressed yesterday in a speech I gave on the hoist motion. In that particular speech I pointed out that I do not believe the Government's intent with respect to this legislation is very honourable.

Bill C-55 is a piece of legislation which the Government sat on for three years. The Government has had the advice of the parliamentary committee in which representatives of all three

Parties indicated they wanted reform of the refugee legislation which would ensure that we keep out those people who are not honest refugees. At the same time, we want a fair system, a system which allows for an appeal process and a system of which Canadians right across this land could be proud. That is what the standing committee of the House of Commons pushed for and that is what we believe should be the basis of the legislation before us. However, that is not the case.

In addition, after stalling for three years, the Government has introduced legislation which is unfair. It is a blight on Canada's reputation. We now have a Government which wants to rush through consideration of this legislation and is insisting that this legislation be passed in all stages prior to the adjournment of this special session of the House.

• (1650)

I think that does not speak well of the Government, not only in that the legislation itself is flawed but in that it is complicated. For the Government to want to rush through this legislation at this time in the middle of summer indicates that it has a political agenda as opposed to a legislative one.

When we adjourned in June, representatives of the Government told us that it would be possible for Bill C-55 to be studied in committee in the fall. That would have given an adequate opportunity for various groups who are concerned about the legislation, including expert witnesses and others, to appear before a committee of the House in order to give a thorough examination to the legislation. That was the case when the House adjourned at the end of June.

What has happened to change the Government's legislative agenda? Someone could point to the arrival of the boatload of people in Nova Scotia. Or they could point to two or three people who arrived in the Northwest Territories during the summer. If that is all it takes for the Government to change its political agenda, if that is all it takes for the Government to insist that we rush through legislation without adequate study, then obviously it is not concerned about the passage of good legislation.

To complicate matters more, we have a situation right now wherein we have a legislative committee of the House studying the so-called emergency legislation, Bill C-84. The committee is in session right now. At the present time it has expert witnesses in front of it. What the Government is trying to do by giving second reading to Bill C-55 this afternoon is to ensure that we have another committee studying Bill C-55 at the same time as we have a committee studying Bill C-84. What we will have is a situation in which two different committees of the House are studying legislation which is closely related and intertwined at the same time. This is a system which would guarantee that we end up with bad legislation. One committee will not know what the other is doing. We will be in a situation in which clauses that depend on each other will not be studied in the fashion in which they should be.

The Government is working by political impulse. The unfortunate thing is that it has a very bad reading of the political pulse of the nation. As a result, the Government is panicking. It is passing legislation which we can almost guarantee will be thrown out in the courts, just as has happened with legislation which the Government introduced before in a rush, in a so-called emergency.

It is evident from the tone of the debate that the Government and its back-benchers are trying to create fear and to build on fear across this land. You have heard, Mr. Speaker, cabinet Ministers, Prime Ministers and ordinary Members of Parliament talk about queue jumping. Your Honour has heard them talk about people arriving and abusing our system. Well, there are people abusing our system, but that is not what this legislation is about. This legislation is trying to hit those people who are helping honest refugees. This legislation will hit those people who do not have the proper documents because they come from countries where they cannot obtain those proper documents. For the Government, including the Prime Minister (Mr. Mulroney), to talk about the fact that those refugees, or those so-called refugees, are queue jumpers is ignoring the fact that legitimate refugees and legitimate immigrants have a heck of a time getting into this country because of the bureaucratic mess that the Government has instituted and because the Government has not been able to overcome the past Liberal legislation.

As a result, the examples I raised yesterday and the example I will give now are not examples of refugees, or so-called refugees, abusing the system, therefore keeping out legitimate refugees and legitimate immigrants or people who want to join their families in Canada. The problem is that the Government has not addressed the real problems of family reunification. The Government has not dealt with the real problem of ensuring that legitimate immigrants come to the country.

The example which I wish to give today involves my having written to the Minister, the previous Minister and the Minister prior to that. The case to which I refer involves a Canadian whose family is from Peru. He cannot get his mother-in-law into the country. Why? Not because of refugees landing in Nova Scotia but because the woman cannot find her marriage certificate. I have written to the Minister asking for special consideration in this case, but my request has been denied. This is not a matter of a refugee landing in Nova Scotia and being denied access. It is an example of the Minister and the laws he is protecting and the bureaucratic system of which he is a part denying that woman access to Canada.

It is time that the Prime Minister, cabinet Ministers and Conservative MPs were honest with Canadians. We need real legislation to keep out the abusers. But we do not need the false rhetoric of the Conservatives. We need legislation that will keep out the abusers and that will punish the real smugglers.

We do not need legislation that punishes real refugees, those who cannot get papers, those humanitarians in Canada who

are concerned about trying to help refugees. That is what we have before us in this Bill. The fact that the Government wants to rush through consideration of this legislation, the fact that it wants to have two committees studying related legislation at the same time indicates a political agenda, a very corrupt agenda.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

The House divided on the motion (Mr. Bouchard) which was agreed to on the following division:

• (1700)

(Division No. 226)

YEAS

Members

Andre
Blais
Blais-Grenier
Blouin
Bradley
Cardiff
Clark
(Brandon—Souris)
Collins
Comeau
Cooper
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Daubney
Della Noce
Dorin
Ellis
Fennell
Ferland
Fontaine
Fretz
Friesen
Gagnon
Gervais
Graham
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Halliday
Hamelin
Hawkes
Hnatyshyn
Hudon
Jacques
James
Jepson
Johnson
(Bonavista—Trinity—Conception)
Kempling
King
Landry
Layton
Leblanc
Lewis
Lopez
Malone
Marin
Martin
Mayer
Mazankowski
McCrossan
McDermid
McKinnon
Minaker
Moore
Mulroney
Nicholson
(Niagara Falls)
Nowlan
Oberle
Oostrom
Peterson
Plourde
Porter
Redway
Reimer
Roman
Scott
(Hamilton—Wentworth)
Scowen
Shields
Sparrow
Speyer
Stackhouse
Suluk
Thacker
Tremblay
(Québec-Est)
Tupper
Turner
(Ottawa—Carleton)
Van De Walle
Vézina
Vincent
Weiner
White
Winegard
Wise—82

NAYS

Members

Axworthy
Blaikie
Caccia
de Corneille
Dewar
Dingwall
Fulton
Gagliano
Gauthier
Gray
(Windsor West)
Guilbault
(Saint-Jacques)
Harris
Heap
Hovdebo
Jewett
Johnston
(Saint-Henri—Westmount)
Kaplan
Langdon
Lapierre
MacLellan
Manly
Marchi
McCurdy
McLaughlin
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Orlikow
Ouellet
Penner
Pépin
Prud'homme
Robinson
Rossi
Tardif
(Richmond—Wolfe)
Toupin
Waddell
Young—39

• (1730)

Mr. Deputy Speaker: I declare the motion carried.

Bill read the second time and referred to a legislative committee.

* * *

BUSINESS OF THE HOUSE

DISPOSITION OF BILL C-18

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Point of order, Mr. Speaker. There have been discussions among the Parties and I think you will find unanimous agreement to the following House order.

The Government will now call Item No. 18 on the Order Paper, consideration of amendments made by the Senate to Bill C-18, an Act respecting national transportation. The Parliamentary Secretary to the Minister of Transport (Mr. Thacker) will speak to the motion on behalf of the Government. The Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) will speak next on behalf of the NDP. The House will extend today's sitting if necessary until the Hon. Member for Winnipeg—Birds Hill has completed his remarks.

On Thursday, August 20, we will continue consideration of Item 18, with the provision that the first speaker for the Official Opposition shall have the right to unlimited time to complete his remarks.

Mr. Deputy Speaker: The House has heard the terms of the motion. Is there unanimous consent?

Some Hon. Members: Agreed.

• (1740)

NATIONAL TRANSPORTATION ACT, 1987

MEASURE TO ENACT

Hon. Charles Mayer (for the Minister of Transport) moved the second reading of, and concurrence in, amendments made by the Senate to Bill C-18, an Act respecting national transportation.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, it is an honour to rise to speak to the amendments which have been proposed by the Senate and to encourage Members of the House of Commons to concur in them. There has been very close consultation and the nine amendments will make a very great difference to the Bill and our constructive policy development for the nation.

As you know, Mr. Speaker, the development of this Bill and Bill C-19, an Act respecting the Motor Vehicle Transport Act, has involved one of the most extensive consultation processes ever engaged in by a government in preparation of legislation. Release of *Freedom to Move* report in July, 1985, was followed by two sets of hearings by the House of Commons standing committee, one on *Freedom to Move* as a whole and one focused specifically on the North. Both of these involved hearings in various regions of the country.

I would once again like to thank the members of the standing committee from all Parties under the able leadership of the Hon. Member for Annapolis Valley—Hants (Mr. Nowlan) who spent virtually thousands of hours on this legislation. They would not have had to spend that time. It is possible to sit as a Member of Parliament and not do much, but these ladies and gentlemen did a lot of work for the public policy of this nation. I think they should be commended once again for the personal sacrifice that they made.

Following tabling and second reading of the Bills in the House of Commons, the Standing Committee on Transport held another set of hearings across the country. Hundreds of witnesses appeared and hundreds of briefs were received and reviewed. More recently the Senate Standing Committee on Transport and Communications has had the opportunity to review Bills C-18 and C-19 and has held hearings to receive firsthand, the views of 75 additional witnesses.

I cannot stress too much that these Bills will help our producers and manufacturers. As a result of their improved competitive position they will be better able to maintain and create jobs in every region of the country.

The Government has undertaken to implement Bills C-18 and C-19 on January 1, 1988. Everyone affected is busy making plans to take advantage of the new opportunities as of that date.

Nine Senate amendments to Bill C-18 are now awaiting our approval. Seven of these are for the purpose of clarifying the wording of the French text, while another amendment corrects a spelling error. The major amendment involves a stipulation that members of the new agency must be either Canadian citizens or permanent residents of Canada, which is surely a reasonable and indeed desirable qualification. There is no doubt that they would have been such in any event, but to have it enshrined in the statute is not a disagreeable proposition.

Allow me once again to elaborate on the benefits I anticipate once this Bill and its companion, Bill C-19, become law. These Bills will remove obstacles to innovation in both services offered and prices charged in the air, rail and trucking sectors. As a result, shippers will be more competitive and will be able to maintain existing jobs and create new ones in every region of the country.

A fundamental principle of these Bills is that transportation exists to serve the needs of shippers and travellers. Many of our producers, especially our resource producers, have faced severe difficulties in recent years and see these reforms as a necessary step in maintaining and improving their competitive position.

Bill C-18 provides workable remedies for captive rail shippers who have few practical recourses under the present law. It also provides many, for the first time, with competitive alternatives. For manufacturers, innovative service and freight packages in both the rail and trucking sectors will allow them to meet the demands of today's economy. Passage of the Bills will also give us better service and price packages from air carriers, which will benefit both leisure and business travellers.

Turning for a moment to safety, the first and overriding principle in the legislation is that the transportation system must be safe. Government's commitment to this principle will never waver. My colleagues will elaborate further tomorrow on just what that means. Section 3 of the new National Transportation Act enshrines this commitment in legislation for the first time.

I think Members should note that for the first time we actually have enshrined in legislation that safety is the highest priority. We have operated all these many years without that as the highest priority. It is now the highest priority, and I am sure all Members will find that to be a worthy principle.

I said at the outset that Bills C-18 and C-19 are based on extensive consultation. I would like to mention just a few examples of how the Government has listened and made changes. First, Bill C-18, as tabled in the House last November, recognized the principle that transportation is a key to regional economic development. Many witnesses and members of the Standing Committee on Transport felt that this should be strengthened. The Government listened and agreed.

Now the Bill states that the commercial viability of transportation links should be balanced with regional development objectives so that the economic strengths in each region can be realized. This principle will be part of the definition of public interest to be applied by the new agency in its decisions. We have operated all these many years without that as a

principle of the law. It is now a principle of the law. An efficient, effective and competitive transportation system is a prerequisite for lasting economic development in all regions. Bill C-18 will give us just such a system.

The Government of Canada is committed to ensuring that disabled persons have access to the transportation system. This commitment is reflected in the policy statement in Section 3 of the Bill. While it was the original intent of the Government to fulfil its pledge through human rights legislation, we were convinced otherwise by the sincere representations made before the House standing committee. Accordingly, the Bill was amended to give the new agency the power to enforce accessibility standards for the disabled. Again, for the first time in our entire legislative history disabled people are recognized statutorily for the purpose of transportation.

In all, there were approximately 50 amendments made to Bill C-18 by the House of Commons, and now an additional nine by the Senate. Throughout the development of these Bills, the need to have a balanced package, especially with respect to the interests of shippers and carriers, has been held firmly in mind. The need to make Canadian products more competitive in domestic and international markets where the costs of transportation are a vital element has also been a primary consideration.

I believe that Bill C-18 is a balanced package. It is not simply deregulation; it removes unnecessary regulations and it protects the public interest where that is really necessary, for example, in the special regime for northern air services. Thus, Bill C-18 is truly a made-in-Canada policy.

I therefore encourage my hon. colleagues to support the Senate amendments to Bill C-18. It is clear that we need these amendments. The benefits are also clear. Now is the time to finish the job of making these reforms a reality.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I thank my colleagues across the way for agreeing to permit me to speak this evening to the matter now before the House. As you may know, Mr. Speaker, the whole question of transport deregulation, particularly as it affects deregulation in the rail sector, has been a matter of pressing concern to me coming as I do from a riding in which life is so bound up in the transportation sector. I have the CNR main back shops, Transcona shops in my riding and Symington yard very near.

In Winnipeg in general the question of the future of rail transportation and the future of Winnipeg within the broader framework of rail transportation is a matter of ongoing concern and debate, as Hon. Members will know from the many occasions on which I have asked the Government questions in the House about the various aspects of Winnipeg's future as it pertains to transportation deregulation.

I wonder, Mr. Speaker, if I could appeal to the Hon. Members. I am having a hard time hearing myself over the conversation.

• (1750)

First, we are debating amendments which have come back to us from the Senate. It is my understanding that those amendments are not particularly offensive but, rather, ones that were agreed upon in the Senate between government and opposition Members. For instance, they include an amendment to require Canadian citizenship of members on the National Transportation Agency. There are various amendments which bring the French and English text into line. They are not a matter of controversy.

However, we should not let that obscure the fact that the whole deregulation package itself is deeply controversial. There is, particularly between the Progressive Conservative Government and the New Democratic Party, a very serious division of opinion about how our transportation system ought to be ordered in this country.

I notice that, unlike the situation with respect to Bill C-22, despite the great deal of Liberal rhetoric in the House of Commons about the current Government's plans for deregulation, the Liberals in the Senate did not move any significant amendments to the transportation deregulation. After all was said and done, there was no real battle waged in the Senate over deregulation. The Liberals and Conservatives were basically able to agree on deregulation.

I believe that Canadians who are against the current deregulation package should take keen note of the fact that deregulation had its roots in Liberal government policy preceding the election of 1984. There is a great deal of overlap and consensus between the Liberal and Conservative Parties with respect to deregulation.

The only real opponent in the House of Commons to what the Government is trying to do to our transportation sector is the New Democratic Party. Today is a very timely day to be considering the matter of deregulation in one of the final stages before Bill C-18 and Bill C-19 become law.

At this very time we are seeing one of the fruits of the anticipation of deregulation in the whole matter of negotiations going on between the railway unions and Canadian National and Canadian Pacific Railways.

It was once said of deregulation in the United States that deregulation turned out to be the biggest piece of anti-labour legislation that was ever passed in that country. In as far as the initial arguments of the railways for a 5 per cent wage rollback and a reduced initial wage were based on the anticipation of deregulation, the very same thing is beginning to happen here in Canada. Deregulation will become the grounds on which a great many working Canadians who are now well paid will become less well paid as the years roll by and the effects of deregulation and the irrational competition it brings into being in Canada come to be experienced.

I want to offer the empirical proof of the very arguments that the railways are now using with respect to the competition they expect to receive from American railways as a result of

the provision in Bill C-18 for competitive line rates. This would allow American railways to compete for Canadian traffic directly.

I was interested to hear the Hon. Parliamentary Secretary to the Minister of Transport (Mr. Thacker) say that transportation was to be the key to regional economic development and that this was one of the mainstays of the Government's belief with respect to deregulation. The Hon. Parliamentary Secretary comes from western Canada. Canadian railways will be put into a position whereby goods that they normally carry may well be carried to the border points south of Alberta in Montana, and transported across the northern United States either to destinations in the northeastern United States or in eastern Canada. How does that serve the regional economic development of western Canada, when all the jobs in between, both railway associated jobs and the spin-off economic potential, will be put at risk by that particular measure?

This issue becomes a matter of national integrity for me. This legislation would let American railways compete in this manner with our two railways. It will put our two railways, CN and CP, at each other's throats by competing with each other and for the traffic now carried by trucks. As a result, there will be more pressure on the railways to abandon trackage. That will mean more pressure on provincial Governments as that trackage is abandoned and more trucks are used on the roads.

Furthermore, that transportation will not necessarily be by Canadian trucks. It may well be that Canadian trucking firms will be put in severe jeopardy as a result of the entry of American trucking firms into the Canadian market. There are many people involved in trucking in Winnipeg who are concerned about that possibility.

Let us consider the cumulative impact on the region of western Canada, because the Minister cited regional economic development as one of the elements of the Government's objectives when it decided to deregulate. There will be more rail line abandonment and heavier use of roads, the cost of which will be picked up by provincial Governments that are already experiencing a great deal of fiscal pressure from the Government in terms of costs that were not previously passed on and various cut-backs that have taken place.

The community infrastructure of many smaller communities in western Canada will be put at risk as the elevators and other operations shut down. As people move out of these communities, there will be pressure on the remaining citizens to fund the schools and other community services. These effects will not take place overnight, but during a longer period.

The Conservative Government says that it is the values and lifestyle of small communities that are the backbone of this country, where we find the very best of what it means to be Canadian. The Hon. Member for Lethbridge—Foothills has heard me argue many times that I find it ironic that a Conservative Government says it cannot fight that battle and must get on board and follow that trend by deregulating and taking other steps so the process will come to a conclusion as quickly as possible. I would think that it would want to resist that trend and try to find ways of structuring our economy so that these types of communities could continue to exist in a healthy and lively atmosphere.

We believe that is possible, but it means having a critical rather than an accommodating attitude toward the trends in the market-place. That is what clearly defines the difference between the Conservatives and the New Democrats. Our approach is to think critically about what is happening in the market-place, globally, nationally, and locally, and to address how we can resist those trends in the market-place that negatively affect the quality of human life and so structure our economic life that those negative impacts will not occur. Having said that, I believe the difference between us and the Conservatives is that they know these trends are taking place. They say: "That is the invisible hand of Adam Smith. That is the market-place working itself out in the universe". They say there is nothing they can do about it, that all they can do is try to accommodate those trends in such a way as to make maximum economic advantage of it for those people who are already well placed in the market-place. That is the great divide between the Conservative Party and the New Democratic Party. The relative complacency with which the Liberal Party has regarded this whole debate on deregulation shows that, really, when it comes to these kinds of issues—and I admit there are perhaps a couple of issues about which there are fundamental differences between the Liberals and the Conservatives—there is really no difference between the Liberal Party and the Conservative party.

• (1800)

I go back to a matter raised in the House earlier today when the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) rose and had the nerve to chastise the Government for not living up to its commitments to western Canada *vis-à-vis* rail line upgrading. He cited the lay-off in Winnipeg at the Butt Weld in Transcona, a place where I used to work, as evidence of the lack of willingness of the CNR to live up to its promises. It was both the Liberals and the Conservatives who not so long ago in this place argued for a change in the Crow rate on the basis that if it were to be changed there would be a new era for rail transportation in western Canada. They said this would mean massive investment in double tracking, tunnels and in a great many other ways. The people in the shops in Winnipeg were led to believe that if we just changed the Crow rate there would be the dawning of a new era with respect to rail transportation. The very opposite has happened in many respects.

Since the change in the Crow rate, we have seen still more reductions in the number of employees at both major railways. We have seen the shut-down of major shops. I am thinking of Moncton in particular with respect to CN. We have seen rationalization, so called, going on in both railways, which has

not had the beneficial effect which was promised during the Crow-rate debate.

So what we have before us is the beginning of the end of an entire way of life in Canada and, in particular, in western Canada. I admit, as someone younger than the Hon. Member for Lethbridge—Foothills, that I took it all for granted. I thought this was the way Canada was and that there would be no debate on that. I never really took seriously—although I now wish I had—the possibility that we could some day elect a government that would so directly attack the very economic infrastructure of Canada, and particularly western Canada, through transportation deregulation. Yet that is what is happening.

We will come to see that that is what Bill C-18 represents. To be fair, I tend to concentrate too much on matters having to do with rail transportation. I think it would be in order for a moment to speak about airline deregulation. Some questions have been asked in the House in recent days. I certainly do not intend to hang anything I have to say on any particular accident or anything like that, but the fact is that there is growing concern about the effects on safety of deregulation in the United States. The Parliamentary Secretary, when asked about this is quick to point out that Canada is in a very different situation. We have a lot fewer flights, we have less density of population and so on, and we are really not to be compared. It is a point well taken to a degree. However, the fact is that we are learning from the American experience that deregulation does put unhealthy pressures on airlines to cut corners, to push equipment a little harder and a little longer than it should be, and to have fewer employees than they should have because they are competing with someone else. An airline decides to cut staff in order to be competitive and keep its prices down. We know this happens. It really has nothing to do with whether or not the Government is genuinely committed to safety as its highest priority. It is nice that it is in the legislation. No one argues with that. The Parliamentary Secretary pointed that out. But having a preamble or whatever in the legislation is not enough. It has to be backed up with a system that actually lends itself to safety, or a government that is committed, having created a situation which does not lend itself to safety, to having the necessary staff around to do the kinds of inspection, enforcement and investigative work that will actually create the kind of commitment to safety about which the Parliamentary Secretary speaks. We do not believe that is being done.

No one is saying the Government is out to create an unsafe system. We just think its faith—and it is really taking a leap of faith in this respect—is unjustified.

I just want to reiterate the complete and total opposition of the New Democratic Party to the deregulation legislation which has previously been before this House and which is now before the House in the form of amendments sent back to this House from the Senate. In my eight years and some months in this House, I cannot think of anything that will have a more negative impact on the economic and social well-being in the long run of the people in my constituency.

[*Translation*]

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

Mr. Deputy Speaker: Order, please. The Hon. Member for Laprairie (Mr. Jourdenais) on a point of order.

Mr. Jourdenais: Mr. Speaker, earlier, when the House voted on Bill C-55, I abstained from voting. I wonder if my abstention will be officially recorded in *Hansard*, because I want the people of my riding to know I was present in the House for the vote.

Mr. Deputy Speaker: With his intervention, the Hon. Member has just achieved that result.

It being six o'clock, the House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.09 p.m.

HOUSE OF COMMONS

Thursday, August 20, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, question No. 130 will be answered today.

[*Text*]

DEPARTMENT OF AGRICULTURE—GRANTS OR LOANS IN TORONTO AREA

Question No. 130—**Mr. Redway:**

Since September 4, 1984, did the Department of Agriculture make grants and/or loans to persons or corporations, non-governmental organizations and governments within Metropolitan Toronto and, if so, in each case, what was the (*a*) purpose (*b*) amount?

Hon. John Wise (Minister of Agriculture): Yes.

	1984-85	Recipient Producers	1985-86	Recipient Producers	1986-87	Recipient Producers
Carrot	$74,905	12	$16,524	3	—	—
grain corn	102,455	49	21,164	5	—	—
hogs	124,117	82	7,253	3	—	—
onions	10,201	4	5,243	2	—	—
soybeans	3,673	10	—	—	—	—
wool	776	16	—	—	—	—

New Crop Development Fund

1984-85	Recipient	1985-86	Recipient	1986-87	Recipient
9,332	R.V. Woods	—	—	4,422	Multifood Inc.

Fairs and Exhibits

63,538	Royal Agricultural Winter Fair	49,790	Royal Agricultural Winter Fair	50,931	Royal Agricultural Winter Fair
54,511	Canadian National Exhibition Association	36,935	Canadian National Exhibition Association	38,537	Canadian National Exhibition Association
18,788	Markham & East York Agricultural Society	17,028	Markham & East York Agricultural Society	18,109	Markham & East York Agricultural Society
2,904	Woodbridge Agricultural Society	2,559	Woodbridge Agricultural Society	2,650	Woodbridge Agricultural Society

Freight Assistance on Livestock

225	Ontario Ministry of Agriculture and Food	—	—	—	—

National Transportation Act, 1987

Production Development Assistance Initiative					
—	—	10,000	Canadian Association of Exhibitions	—	—
—	—	100,000	Royal Agricultural Winter Fair	100,000	Royal Agricultural Winter Fair
—	—	4,875	Canadian Horse Council	—	—
Canadian Agricultural Marketing Development Initiative					
20,000	Canadian Meat Council	40,000	Canadian Meat Council	50,000	Canadian Meat Council
27,500	Beef Information Centre	3,000	Beef Information Centre	8,000	Beef Information Centre
17,500	Canadian Pork Council	—	—	20,000	Canadian Pork Council
—	—	3,000	George Brown College	—	—
Compensation for Animals Slaughtered					
1984-85	Recipient Persons	1985-86	Recipient Persons	1986-87	Recipient Persons
1,644	5	5,690	14	4,821	8
Agricultural Research					
1984-85	Recipient	1985-86	Recipient	1986-87	Recipient
Operating Grant —	—	4,930	University of Toronto	10,000	University of Toronto
Production Development Assistance Initiative					
100,000	Royal Agricultural Winter Fair	—	—	—	—

[*Translation*]

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

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

NATIONAL TRANSPORTATION ACT, 1987

MEASURE TO ENACT

The House resumed, from August 19, 1987, consideration of the motion of Mr. Crosbie that amendments by the Senate to Bill C-18, an Act respecting National Transportation, be read the second time and concurred in.

Hon. André Ouellet (Papineau): Mr. Speaker, I welcome the opportunity to speak at this time, and I would like to point out that Canada's three political Parties have taken three vastly different positions on the proposed legislation that will substantially change the transportation industry in Canada.

While the Government, the Progressive Conservative Party, favours wholesale deregulation of the industry in Canada, the New Democratic Party is totally and completely opposed to any deregulation whatsoever.

Those are the two extremes. And as always, it is the middle road, the happy medium that should prevail.

• (1110)

That is the position the Liberal Party has been vigorously defending. We said from the outset that we believed in a certain degree of deregulation. However, we feel that the kind of wholesale regulation the Conservative Government would impose on us would be a disaster for Canada in several respects. We think it would be particularly harmful to the

stability of Canada's transportation industry. In fact, whether we are talking about the railways, the trucking industry or air transport, our Canadian transportation industry is a going concern, it is profitable and creates and provides thousands of jobs for Canadians who are able to earn an honest living. We in the Liberal Party are still wondering why it should be necessary to overhaul completely an industry that on the whole is doing very well in this country. We do not deny that improvements and amendments to the Transportation Act are needed to keep up with the new developments and new competition that exist in this field as in so many others.

To completely overhaul everything and change the rules of the game through wholesale deregulation, as the Government intends to do, is a giant step that should not be taken. An exhaustive study of this Bill has been made. In fact, the Parliamentary Secretary for the Minister of Transport (Mr. Thacker) said yesterday in his speech that the Bill had received very careful consideration. The House Committee on Transport travelled across the country and heard testimony from people from all walks of life and every region in this country. The message we received almost everywhere was one of concern and of opposition to the Government's Bill. Only the big shipping companies are in favour of Bill C-18, and the Conservative Government is again abdicating its responsibility to act in the national interest, in order to act in the interests of a few big Canadian companies. It has become a fact of life that the Conservative Government is biased towards the wealthiest in our society. This Government works only for the big and the wealthy in this country when it is not working for those outside the country, and I am thinking of the multinational drug manufacturers who dictated Bill C-22 which we will be considering in a few days. It is crystal clear that once again, the Government legislates for the rich and the rich alone. The Government's insisting on wholesale deregulation of the transportation industry merely proves my point.

The number of companies that will be affected by deregulation is enormous. We will see an excessive concentration of our trucking and air transportation industry in the hands of the wealthiest exponents of those industries. That concentration is already taking place. And this while it was hoped there would be numerous airlines, each privately owned. We will still have many of the small airlines, but they will all be connected with one another and often belong to the same owner. What is even worse, it is to be feared that they will be under foreign ownership. Well, as Members of the Liberal Party, we oppose this across-the-board deregulation because we believe that the Bill is not a well-balanced one. We have no objection against partially deregulating the transportation industry in Canada to facilitate the shipping of our finished goods in Canada towards the United States and other countries of the world where we can compete with foreigners. The Government, however, has failed to seek the proper balance.

We are now considering a Government motion which accepts the amendments proposed by the Senate to Bill C-18. I can even quote part of a statement made yesterday by the Parliamentary Secretary to the Minister of Transport:

> Mr. Speaker, it is an honour to rise to speak to the amendments proposed by the Senate and to encourage Members of the House of Commons to concur in them. There has been very close consultation and the nine amendments will make a very great difference to the Bill and our constructive policy development for the nation.

I notice that the Minister of Consumer and Corporate Affairs (Mr. Andre) is present in the House and it is rather interesting to realize that concerning Bill C-18, the Parliamentary Secretary to the Minister of Transport has accepted the amendments proposed by the Canadian Senate and feels that, quote:

> —these amendments will make a very great difference to the Bill and our constructive policy development for the nation.

In other words, what the Government is prepared to do today is to recognize the legitimacy of the Senate and the absolutely essential role it can and should play to improve the various legislation which we adopt here in Parliament.

It is not the first time that the House of Commons accepts amendments from the Senate. What is rather particular and unique, however, is the stubbornness with which the Minister of Consumer and Corporate Affairs refuses some amendments from the Canadian Senate. That is exceptional. For throughout our history, session after session, Legislature after Legislature, the Canadian Senate has amended legislation adopted here in the House of Commons. With only a few exceptions, the House of Commons has always accepted them and always considered that the Senate had the same authority as the House of Commons concerning a Bill. Under the Constitution, both Chambers are equal. And the House of Commons and the Senate both have the right to adopt legislation and to accept Bills.

What the Prime Minister (Mr. Mulroney) and the Minister of Consumer and Corporate Affairs are trying to do is to convince the public that, by amending Bill C-22, the Senate has exceeded its rights and responsibilities. Nothing could be farther from the truth. All the legislation introduced in the House are later submitted to the Senate to be reviewed, amended if necessary, and returned to the House of Commons.

• (1120)

And as I am speaking to you, the situation can be summed up as follows: we are debating Bill C-18 as amended by the Senate which, as the Parliamentary Secretary himself put it, has done such a good job that all the amendments made by the Senators will be accepted. Double standards.

There can be only one explanation: the Minister of Consumer and Corporate Affairs is so obstinate as to reject the good amendments made by the Senate to his patents legislation.

Mr. Gauthier: A hard-headed man.

Mr. Ouellet: The Minister of Transport, through his Parliamentary Secratary, is quite prepared to accept the amendments to Bill C-18—

Mr. Gauthier: A reasonable man.

Mr. Ouellet: This is not the first time this has happened. I will recall a whole series of amendments which were made by the Senate in the past and which were eventually accepted by the House of Commons.

I have here a study done by the Library of Parliament's Information and Reference Branch, and I did not ask them to go over to earlier centuries, just the past 25 years.

I have here a document that takes us back to the early 1960s. I am not referring to minor Bills, in fact the legislation we are considering today, the Transport Act, is an important piece of legislation, yet it has been amended by the Senate and Government Members are prepared to accept them. Such was the situation in 1960 when a measure to amend the Income Tax Act came back here in July, 1960, with three Senate amendments. The House of Commons agreed to these amendments and Royal Assent was given on August 1, a full endorsement of the work done by the Senate.

The 1961 Act to Amend the Criminal Code in the case of capital murder was also amended by the Senate and later approved by the House of Commons.

In 1964—I shall not list all such measures because there are pages of them, but I shall simply mention a few to illustrate my point that it is quite natural for the Senate to amend Commons Bills occasionally, and that, in nearly all such cases, the amendments are accepted.

The Senate also proposed amendments to the Trans-Canada Airlines Bill, and these were accepted by the Canadian Parliament.

In 1966, an amendment to the Fund for Rural Economic Development Bill was proposed by the Senate and accepted by the House of Commons.

In 1969, the Pest Control Products Bill was also amended by the Senate, and after discussions, the House of Commons decided that the Senate amendment was unacceptable. What happened then? After consulting Government representatives, the Senate did not insist on having its amendment adopted, but did insist on the principle of this amendment and proposed a new amendment to replace the first one.

On May 14, 1969, the House of Commons accepted this new Senate amendment, which led to the Bill receiving Royal Assent in June.

This shows that, when people of good will work in close co-operation, there is always a way to come to an agreement.

I now come back to what is going on in the case of Bill C-22. If the Minister of Consumer and Corporate Affairs was less authoritarian, obstinate and determined to satisfy pharmaceutical multinationals, he could say that the amendments proposed by the Senate to Bill C-22 do not meet fully the objectives of the Government, but that there might be a way to achieve a proper balance. The Senate could then, later on, propose new amendments which, as in the case of Bill C-157 in 1969, would be acceptable in the mind of the Government.

However, such is not the case. The Government is desperately trying to stir up a fight on the backs of the Senators and suggesting that the Senate is overstepping its authority by amending legislation. The Government should not really be so critical today, since the Parliamentary Secretary to the Minister of Transport has himself accepted amendments from the Senate, as I have already pointed out which at least proves that the Minister of Transport (Mr. Crosbie) is not as stubborn as the Minister of Consumer and Corporate Affairs.

[*English*]

Mr. Andre: That's not what you said in the elevator.

[*Translation*]

Mr. Ouellet: Other amendments have also been accepted in the past. In 1970, the Investment Companies Act and the Northern Inland Waters Act were also amended by the Senate and subsequently passed by the House of Commons. In 1971, the Consumer Packaging and Labelling Act was amended by the Senate and accepted by the House of Commons and the Minister of Consumer and Corporate Affairs at the time.

Mr. Gauthier: He's leaving.

Mr. Ouellet: I see that the Minister of Consumer and Corporate Affairs, who was listening just now, finds my comments rather hard to take and probably went behind the curtains to be able to breathe a little easier.

It is a fact that in all our Parliaments, the Senate has, from time to time, amended Bills originating from the House of Commons. The Ministers have always had the courtesy and tact to go and discuss the matter with the Senate and reach some appropriate compromise so that the legislation could be passed in the best interests of Canada and Canadians. Not like the Minister of Consumer and Corporate Affairs, who wants it to be in the best interests of the drug multinationals.

I say that when there is a will, the House and the Senate can find a way.

I have some more precedents for Bills amended by the Senate and accepted by Parliament. In 1973, there was the Protection of Privacy Act that was amended by the Senate and subsequently approved by the House of Commons; the Act to amend the Northern Canada Power Commission Act; and the Statute Law (Status of Women) Amendment Act in 1975. The Senate proposed an amendment that the House of Commons subsequently accepted in June, 1975. There was also the Canadian Commercial Corporation Act that was approved after a certain number of amendments had been suggested by the Senate.

I know about this, for I was then Minister of Consumer and Corporate Affairs. And I never felt my rights as a Minister had been infringed upon because the Canadian Senate had suggested a few amendments to the Bill I was debating before the House of Commons. Quite the contrary: In 1975, I understood and accepted these amendments proposed by the Senate because I knew that these amendments were improving my legislation. And I never felt that my role as Minister of Consumer and Corporate Affairs had been debased. As a matter of fact, I was quite pleased to accept the sound pieces of advice of the Canadian Senate. I cannot understand why the current Minister of Consumer and Corporate Affairs feels his rights have been trampled on simply because the Canadian Senate wants to make a few suggestions in the best interests of Canadians.

The Petroleum Administration Act was another major legislation to which the Senate had also suggested amendments which were later accepted by the House of Commons. Of course, I could continue on and on. There were other similar instances in 1976, 1977 and 1978.

In 1981, there was the Act to amend the National Energy Board Act. If the former Liberal Government ever had a legislation at heart, it was the National Energy Board Act. Yet, on April 7, 1981, the Senate proposed six amendments to this Bill. The then Minister of Energy, Mines and Resources did not make of them a life or death issue. He accepted these amendments from the Senate and the Bill received Royal Assent on December 18, 1981.

Well, since the Members of the Conservative Party came to power, they have been trying to pick a quarrel with the Senate, and they would like the Canadian people to believe that the Senators, because they are not elected, enjoy fewer rights and privileges than the elected Members of the House. Canadian judges are not elected either. However, we are not trying to imply that their decisions are less valuable and important because judges are not elected. In some American states, some judges are elected. There are functions in the judicial system that are elective. On the other hand, other positions in the judiciary are appointed. So, I have never heard that, because an American justice official in one case is elected and in another appointed, the one who is elected renders decisions that are better or more valuable to the American judiciary than the appointed one.

I find false and unacceptable that argument by the Canadian Prime Minister and the Minister of Consumer and Corporate Affairs, who would have the people believe and imply that because Senators are not elected, their work is any less important and less valuable than that of the elected Members of the House of Commons. The fact is the Canadian Constitution gives that full and complete right both to Senators and Members of the House of Commons. And I am happy to state that the Senate did an excellent job on Bill C-18 and also Bill C-19, the other legislation that comes at the same time as Bill C-18 and that would bring a major change in deregulation in Canada.

I would like to remind the House that Bill C-18 has been especially opposed because it is not definite enough as far as safety is concerned. It is incomplete, in particular for air safety, and in my opinion, it should have been amended by the Government at the committee stage.

I would like to quote some of the presentations we received from various organizations when this Bill was being considered. In particular—

• (1130)

[*English*]

—more specifically, the Canadian Union of Public Employees, Airline Division, which appeared before the Transport Committee on March 24, 1987. I would like to read an extract of its presentation which states:

> A review of the American experience with airline deregulation revealed the following:
>
> In relation to safety it states:
>
> U.S. airline passenger safety has been compromised and jeopardized by deregulation. Airlines, in a competitive squeeze with low-cost opposition have slashed not only labour costs, but operations and maintenance costs as well. Spending on commercial aircraft maintenance declined by almost 18 per cent between 1980 and 1984. The average fleet age of commercial aircraft increased by almost 4 years during the same period of time.
>
> Flying is becoming more hazardous in the U.S. as the effect of using equipment and personnel for longer hours with reduced maintenance is beginning to show. The safety buffer diminishes daily under the relentless economic pressures of deregulation.
>
> In 1984, the U.S. Federal Aviation Administration disciplined 16 of 43 carriers, including People's Express, Pilgrim Airlines and Alaska Airlines, after an in-depth inspection found major safety problems, including extensive use of unqualified pilots. Several carriers had their licences suspended.
>
> Meanwhile, U.S. near-collisions in mid-air have jumped, and safety violations fines of commercial airlines are at a record high.
>
> Near mid-airs (in-flight near-misses reported by pilots) escalated alarmingly from 311 in 1982 to 830 in 1986. Pan American, American and Eastern airlines were fined a total of $13 million for violating safety and maintenance standards.
>
> Another of the dangers of U.S. deregulation is that it has brought hundreds of inexperienced pilots into the industry.
>
> In at least 2 cases, that inexperience cost a planeload of passengers their lives, once right here in Canada. An American air safety expert said the Arrow Air crash at Gander that killed a planeload of U.S. servicemen in December 1985 was "clearly a deregulation crash. Without deregulation, that crew would not have been flying that aircraft under those conditions". ("Those conditions" included freezing rain—the same kind of weather we have to deal with here in Canada about five months a year.)

• (1140)

This was stated by the Canadian Union of Public Employees when they appeared before the Transport Committee. I think that their fear of having the same American experience in Canada is real. According to the people who know what they are talking about, deregulation in the United States is a frightening experience. Why would it not also be frightening in Canada?

[*Translation*]

I was especially frustrated by the attitude and the answers of the Deputy Prime Minister (Mr. Mazankowski) to a question which I asked him Monday in the House. I asked what the Canadian Government was going to do to guarantee that tragedies such as the recent one in Detroit would not happen in Canada when the industry is deregulated.

The Deputy Prime Minister, a former Minister of Transport and himself sponsor of Bills C-18 and C-19 which will bring about this massive deregulation in Canada, rose and, affecting indignation, said that he found my question irresponsible. As shown on page 8118 of *Hansard* for August 17, 1987, the Deputy Prime Minister gave this reply:

> I find the Hon. Member's question quite irresponsible—
>
> I think that making that kind of allegation is totally uncalled for.

He concluded by saying:

> For the Hon. Member to tie politics to a very serious tragedy is most unfortunate indeed.

Mr. Speaker, Detroit was the scene of an appalling tragedy which took the lives of innocent passengers. As a matter of fact we have learned today that the accident may have been the result of human error on the part of the pilot. And what do we hear from spokesmen for unionized workers in the aviation industry: air safety has been compromised in the United States since the advent of deregulation.

I am not trying to score political points when I ask the Minister what he intends to do to protect Canadian air travellers when deregulation becomes a fact of life in this country. Everything seems to indicate that lower air safety standards are directly related to deregulation in the United States. Well, we do not want any compromise on safety in Canada and this is why I asked the question. My question was all the more justified that, in its January 12, 1987 American edition, *Time* headlined:

[*English*]

"Be careful out there. As air traffic soars, so does concern about safety in the skies".

[*Translation*]

Mr. Speaker, I am not about to quote the whole article but I would suggest that the Deputy Prime Minister, former Minister of Transport and responsible for this Bill C-18, should read it and discover for himself to what extent the kind of deregulation which has been implemented in the United States and which he seeks to force on Canadians might play havoc with air safety in this country.

I am not the only one who is saying this. A number of expert witnesses who appeared before the Committee on Transport expressed similar concerns.

[*English*]

The Canadian Air Line Pilots Association also presented submissions on Bill C-18 to the House of Commons Standing Committee on Transport. They appeared before the committee on April 2, 1987 in Montreal. Here is what they said:

> It should be unnecessary to point out that a profitable operation is necessary for safety—

This was stated by the U.S. Senate in 1937 during debate on economic regulation of the fledgling U.S. transportation industry. It is equally true in Canada in 1985, 1986, and 1987.

The subject of airline safety appears in Bill C-18 at Clause 3(1)(a) wherein it states that the objectives of the Act are most likely to be achieved in a free market system under conditions ensuring that the system meets "acceptable safety standards". We are appalled at the use of the term "acceptable" when clearly the public is entitled to and expects that the "highest safety standards" will be assured. Nowhere are there provisions which will assure that the highest level of safety, or even these so-called "acceptable" but undefined standards can be met.

The level of aviation safety in Canada is ostensibly the responsibility of the Minister of Transport who, through his Department, is charged with establishing certain standards and monitoring the industry to ensure compliance. However, in practice the level of safety we enjoy in Canada has been dependent upon air carriers' willingness and ability to operate to standards well above the minimum demanded by the Department of Transport, and on the efforts of dedicated individuals.

Of course, under deregulation the Department of Transport will continue to monitor and enforce the same minimum standards. But as efficiency and profit become all-important, the self-policing aspect of the industry will fade. Capital will be forced to trade as closely to the marginal line of safety as the enforcement agency will permit.

To quote from the Assistant Deputy Minister's keynote address at the Flight Safety Foundation's annual seminar in Vancouver on October 7, 1986: "—safety is not the end objective for companies—" In the same speech he noted that "—safety comes from the top and must be seen to come from the top". In their presentation, the Canadian Air Line Pilots Association said that it is certainly not seen to come from the top in Bill C-18.

The Liberal Opposition introduced an amendment at the committee stage. We tried to convince the Minister to change the words "acceptable safety standards" to the words "the highest level of safety". We were unsuccessful. The Minister did not want to budge. He felt that to do otherwise would be too constraining on the companies. It is a sad day when the Minister will not put safety ahead of everything else in terms of aviation. I very much regret that decision. We would have liked to see the legislation amended, as requested by the Canadian Air Line Pilots Association, but we had no success with the Minister.

It is the bread and butter and the security of the people who are directly involved in the airline industry, and they should

know what they are talking about. This is what they said to the Transport Committee:

● (1150)

> Prior to deregulation in the U.S., many airline industry experts expected that as the economic regulation by the Civil Aeronautics Board disappeared it would be replaced by a higher level of safety regulation and inspection by the Federal Aviation Administration, particularly in view of the expected influx of new entrants. This did not happen. Rather, from an inspectorate of approximately 2,000 responsible for monitoring 237 air carriers in 1979, the FAA reduced its number of inspectors to some 1,300 responsible for 470 air carriers by early 1984.
>
> Furthermore, between 1980 and 1985 much of the time of these inspectors was taken up with certifying new operators, so that the normal inspection process could not be followed. It was only last year that financial restrictions were lifted to allow hiring of additional inspectors, but the number is still, and will remain, below the 1979 level.
>
> Since 1984, when growing safety concerns led to more vigilant and intense airline safety audits, we have seen record fines levied against numerous U.S. airlines, large and small, established and new entrants. Some have argued that these actions by the FAA have demonstrated a satisfactory level of inspection; we, however, take the less comforting view that there is clearly a very unsatisfactory level of compliance with regulations.
>
> Experience in the United States since the beginning of the transition to economic deregulation has shown quite clearly that a greater burden falls to the safety regulator.

This is what the Nielsen task force was saying in 1985. Let us remember that that task force of the previous Deputy Prime Minister of Canada came out with those types of opinions. In other words, this is clearly the view of the Government. The Government is ready to believe and have faith in the industry policing itself.

It is true that for a number of years it has worked relatively well in Canada. Our record of safety is a good one. However, we will be working under a new environment. We will totally deregulate the airline industry with this legislation. Therefore, the situation and the circumstances will be different.

To continue to believe that we can let the industry police itself is dangerous. I believe that something must be done to ensure that government officials, independent people, will be able to check the work of each company in order to protect properly and effectively the public that uses airlines. To restrict it exclusively to the industry, as the Americans have done, is a very dangerous course to follow. We only have to look at what is taking place in the United States to realize that American authorities have made a mistake and are compromising safety in the air in the United States, because they do not have the proper number of people to do the necessary inspections. We do not want this to happen in Canada. We are begging the Government to hire the appropriate number of people in the Department of Transport and in the various agencies created to monitor the airline industry to ensure that safety is not compromised.

We have not yet seen evidence that the Government understands. We have not yet seen person-years assigned to the Ministry and the agencies to make us believe that the Government is ready to take its responsibility. We clearly believe that the Minister of Transport and the Deputy Prime Minister are very eloquent in words but are very short in terms of putting money where their mouth is.

Let me continue citing the presentation of the Canadian Air Line Pilots Association before the Standing Committee on Transport last April. It reads:

> Jerry Lederer, President—of the Flying Safety Foundation has stated: "Industry does not remain indifferent to tragedy, but it faces a selection of priorities based on limited resources . . . When the highest priority is economic survival, then safety must take a back seat, and there is disturbing evidence that the traditional safety margins of the air transport industry are already being eroded.
>
> As the representative of the airline pilot who is charged under the Aeronautics Act with direct authority over and responsibility for the safety of his passengers, crew and aircraft, CALPA is concerned at the insidious trend in the airline industry, world-wide, toward reduced safety margins.
>
> Over the years, there has been a dramatic shift of onus in most areas of aviation safety. Where once it was safety first, cost second, with no questions asked, pilots are now increasingly faced with the burden of proving why a cost-saving procedure is not safe, or the even more difficult task of showing why it is less safe to the degree that it should not be done. Where once there was a strong element of pride within the industry in providing the very best in safety and service, we are seeing more and more reliance upon the letter of the law. Cost considerations are gaining pre-eminence, as a financially hard-pressed industry simply has no incentive to spend more on safety than is required to meet minimum regulatory standards.

[*Translation*]

I firmly believe what pilots are telling us. Day in and day out these people have to live with what is going on in the United States since deregulation. We ought to listen when they warn us to be careful, and this is what I had in mind Monday when I directed my question to the Deputy Prime Minister. I reject the Deputy Prime Minister's allegation that I was indulging in petty politics when I asked him what his Government was prepared to do to make sure that Canadian air safety will not be jeopardized.

Allow me to continue quoting from this very important brief which was submitted to the Committee on Transport:

[*English*]

> Nor is it only the commercial side of the industry that is being adversely affected. We also see it in publicly funded safety services, most recently in crash, fire and rescue services. All indications are that there is a general slippage in safety standards, an erosion in safety margins that could take as many years to restore as they have to deteriorate. If so, better alarmist now than apologetic later.
>
> The challenge is to maintain Canada's traditional attitudes toward safety and ensure that economic pressures, which can only be intensified under deregulation, do not lead to lowered margins of safety. Anything "less safe" must be rejected; we are not interested in exploring the outer limits of the safety envelope.
>
> Bill C-18 presents no provisions to allay our fears that the inevitable economic pressures already affecting all segments of the airline industry will also affect safety. No one other than members of CALPA through our constitutional objectives, has been charged with maintaining the highest standard of safety; instead there is a vague reference to "acceptable" levels. This shortcoming must be addressed.

● (1200)

Indeed, members of the Liberal Party have tried in committee to address it and present amendments to change the

legislation but without success. While the Bill provides something to deal with this, certainly Clause 3(1)(a) was the place where we could have dealt with it. The Government refused to budge. Indeed, I have no hesitation in saying that the Minister is compromising safety.

Let no one think that CALPA is alone in its safety concerns. I want to say this because of the vicious response by the Minister of Transport to my questions last Monday. I was asking something that I thought was absolutely responsible. I wanted to know if the Government was going to take every possible step to prevent the occurrence of an incident like the one in Detroit. The Minister tried to imply that we wanted to make politics out of a tragedy. It was not making politics because what happened in the U.S. could certainly happen in Canada. What I was saying on Monday is what the CALPA people have been saying along with a number of experts in the U.S. Let me cite them. *Canadian Aviation* is an important publication and it said in September, 1985:

> All airlines are cutting corners these days. Sure there are safeguards but the risks are being cut a little finer in the interests of the bottom line.

James E. Burnett, Chairman of the U.S. National Transportation Safety Board, said in 1985:

> Under-capitalized carriers cannot afford to invest as much in training as the well-established carriers, so that there is less familiarity with equipment and procedures.

Here is what Larry Crawford, President of Avitas said in *Airline Executive* in 1985:

> The current trend among airlines towards maintaining aircraft only to minimum FAA standards is disturbing.

Here is what Donald Engen, administrator of the FAA, was saying in *Flight International* in November, 1985:

> We cannot accept any tendency for people to move down to the minimum standards. Deregulation in itself isn't bad . . . But this is not to say we have no problem for the future.

This is precisely what we in Canada are saying. Contrary to the NDP, which is vehemently and totally opposed to deregulation, and to the Conservatives, who want to jump right to it in a massive and urgent deregulation, we in the Liberal Party are saying, "Just a minute. Deregulation to a certain degree is not bad. Certainly it could be done. But let us do it in a way that will not compromise the safety of people flying. We will not compromise the employment of those who have for years worked in the industry. We will not compromise services to the regions which are accustomed to a service that will no longer be available if there is no ironclad protection in the legislation". That is what we are saying. This industry, if it is totally deregulated, will only go where it can make a buck. It will not continue to serve the remote areas of our country who have been accustomed to the services. Finally, let us not do it in a way that will compromise safety as happened in the U.S. and as will happen in Canada unless we have the proper safeguards.

I am not the only one speaking this way. I want to cite another important organization, the Brotherhood of Railway and Airline Clerks who appeared before the Standing Committee on Transport when it visited Vancouver in March of this year. Here is what they had to say with regard to safety:

> —a number of other facts have many U.S. air safety experts worried about the future:
>
> The number of near misses have increased steadily over the last five years—from 311 in 1982 to 776 in 1985; in the first five months of 1986, 305 were recorded, an increase over the same period in 1985.
>
> While the number of commercial flights has grown by 31 per cent, from 14.7 million in 1980 to 19.2 million in 1986, the number of air traffic controllers has declined by 13 per cent.
>
> While the number of aircraft increased by 68 per cent between 1980 and 1984, the percentage of operating revenues spent on maintenance has declined from 8.9 per cent in 1980 to 7.6 per cent in 1984.
>
> Although there has been a dramatic increase in both the number of flights and passengers, the number of FAA inspectors has declined by 33.8 per cent between 1979 and 1984.

These statistics were presented to the committee to indicate that this trend in the U.S. should not happen in Canada. They urged the committee to make recommendations to the Minister to improve safety and make sure the number of inspectors in the Department would be sufficient to do a proper job. What we have witnessed so far is lip-service by the Minister. There has been no clear-cut indication that there are going to be more employees to do the work effectively. In his report to the House of Commons for the fiscal year ending March 31, 1985, the Auditor General made the following remarks:

> None of the Transport Canada regions was able to inspect all carriers in its jurisdiction at least once a year.

This is not a member of the Liberal Opposition speaking. This is the Auditor General of Canada. He is telling us that in 1985, under the Conservative Government, none of the Transport Canada regions were able to inspect all carriers in their jurisdiction at least once a year. The Government is going full steam with deregulation and it has not substantially increased the number of people to do the work. The Government is trying to pretend that it is not compromising safety. It is trying to pretend that the work will be done. When I asked the Minister a question in the House the other day—

[*Translation*]

Did the Minister know that the Department of Transport delegated—not: did the work itself—delegated authority to airline mechanical engineers to apply the standards it has laid down? I also asked the Minister whether it was normal to let the airline companies police themselves. The Minister answered:

> —I find this question totally absurd from a Member who has had some experience in transportation . . . I invite him to reread the Aeronautics Act and to reread some of the actions which have been taken by the Government.

I reread the Aeronautics Act, but I have yet to see the Government's actions reflect it in the policies we need to implement the new legislation and ensure it will produce results. Until the Department or the agencies have the staff they need to do the work, these policies will be no more than wishful thinking on the part of the Government. We can

hardly ask the agency, any more than we can ask the Department, to work miracles with the number of person-years and resources the Department of Transport has been given. It can't. I repeat: If you are sincere and if you are honest when you say that you don't want to compromise air safety, more money will have to be spent. The appropriate administrative measures will have to be taken and the requisite support staff made available to do a satisfactory job, and not what your Department of Transport is about to do, which is to ask the companies to police themselves. That is what the Americans have done with their own airlines since deregulation, and the number of accidents or near misses in the United States has increased. I ask the Government: Please wake up before it is too late, otherwise Canada will see a repeat of the tragic incidents that have been occurring in the United States since deregulation.

I want to conclude with another quote from the CUPE Airline divisions.

• (1210)

[*English*]

The general chairperson of the CUPE airline division, V. J. Udvarhely, appeared before the Transport Committee. Let me read to the House an extract of the document that was tabled before the committee. It reads:

> The Safety aspect is of monumental concern to us. Examples across the border of horribly low safety standards abound and while the Government would not knowingly create safety hazards, they will happen unless there is a budget for more safety inspectors and the requisite number of firemen at airports and a regulatory body with teeth. This should be a main concern, budget deficit notwithstanding. Safety has no monetary ceiling.

[*Translation*]

This, in a nutshell, is the philosophy of the Liberal Party of Canada, now in the opposition. We are afraid that deregulation will be a disaster and we have asked exactly what CUPE asked us when it testified before the Transport Committee: that we should have inspectors in sufficient number, an agency with the means and power to act and, above all, the necessary financial resources.

The number of firefighters at airports has decreased, while the Minister would have us believe that he has security at heart and takes steps to better protect the travelling public. It is clear that the number of inspectors and employees is not sufficient to meet the needs. And not only are there not enough inspectors and employees to do the job, but for certain positions such as firefighters working at airports who must take action in case of a tragedy and hurry on the landing strip to protect human lives on an aircraft which may be on fire, their number at Canadian airports has decreased. And the Minister would like to convince us that he has security at heart. Nonsense! On behalf of my Party, therefore, I repeat that we are deeply dissatisfied to see the Government move forward with this Bill which will result in the across-the-board deregulation of transportation in Canada. My only solace, before I resume my seat, is to say that to a certain extent, the Senate at least has improved this legislation and we are greatful to its members for their contribution to Bill C-18.

[*English*]

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I rise to speak today on the motion before us on the amendments brought by the Senate but I cannot agree that small changes in spelling errors and French translation will really affect the basic principle of the Bill and provide the kind of transportation policy that Canada needs. We are very disappointed that many of the possible amendments that would have made the Bill a better one were not made and that the opportunity to do so was lost.

If there was ever a need for sober second thought, it was on this Bill. It is an issue of vital importance to all Canadians and, if I may say so, of particular importance to those of us in more remote and rural areas of Canada. It is an issue which affects everything from the price of a can of soup in my constituency to the export of car parts in other constituencies.

It is not an issue that is very exciting to many people and probably not even very exciting to the media. However, a Bill that throws out the chance of having a planned transportation system in favour of a market-directed game of chance has passed both Houses without substantive amendment, and the New Democratic Party says that that is a shame.

Deregulation conjures up very positive imagery. It has a nice ring to it: get the Government out of our hair, keep it off our backs, decrease bureaucracy and red tape. It appeals to the emotions of most Canadians. We must remember, however, that in the past, there was deregulation. Regulation came into being because deregulation was not working.

At second glance, deregulation as proposed in this legislation is, if I may use the analogy of one of our more sacred Canadian institutions, like a hockey game without a referee. The little guys will get beat up by the big guys and the people who paid to see the game will not see the game at all, but chaos.

• (1220)

Transportation and public policy related to it have gone hand in hand in developing Canada and uniting our vast land and have been the subject of many debates in this House. Transportation legislation then must be founded on a social and economic objective. In this case the social objective must be that of maintaining transportation services on an equitable basis for all parts of our country. Nowhere is the importance of this more clearly evident than in the north.

In Yukon, my home riding, a territory of some 200,000 square miles, we are accessed by one major highway and only one major Canadian airline since the amalgamation of PWA and CP. The cost of living in Yukon is at least 20 per cent to 50 per cent higher than in most parts of southern Canada. Much of the reason for this is the high cost of bringing goods to the territory, most of which are trucked in a minimum of 1,000 miles from the south.

Mining, which is a very large part of our economy, also relies heavily on good and economical transportation systems. A big issue in the Yukon recently was that a mine which was closed due to lower world market prices could only open again if economical transportation could be provided. I am suggesting that with deregulation such economical transportation would not have been provided and a number of people would have been put out of jobs because of that.

Our economy is as fragile as our climate. Temperatures range from 35 degrees above zero to 60 degrees below zero. Due to this, transportation routes are the subject of much conversation, speculation and often trepidation owing to floods, snow slides, and the very fact that we are so isolated. The highway is the lifeline of our territory and numerous jobs depend on it.

Parts of northern B.C. as well as Yukon rely on the major airline which goes to only two main communities. Therefore, smaller companies play an extremely important part in relaying goods and passengers between the smaller communities to facilitate mining explorations and to bring tourists to various sites. We are very reliant upon the small chartered companies and smaller airlines.

We know that transportation is expensive. For example, it costs more to go from Whitehorse, the capital city of Yukon, to Vancouver than it does to go from Toronto to Vancouver. It costs twice as much to go from Whitehorse in Yukon to Old Crow, our most northerly community. It costs twice as much to travel within the territory as it does to go outside. Therefore, transportation and the cost of it is frequently a subject of discussion.

The situation of Yukon is not unique in Canada. These characteristics are shared by rural communities throughout the country. Dependence on one major transportation system, high costs, unstable climatic conditions, long distances, and small populations characterize transportation systems in probably 80 per cent of the country. Efficient, economic transportation systems are essential to our survival.

The question before us is how best to achieve a fair system for all Canadians. The New Democratic Party does not oppose improvements to the transport regulatory system. We need less bureaucracy and red tape, better safety regulations and better inspections, but we do not believe that this legislation will significantly address this problem. This legislation is like the referee walking away from the hockey game and saying, "Go to it and we will see who survives".

We require common sense regulations supported by adequate funds for enforcement so that all parts of Canada can benefit from a fair and equitable transportation system.

Some Hon. Members: Hear, hear!

Ms. McLaughlin: Wholesale deregulation as proposed by this legislation does not do this. It does not take into account the geography and demographics of this country. Canada is not only Vancouver, Montreal, and St. John's, Newfoundland. It is Carmacks, Tuktoyaktuk, Cranbrook, Qu'Appelle, Wingham and many other small towns, not to mention Come-By-Chance. If this Bill goes through it certainly will be only by chance that many smaller communities will receive reasonable transportation services.

Some Hon. Members: Hear, hear!

Ms. McLaughlin: While rural areas do tend to have high transportation costs, at the moment we at least have a reasonable degree of service in many areas, speaking particularly of the north. Addressing air service specifically, fares are not currently subsidized by the taxpayer but, because of the test of public convenience and necessity, are paid for through averaging between high and low profitability areas.

Passengers in Toronto are perhaps paying a few dollars extra so that Canadians in less populated areas can pay more reasonable fares—not cheap, simply more reasonable. That is an example of what makes Canada a special country. Our public policies have been—not always and sometimes imperfectly—generally oriented to ensuring that there is some equity for the country.

We cannot be sure of what will happen under a deregulated system. Our system in Canada is very different from that in the United States where deregulation took place almost 10 years ago in the airline industry and seven years ago in the trucking industry. What is the verdict there?

In trucking the number of motor carriers doubled although the amount of freight stayed the same. Therefore, there are twice as many people scrambling to carve up the same pie. There was a 140 per cent increase in federal highway taxes. Insurance rates soared 200 per cent to 600 per cent. Trucking accidents increased 18 per cent in one year alone as drivers attempted to out-race competitors. It is estimated that since 1980 one-third of the trucking jobs in the United States were lost owing to deregulation.

In the airline industry serious concerns have been raised frequently about safety, working conditions for employees causing more stress for pilots and others, and poor route service in less profitable areas. The good news with regard to deregulation seems to be that larger centres receive somewhat less expensive services. The bad news is that smaller centres receive less service and pay more. That is the crunch for rural communities.

In order to give some background to the importance of this I will, if I may, refer again to my riding of Yukon, a place which emanates good sense in that the residents have elected both a territorial New Democratic Government and a federal New Democratic Member of Parliament.

I believe the situation in the Yukon illustrates some of the potential pitfalls in this legislation. In the Yukon there is a very fragile industrial economy characterized by high operating costs and relatively low volume. The majority of our trucking firms, for example, are small owner-operated family owned businesses. Compared to southern firms, even the larger firms are relatively small. The scenario envisaged under the proposal for deregulation could very easily lead to an economy dominated by large firms from southern Canada and potentially the United States. We share a border with Alaska, and what happens there very much affects what happens in the Yukon.

• (1230)

One might ask, what is the matter with this? At this point, local trucking firms are run by people who live in the Yukon. They are committed to the community, run the services in the community and even run for public office, participate in the little league and so on. They are there to stay.

Branch plant operations of trucking firms, if one can call it that, do not have this commitment. They are concerned with serving the high volume, high profit routes. Small firms will lose out. Those who are willing to provide a year-round service to rural communities will lose out because they will not be able to compete for the high volume and high profit routes.

We are particularly vulnerable in the Yukon in the summer, both through air transportation and trucking because the highest profitability is in the summer months, with tourism, mining and exploration and the transport of various goods. It is during the summer that heavy equipment and other materials can be transported. If the larger firms come in to skim off those good routes, the smaller, year-round companies will be left with the winter routes. They will not be able to survive because they must average out their profitability in the good months and winter months.

The Northern Aviation Transport Association recognized this problem and made a very impassioned plea to the committee, as did the Government of Yukon. They did receive a hearing from the committee about some of the problems these regulations would raise.

We will not have an equitable system under deregulation. The Minister may say that the problem has been addressed for the north by the inclusion of designated areas, under which my riding falls. This is quite true in the case of air carriers, but the main question for the people of Yukon is, what will happen now that we have lost the public convenience and necessity test? The Government has allowed the north the illusion of protection with its designated area, but without the committee and the appeal system of the Canadian Transport Commission, and without the public convenience and necessity test, how will the community complain about eroded service? Who will hear these complaints, and on what grounds can a successful argument be presented? What action can be taken if such an argument will be made?

As the House is well aware, my predecessor certainly has something to do with the Canadian Transport Commission. I assume that the Transport Commission is not being changed because my predecessor is the Chairman and will continue in that role, but certainly he does understand some of these issues, having been in the Yukon for many years.

Without the tried and true test of public convenience, the Government is creating great uncertainty for the people of northern Canada with this new environment based on charging as much as the market will bear. Without a policy entrenched in this Bill, which clearly states that people come first, the Government is inviting every opportunist who understands our transportation problems to hold the north up for ransom.

An obvious question arising from the issue of the designated area is: Why did the Government stop with air travel? Surely it is not suggesting that truck transport to the north is less vulnerable, or that truck transport is not every bit as important? I am certain there are many areas in Canada which should have rail transportation protected under such a scheme as well, but neither House would adopt such a common-sense extension of the air designated area, nor would they make the air designated area effective. It is deeply disappointing and makes one wonder how earnest the Government is in wanting to protect the north from this policy.

I mentioned that in the Yukon we have a very fragile industrial economy, characterized by high operating costs and relatively low volume. I have also said that the trucking firms are small and owner operated. It is a very important character of our community that people can be facilitated to become independent and remain self-sufficient through the operation of their own business.

I believe that as this legislation comes into force we will see more and more problems. While we have been given some hope as to what will happen, we have not yet seen the evidence.

I want to deviate somewhat from this subject, if I may, to say a few words about my constituency. We are fortunate in the Yukon because we have a population that, while small, includes aboriginal people whose ancestors have been in that land for over 30,000 years. We are able to benefit from that accumulated wisdom and knowledge as well as from the technology and science of other cultures. We are certainly fortunate in that respect.

In many ways, the Yukon is a microcosm of Canadian society and despite our small population, the dynamics of federal, provincial and territorial relations, of human rights and of immigration are readily seen and experienced.

I might add that in the Yukon, perhaps one of the most harsh areas of Canada, we have a number of refugees and immigrants who contribute significantly to the Yukon society and economy.

The impact of public policy in an area like this will be immediately and readily visible. Northerners are used to a struggle. The aboriginal people have a highly evolved culture and it is they who made it possible for Europeans who came to this country to survive. Today, they are struggling for a just land claims settlement.

In 1896, people seeking gold came over the Chilkoot Pass. One of my famous predecessors in the House of Commons, Martha Louise Black, was one of those who went over the Chilkoot Pass in 1896. In 1935, she became a Member of Parliament for the Yukon.

Despite the Yukon perhaps being somewhat isolated from the rest of Canada, it has certainly led the way in electing women, and now of course, in electing New Democrats.

The men and women of Yukon today, like their counterparts in the south, are really average working people who value independence and self-sufficiency. They value the lifestyle of the north and want to stay there even with the high cost of living and harsh living conditions.

We are concerned about the potential for loss of jobs through this legislation. Even the loss of a few jobs has an extremely significant impact on the economy. I think this is probably quite true in other areas of Canada as well, particularly in rural areas.

Deregulation does not meet the transport needs of this country. It will not further economic diversity. Canada's public policy has not historically been based on the survival of the fittest mentality, but rather to strengthen Canada from sea to sea to sea by encouraging a fair deal, not just for the many but for the few as well. I submit that this legislation will not do this. I urge the Government to implement a public policy that will be fair and equitable for all Canadians.

Some Hon. Members: Hear, hear!

• (1240)

Mr. Thacker: Mr. Speaker, I am sure all Hon. Members will join together in commending the Hon. Member for a fine maiden speech in the House of commons.

Mr. Murphy: Mr. Speaker, I would also like to congratulate the new Member for a thoughtful speech which not only well represented her riding but certainly addressed the inconsistencies of the Bill. I would like to indicate that, as the Chief Whip of her caucus, she will be called upon to give many more speeches on behalf of the New Democratic Party. I think one could say that finally the velcro has been stripped from the lips of the Yukon.

[*Translation*]

Mr. Gauthier: Mr. Speaker, I would be remiss if I did not take this opportunity to raise a question or make a comment. As whip of the Liberal Party, I should like to indicate simply that we have fully appreciated the comments made by the Hon. Member and that we are delighted to have her with us.

[*English*]

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I want to join with my colleagues in congratulating the Hon. Member for Yukon (Ms. McLaughlin) for what was indeed a very fine speech. As one who some time ago had a large interest in this Bill, and spent a lot of time in committee when it was first introduced, going back to the White Paper, I must say that the Hon. Member for Yukon has summarized very eloquently and succinctly the problems which confront those Canadians who live in the more far-flung reaches of the country, those people who are dependent in a very fundamental way on transportation services. Transportation services do not come at them in a flood of varieties but they are restricted usually to one or two basic services. The Hon. Member, I think, has done the House a service, having only been here a short while, in reflecting very well the concerns of her constituents.

Coming from Newfoundland, I share those concerns. I have to say as one who has been associate transport critic for some period of time, and who was in on the ground floor when the White Paper was released by the Minister initially, and as one who travelled the country with the committee listening to Canadians from across this land, that many voices out there were not saying that deregulation was of and by itself some kind of disaster for Canada. They were saying that while we need to reregulate, to make changes to our transportation system to help it be more competitive and able to evolve in changing conditions and times, we have to maintain at the same time some measure of ability on the part of Government and regulatory agencies to ensure the best interests of Canadians.

As one who has heard that kind of testimony given by quite sincere witnesses right across the country, people who crossed all political ideologies, I am amazed that today we have a Bill before us which came back to the House with nothing more than some housekeeping, house cleaning amendments. These are technical changes to ensure that the French and English sections correspond with each other in as exact a language as possible. These are minor changes.

In making those minor changes, what kind of substantive testimony by Canadians has been ignored? That has been done in a number of fundamental areas. This Bill would change the basic nature of what was formally known as the Canadian Transport Commission which is a regulatory agency that has operated at arm's length from government since the 1960s. It is an agency which is not a Liberal agency, nor a Tory agency, nor an NDP agency. It is a group of some of Canada's finest and most committed citizens appointed to act as the agents of the people of Canada, not of a particular political philosophy. The CTC is an agency which, in the past, functioned as an echo and voice for the people of Canada, including those who live in areas such as the north. Its mandate, in acting in that capacity, was to sensitize and recommend to the Government of Canada the kind of changes necessary from time to time in transportation policy to reflect the reality of this country. It is an independent agency.

That agency has been wiped out. It is gone with the stroke of a pen. It exists no more. There is a new concept incorporated in this Bill. Rather than being independent, autonomous, recommending transportation policy to the Minister honestly without fear of losing a job, and so on, this new agency will receive policy instructions from the Government of the day.

The Government of the day will draw the map. A Minister, a few Deputy Ministers and a few colleagues from Cabinet will sit in committee and will say what is the transportation plan for Canada. They will say: "This is the transportation map for Canada. We in our cloistered, hallowed halls surrounded by our chandeliers and stained-glass windows, walking upon our rich carpets, will decide here in this truly representative realistic House what those people in the Yukon, in Come-By-Chance and Baie Comeau need in transportation policy". They will take that map and give it to their new transportation agency which will make it happen. "Let us not let the reality of this country get in the way of our particular vision of what a transportation policy ought to be", is a philosophy which has never worked in our country of 25 million people, with a land mass as great as we have and with our diversity not only in economic activity but almost in cultures. It is almost ironic because just such a model could be found in the Politburo. It is the new five-year plan which will be issued to the transportation agency. If it does not work after five years, well, governments will change and a new philosophy will be heard and a new map will be given to the transportation agency.

Any hope of objective, independent continuity in the regulation of our transportation industries is lost in this Bill. That is not only a Liberal philosophy. It is not only a Liberal concern. It is a concern the committee heard from one end of this country to another. It was heard from people as diverse in their views as labour, business, town councils, chambers of commerce, and so on.

There is very serious flaw in this Bill. It is the question of foreign ownership. Yesterday we heard from the Minister of Consumer and Corporate Affairs (Mr. Andre), who has really become the Minister of industrial affairs, the Minister of American industrial affairs, the Minister of American, pharmaceutical, industrial affairs, the Minister of multinational American, pharmaceutical, industrial affairs. He stands in the House and in an attempt to have Canadians swallow this bitter pharmaceutical patent Bill— "pill" Bill—he tells us that the reason we are all going to pay more for drugs is that we are going to establish and develop a brand new Canadian industry in pharmaceuticals.

• (1250)

That is what he told us. He told us that it was a priority of the Government, an obsession. We were told that the Bill was not designed in Washington, is not part of the free trade talks and that we are not caving in to the Americans.

Mr. Malone: Who says?

Mr. Tobin: I ask the Hon. Member, who pays his salary? Who pays my salary? Who pays the salaries of those who toe the line of the American multinationals? I do not particularly care who says what about pharmaceuticals when their salaries are being paid by anybody other than the people of Canada.

Having given us a lecture yesterday on the importance of Canadian ownership, the Government passes today a Bill on the transportation industry. One does not have to be a genius—one does not have to be an Einstein or even a Joey Smallwood, who was next to Einstein in his brilliance—to understand that when there are 25 million in such a massive land, transportation is not a secondary concern. It is the way in which we move goods, people and engage in commerce with each other. It is critical.

But this Bill simply demands that all mergers and takeovers over $20 million and over 10 per cent of the voting shares of a Canadian transportation firm be reviewed by the Governor in Council. Anything below $20 million can just happen. In Canada, in particular Atlantic Canada, with respect to our trucking industry, for $20 million on any given day of the week one can monopolize that industry. It is not reviewable under the terms of this Bill.

Let us consider some of our other industries, for example, the airline industry and the shipping industry. When it is reviewable, what happens? It goes to the Cabinet of the day. And what is the philosophy of the Cabinet of today? It is that Canada is up for sale. This is the same Cabinet that believes that Dome ought to be purchased by an American energy giant, and just as quickly as possible. It is the same Cabinet that refuses to intervene in the sale of Dome to try to put together a Canadian solution, a Canadian package. That same Cabinet now provides us with a Bill concerning our transportation industries that has no means of ensuring an independent assessment or protection of Canadian ownership in this vital—I would argue the most vital—industry that we have in Canada.

What is the rule south of the border? What rule do the Americans set for themselves, those who would now become, by invitation, the new owners of Canada's transportation industries? What rule do they set for themselves, those who believe in the spirit of free enterprise and competition, those who sit back in their ivory towers 25 floors up surrounded by concrete, glass and steel and smoking big cigars? What rule do they set for themselves as they personify free enterprise? I will tell Hon. Members what rule. They say that 75 per cent of their airline industry must be American-owned. When the United States of America, 10 times bigger than Canada and 10 times more economically powerful than Canada, says that it is necessary to have a rule that 75 per cent of its airline industry be American-owned, by law, we in Canada pass a Bill which sets forward the belief that there is no need for us to have similar provisions.

We Canadians, as legislators, as the custodians of those things that make this country Canada, have to ask ourselves whether or not we have done our job on Bill C-18. I submit that we have not.

With respect to regional development, I talked a moment ago about Canadians always bearing in mind what a large, diverse nation this is. Too few of us have ever travelled this country. We have been to Jamaica, Barbados and Europe. But too few of us have really travelled the width and breadth of Canada. Most of us who have travelled the country have done it on an airplane. It is but a four-hour ride. We cannot even really begin to comprehend how big the country is and how different are the interests of each of its parts.

The Bill before us was born out of a White Paper on transportation. When it was born, the 10 Canadian Premiers—Premiers of Liberal persuasion, Tory persuasion and NDP persuasion—met to consider their response to the Minister's proposal. There was only one thing that those Premiers from all 10 provinces, from all three Parties, could unanimously agree to, because some wanted regulation, some did not, some wanted more and some wanted less. But one thing those Premiers agreed to—one matter in which they were unanimous—was with respect to a clause being inserted in Bill C-18 that would ensure that the deregulation objectives of the national Government would not override the regional development objectives of any of the provinces. In other words, if in a particular part of Canada special transportation arrangements had to be made as a fact of life to move people or goods, then in that particular part of Canada these new rules on deregulation would not override the regional development objective. That is what all the Premiers agreed to. They asked that that principle be cast in stone, in law, in this Bill.

The Bill we have today merely has a statement acknowledging that transportation is a key ingredient of regional development objectives. It has no provision to ensure that the regional development policies of any particular province will not be overriden by the new powers contained in it.

For a Prime Minister (Mr. Mulroney) who came to power developing and expounding the principle of his predecessor, the Hon. Member for Yellowhead (Mr. Clark), that Canada was a community of communities, that there was to be no more confrontation, that co-operation would be the watchword of this new administration, I find it passing strange that this Bill, drafted in this place with its ivory towers, fails to recognize the particular transportation needs and the ability of provincial Governments to make special provisions in parts of this country that do not suffer from an over-abundance of competitive players wanting to provide transportation services. It is not there. I think that there are Members on all sides of the House who are not happy that it is not there.

I would now like to deal with safety. We have all heard over the last number of months about the increasing number of near misses in the United States over the last number of years. We have heard about the increasing number of near misses in air transportation in this country. We know that there have been a number of disasters over the last number of years, some of which are attributable, directly or indirectly, to deregulation, and some of which are still under investigation. What we know is this. Every single objective analysis that has been done after nearly nine years of deregulation in the United States shows that safety has suffered.

What do we mean by safety? We mean training, maintenance, using aircraft and airplane parts and engines long beyond their normal lives because companies have been engaged in cut-throat competition. When one is engaged in cut-throat competition one has to save money somewhere. Contrary to what most Canadians realize, the most expensive part of flying an airplane is not taking off with a couple hundred passengers on board and landing somewhere else a few hours later. The most expensive part of an airline is training and maintenance. That is where the cuts have been made south of the border, and that is where the cuts will be made in Canada.

• (1300)

Last week the president of one of Canada's national airlines said that there was one airline too many in this country, so there will be a price war and one of them will have to go. When companies that are barely making money now, most of them not making money, engage in price wars, where will they make the price cuts? Cuts will not be made on the free booze that is given to passengers on the flight because that is visible. Cuts will be made on maintenance, training, and by deferring the life of an aircraft beyond its normal operating time.

This Bill does not deserve the support of the House. I hope that Members opposite will have the intestinal fortitude, the courage, and the vision to give it the boot it deserves. In Newfoundland we would say that we should pick it up by the slack of the pants and the scruff of the neck and fling it over the nearest wharf.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, amendments read the second time and concurred in.

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

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

MUNICIPAL AFFAIRS

WATER AND SEWAGE WORKS—ONTARIO LIFELINES PROGRAM

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in June the Ontario Government launched Lifelines, a program which will provide grants to municipalities for 33 per cent of the cost of repairs to water and sewage works.

When Ontario asked Ottawa to participate in Lifelines, it was turned down flat. At the same time the Minister of National Defence (Mr. Beatty) was announcing a $7.5 billion proposal for 10 nuclear submarines, a move questioned even by military experts.

Across the nation water and sewage treatment facilities are in need of repair. Every summer beaches are closed because of inadequate sewage services. Yet the federal Government cannot find even one thin dime, hiding behind the excuse of the deficit and the phoney argument that this is not within federal jurisdiction.

We must keep in mind that before 1984 the federal Government contributed hundreds of millions of dollars to build or maintain municipal water treatment facilities and sewer systems. We in the Official Opposition recognize this to be a national problem. The Leader of the Official Opposition (Mr. Turner) has pledged to share the costs with provincial and municipal Governments.

Once again we urge the Government to examine its priorities—build sewers instead of subs.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAY IN ADOPTING BILL C-22

Mr. Pierre H. Vincent (Parliamentary Secretary to Minister of Finance): Mr. Speaker, last Friday, I called a press conference in the riding of Trois-Rivières to denounce the position taken by Liberal Senators with regard to Bill C-22. And I mentioned on that occasion, Mr. Speaker, that the Quebec National Assembly, under the Parti Québécois Government as well as the Liberal Government, has been in favour of Bill C-22 which will bring major benefits in terms of investment to Quebec and to Canada, as you know Mr. Speaker, specially in the Montreal region, where $600 million in investments and at least 1,500 new jobs are expected.

I then asked the people of Trois-Rivières to get in touch with their Senator and to state their position. Please allow me, Mr. Speaker, to read a telegram which I received on Monday:

> Just been made aware of content of senate committee report on Bill C-22. Sorry to hear that changes were proposed. Had been expecting for months a compromise which, over the next ten years, would have afforded Canada 1,4 billion in R & D funds and created 3 000 jobs. We urge you to maintain version of Bill C-22 originally proposed by House of Commons.

And it is signed by a Mr. Boisvert from Trois-Rivières. And I have received, Mr. Speaker, an impressive number of calls and telegrams from people in the riding who urge the Liberal Senators to change their views.

* * *

[*English*]

NUCLEAR ENERGY

DANGERS POSED BY UNITED STATES NUCLEAR REACTOR

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, Fermi II is a trouble plagued nuclear reactor in the United States, just 12 miles from parts of my riding. Over 7,000 residents of the southern part of Essex—Windsor have so far signed a petition against allowing Fermi II to operate at full power.

Why? Because the basic design of Fermi II is questionable, because the reactor has over 7,300 discrepancies between its plans and its actual construction, and because there have been dozens of breakdowns before the reactor has even reached full power operation.

Also serious evidence has been presented to the U.S. Congress of attempts to cover up these problems by the Nuclear Regulatory Agency in the United States. This is why we are pushing the Minister of the Environment (Mr. McMillan) to get a neutral safety review of Fermi before any permission for full operation.

Canadians will suffer the risks; Canadians must have an equal say in reviewing this dangerous reactor.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAY IN ADOPTING BILL C-22

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, 40 years from now, the majority of current Members of the House and nearly all current Senators will be dead.

Over that same period, hundreds of thousands of Canadians will die from illness.

All human beings must die; it is a law of nature. However, this eventuality can be postponed thanks to the progress of science and the quality of our scientists. We are contributing to the advance of pharmaceutical research and the development and marketing of new drugs to reduce pain and extend life when we provide incentives to our scientists, academics and workers.

Our outdated legislation to protect inventors, which goes back to 1968, prevents research activity in Canada. Our Government has decided to amend this legislation and encourage medical innovation.

However, Canadians will not be able to benefit from our Bill as long as their lives are kept hostage by a group of Whig Senators.

Mr. Speaker, the Drug Bill will provide employment for our youth, give back their health to the sick and ensure a longer and happier life for our elders. *Quo usque tandem abutere patientia nostra, MacEachena?*

* * *

• (1405)

[*English*]

SHIPBUILDING

HALIFAX SHIPYARD—NEED FOR GOVERNMENT CONTRACTS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, on August 4, 1984, the Prime Minister (Mr. Mulroney), then Leader of the Official Opposition, stated in Halifax that he fully supported and was committed to the Atlantic shipbuilding industry. Once again we have the Prime Minister saying one thing and doing another. Since 1984 the Halifax shipyard has received only $60 million in work, whereas the industry in Quebec received $750 million.

As a further insult to this Maritime industry, the Minister of Public Works (Mr. McInnes), the Hon. Member for Halifax, promised Halifax dock workers a $60 million refit program starting in November, 1987. He then reneged on his promise. He now says the work may begin in November, 1988.

Surely the people of Nova Scotia deserve more than lip-service from the Prime Minister, and certainly more clout in Cabinet than what they have been able to obtain from the obviously uninfluential Member for Halifax.

* * *

THE ECONOMY

CANADA'S GROWTH RATE BEST OF MAJOR COUNTRIES

Mr. Alan Redway (York East): Mr. Speaker, have you seen the headline in today's *Toronto Star*? "Canada's Economy Best in the West for Growth". The Organization for Economic Co-operation and Development, OECD, says the Canadian economy, which last year grew faster than the economies of every other major western country, will out-perform those others again this year.

Do you remember what OECD said before the last federal election? It said Canada's economic growth was behind that of Greece, Portugal and Turkey. Why? According to a study by the Canada West Foundation published in 1983, government economic intervention in the prior decade had severely inhibited incentives for investment.

What we needed, the study said, was a climate of stability in economic policy to restore confidence in the Government's capacity to deal with investors in good faith, and to give business some degree of certainty as a basis for rational planning decisions.

That is what we have had for the past three years under the Prime Minister's (Mr. Mulroney) Government and that is why Canada is now No. 1.

* * *

NUCLEAR ENERGY

CANDU REACTORS—RESISTANCE TO IMPLEMENTING SAFETY RECOMMENDATIONS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, the Fermi plant in Michigan, described by my colleague from Essex—Windsor, shows what can go wrong with ill-considered nuclear technology. Canadians are now disturbed to learn that Atomic Energy of Canada Ltd. is resisting recommendations put forward by the federal regulator of the nuclear industry, the Atomic Energy Control Board.

The AECB has a number of serious and well-based concerns over the safety of Candu reactors, while AECL is anxious to restrain costs. Such differences between a regulator and a regulated industry are understandable. What is profoundly disturbing is the fact that nuclear power is a technology which is harshly unforgiving of any errors in judgment, while the too cosy relationship between AECL and the AECB has undermined effective regulatory control in the past. I urge the Minister of Energy, Mines and Resources (Mr. Masse) to ensure that the AECB fulfils its mandate without becoming captive to the nuclear industry.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAY IN ADOPTING BILL C-22

Hon. Suzanne Blais-Grenier (Rosemont): Mr. Speaker, being a Member from the Montreal region I can see every day the consequences of the high rate of unemployment in Montreal. In spite of this situation a handful of Liberal Senators are making a deliberate attempt to delay the adoption of the drug patents Bill.

The Liberal Senators from Quebec are thus depriving their own province, and Montreal in particular, of a $600-odd

million investment which will create between 1,200 and 1,500 jobs.

Their irresponsible behaviour threatens the Greater Montreal economic development in the state-of-the-art pharmaceutical research sector. Their action also deprives recently graduated young professionals of the skilled jobs for which they are fully qualified and thus keeps them on the unemployment rolls.

Twice the National Assembly of Quebec unanimously asked that this Bill be sanctioned as soon as possible. Though very handsomely remunerated by the taxpayers, the Liberal senators are continuing their guerilla tactics. It is a scandal, Mr. Speaker.

* * *

• (1410)

[*English*]

NATIONAL DEFENCE

PROPOSED NEW SEA CADET TRAINING FACILITY—NEWFOUNDLAND LOCATION URGED

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the Province of Newfoundland receives the lowest per capita share of defence spending in Canada. Nova Scotia receives the highest per capita share of defence spending in Canada.

The Government of Canada is to build a new Sea Cadet training facility in Atlantic Canada. Fully 60 per cent of all Atlantic Sea Cadets come from one province, Newfoundland and Labrador.

The Department of Defence has commissioned the Halifax based firm of MacFawn and Rogers to determine where the new Sea Cadet training facility should be located. Not surprisingly, the Halifax based firm says Nova Scotia, the province that has the highest per capita defence spending.

Newfoundland, the province with the lowest per capita defence spending, is being asked to understand. I am here to report that we do understand. We understand that there is no limit to the bare-faced indecency of a Government drowning in its own pork-barrel. In Newfoundland and Labrador, this Government has gone down for the third time.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAY IN ADOPTING BILL C-22

Mr. Fernand Jourdenais (La Prairie): Mr. Speaker, yesterday the Prime Minister of Canada (Mr. Mulroney) clearly indicated that he had every intention of having Bill C-22 adopted, no matter what.

We Conservative Members of the Greater Montreal region fully agree with our Prime Minister, particularly myself since he has just written to me to pledge his unconditional support and to state that my ideas and my contribution to the efforts of this Government were unquestionably essential and highly appreciated.

We Members from Greater Montreal are waiting impatiently for the economic fall-out from the Bill to amend the legislation on drug patents.

Mr. Speaker, let us have respect for the work done by the democratically elected Members of Parliament.

* * *

[*English*]

DISASTERS

SUDBURY—INCO PLANT GAS LEAKAGE

Mr. Neil Young (Beaches): Mr. Speaker, yesterday sulphur trioxide leaked from an Inco plant in Sudbury and 120 members of the public who were exposed to the fumes were treated at area hospitals. I understand that one person is still being treated. Apparently Inco did not reveal the problem to environmental or other officials until people began to phone about the large cloud of clearly visible gas on the eastern edge of the city.

I urge the Minister of the Environment (Mr. McMillan) to contact Inco and the Ontario Minister of the Environment to determine why no warning was given and to ensure that environmental law is amended to require that companies give prompt warning to the general public when potentially dangerous substances have been released into the environment. It seems to me that public safety must be paramount in the way any company is allowed to operate within the community.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAY IN ADOPTING BILL C-22

Mr. André Harvey (Chicoutimi): Mr. Speaker, the whole Saguenay—Lac Saint-Jean area asks me to express its support to the Prime Minister (Mr. Mulroney) against the Grits in the House of Commons who have been thrown out of Parliament after having divided the country and sent it into bankruptcy. This time, it is on a major Bill, that the Grits now control the Senate, Bill C-22, a legislation that will generate $1.4 billion's worth of investment and create thousands of jobs, especially in Quebec.

I therefore challenge the Liberal Leader (Mr. Turner) and some of his Members from Montreal who went into hiding during the vote on Bill C-22, to start a Quebec campaign against that Bill that is highly important for the whole of Quebec.

Concerning price increases, it is also important to state, Mr. Speaker, that for the first time a Government will create a price review board to review 93 percent of drug prices that have never been reviewed before. And of course, I invite the Liberal Leader in the Senate, Mr. MacEachen, to accompany his Leader here in the House of Commons to explain to the people in Saguenay—Lac Saint Jean the reasons why they oppose that very progressive Bill.

* * *

[*English*]

POLITICAL PARTIES

IDENTITY OF NEW DEMOCRATIC PARTY QUESTIONED

Mr. John Nunziata (York South—Weston): Mr. Speaker, what is it with the NDP these days? Yesterday I read a news story in which Bob Rae, yuppie leader of the NDP in Ontario, refused to say whether he considers himself a socialist. Is Bob Rae, smack in the middle of an election campaign, having an identity crisis? The NDP in Ontario no longer refer to themselves as the New Democratic Party. They are now known as the "New Democrats", whatever that means.

• (1415)

The NDP are in crisis. The Party of principle has sold its soul. The Party that has prided itself on being Canada's conscience and the Party of principle is rudderless, totally adrift, and riddled with hypocrites. Its leading lights have been co-opted by a tired, faltering and cynical Tory dynasty that has gone from infancy to senility in three short years.

How else can one explain the fact that Stephen Lewis—remember Stephen Lewis—once NDP Leader in Ontario and now Canada's Ambassador to the United Nations, is one of the stoutest defenders of the Government's new refugee Bill? How else can one explain Dennis McDermott's acceptance of an ambassadorship to Ireland after being one of the Government's fiercest critics? How does one explain Ian Deans' acceptance of a $95,000 a year government job after criticizing the Government for six years?

Mr. Speaker: Hon. Members will, of course, remember that in Statements by Members we try to avoid naming those who are not in the House and therefore unable to respond as they would perhaps wish.

MEDICAL CARE

PRINCE ALBERT, SASK.—OPPOSITION TO CLOSURE OF HOME FOR MENTALLY DISABLED

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, during the last several months an organization called TEARS was formed in Prince Albert. TEARS is a group of concerned citizens in Prince Albert and district, in fact from all across the Province of Saskatchewan, who are protesting the closing of the Prince Albert North Park Centre, a home for mentally disabled people.

The name TEARS seems symbolic of the anguish and disorientation which residents and relatives of the residents are feeling about the callous approach taken by the provincial Government in dealing with these citizens.

The quality of our civilization is shown most clearly by how we treat our elderly and disabled. The hallmark of conservatism as manifest in the drug patent Bill in Ottawa, and by actions such as the closing of the Prince Albert North Park Centre in Saskatchewan, indicates a denigration of that care.

TEARS is an appeal to us all to be more compassionate, and particularly to the Devine Government in Saskatchewan to have a care for the people who cannot care for themselves.

ORAL QUESTION PERIOD

[*Translation*]

CONSUMER AFFAIRS

BILL C-22—OPPORTUNITY TO OBTAIN EXPERTS' OPINIONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a few questions for the Minister of Consumer and Corporate Affairs.

Since the Government is incapable of winning the battle on the drug patents Bill by giving us the facts, it is trying to win with false statements.

The fact is that the amendments proposed by the Liberal Party would guarantee hundreds of jobs in Montreal, while the Government is promising jobs without any guarantee at all.

The fact is that the amendments proposed by the Liberal Party would guarantee lower prices for drugs than the legislation proposed by the Government.

The fact is that all the amendments proposed by the Liberal Party would advance the cause of both consumers and research.

All the reasons given by the Prime Minister yesterday are false.

Can the Minister name a single independent expert who says that the Bill proposed by the Government is better for

consumers and researchers than the amendments proposed by the Liberal Party and supported by the Eastman Report?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): The Liberal Party stands. I have a memo to all Liberal caucus members from the Member of Parliament from Cape Breton—East Richmond, dated August 18. It has a lot of falsehoods in it but one statement is true. It says in the final paragraph:

> The gist of the amendments are, of course, a four year period of exclusivity (which amounts to retaining the status quo since generic companies take at least four years to come on to the market).

• (1420)

In other words, in their own communications, the members of the Liberal Party privately admit that what the Senate has done is restore the status quo which saw Canada's performance in research and development go downhill from what it was, and not develop. It saw the Hoffman-LaRoche plant in Montreal close and the Smith Kline and French plant close in Toronto.

Everyone in the scientific community, certainly in Montreal, but everywhere else in the country, has recognized that this Bill is vitally important to provide jobs for the graduates of their universities and to provide economic opportunities in this important area. The Liberal Party, those from Quebec, are the only ones I know who are denying that fact.

NOBEL PRIZE WINNER'S VIEWS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the proposals of the Senate duplicate the proposals we have made in the House of Commons. They are directly in line with the recommendations of the Eastman Report.

I ask the Minister to stick to the facts and all the authorities that he cites to support them. Yesterday he claimed once again that Dr. John Polanyi opposed the Liberal amendment, in the House and in the Senate. We checked again with Dr. Polanyi yesterday and this morning. Dr. Polanyi, of course, favours research in Canada, but he takes no view whatsoever as to the relative merits between the Government's proposition and the proposal of the Liberal opposition.

Why did the Minister of Consumer and Corporate Affairs present a false proposition to the House, citing in his favour Dr. John Polanyi when Dr. Polanyi took no position whatsoever?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I quoted Dr. Polanyi on the CBC program *Morningside* with Peter Gzowski, where he said: "A country that says in essence we will rely on others to do our research, which does not provide the patent protection for research and development, is equivalent to a burglar". Those were Dr. Polanyi's words on CBC radio. I will send the quote.

I have a quote from another expect, Dr. Michel Chrétien, the brother of someone known to the Opposition leader, who says:

[*Translation*]

> We should ask that Bill C-22 be passed immediately in its original form. This legislation strikes the right balance between the interests of the consumer and those of the innovating companies. As a highly industrialized country, Canada has a duty to protect intellectual property and to promote research.

[*English*]

We concur.

Mr. Turner (Vancouver Quadra): I think the most generous thing I can say to that reply is that the Minister is reaching a bit.

VALIDITY OF SENATE AMENDMENTS TO BILL C-22

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister said yesterday that Liberal Senators have no right whatsoever to change House of Commons legislation. The fact is that not one Conservative Senator voted against the Bill in the Senate. They all abstained or walked out.

To return to the facts, the fact is that today, in the House of Commons, the Minister of Transport has accepted nine amendments proposed by the Senate on the legislation affecting national transportation. Why is the Senate entitled to propose amendments in one case and not entitled to propose amendments in another case? Why does one Minister take a constructive view and another Minister take a hard rock, absolutely rigid approach to legislation in the parliamentary process? Furthermore—

Mr. McDermid: Speech, speech.

Mr. Turner (Vancouver Quadra): I am trying to get equal time with the Minister. Why does the Minister not cut out the hypocrisy? Why does he not accept a reasonable compromise suggested by Dr. Eastman which would guarantee research and jobs and yet put a lid on drug prices in this country?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, his own critic for Consumer and Corporate Affairs acknowledges in this memo that was sent to all members of the Liberal caucus—I presume the Leader got one as well—

Some Hon. Members: Oh, oh!

• (1425)

Mr. Andre: I am sorry I jumped to conclusions there. He acknowledged that what the Senate had done was essentially to establish the 1969 status quo. When the Right Hon. Leader of the Opposition was Chairman of Sandoz, a pharmaceutical company, he acknowledged that that was unacceptable.

The Right Hon. Leader talks about listening to Dr. Eastman. Why does he not check to see what Dr. Eastman said

before the Senate committee, before the House of Commons committee? He said he thought that Bill C-22 was a good compromise between the various interests and would produce the kinds of research we are looking for, and that he was confident the Drug Prices Review Board would be effective in keeping down prices for consumers.

Mr. Gauthier: You are out to lunch, Harvie.

Mr. Andre: Why does the Right Hon. Leader of the Opposition not listen to what Dr. Eastman is saying about this Bill?

* * *

THE CONSTITUTION

MEECH LAKE ACCORD—EQUALITY RIGHTS

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Prime Minister. Every major national women's group in Canada has expressed serious concern that in the Meech Lake Accord, as presently drafted, the distinct society clause may threaten the sexual equality rights that women fought for and achieved in 1981. Yesterday the Prime Minister adopted a suggestion that these concerns, which were based on legal advice, were a cover for what the Prime Minister called the real motives of these groups, which was to deny Quebec explicit recognition as a distinct society.

How can the Prime Minister accuse groups like the National Action Committee, whose President is a Quebecer, of veiled racism against Quebec?

Right Hon. Brian Mulroney (Prime Minister): I would want, Mr. Speaker, that comment to be withdrawn. I accused no one of racism, veiled or unveiled. I make that accusation at no time against anyone. I would ask my hon. friend to reflect upon it, given the seriousness of that accusation and its falsehood, and no doubt he will want to withdraw it.

With regard to the matter raised, I invite my hon. friend, rather than refer to, perhaps, reports in the papers, to look at the transcript. The transcript says in reference to a response I gave to a question:

> You can be certain that there is nothing in the Meech Lake Accord—

Mr. Lapierre: We believe you!

Mr. Mulroney:

> You can be certain that there is nothing in the Meech Lake Accord that in any way diminishes the rights of women—

Some Hon. Members: We believe you!

Mr. Mulroney: I have been asked an important question and the Liberals don't want an answer.

Mr. Speaker: I would ask all Hon. Members to give the Right Hon. Prime Minister the courtesy of listening to his reply.

Mr. Mulroney:

> You can be certain that there is nothing in the Meech Lake Accord that in any way diminishes the rights of women or anyone else.
>
> What the Meech Lake Accord did was to strengthen Canada. And I urge you to take a look at a column by Lysiane Gagnon yesterday who was pointing out her concern at the number of people who are using that argument because they are opposed to a distinct society. That is her view. And she is an experienced observer and defender of women's rights, and an award-winning columnist. And her view is that a lot of people are using that as a Trojan horse, not because they're trying to protect women's rights, but because they don't want the distinct society and the Meech Lake Accord. And I urge you to read it. It's a very thoughtful piece that some of whose judgments I share.

That was the comment I made which strikes me as being very straightforward—

Mr. Tobin: What a slippery answer.

Mr. Mulroney: —and in no way is involved with racism.

Mr. Tobin: He stick handles better than Gretzky.

Mr. Mulroney: I know my hon. friend, who has been very good in dealing with racism elsewhere in Canada, with the support of all Parties, will want to withdraw any reference to racism involving me.

COLUMNIST'S COMMENTS

Hon. Bob Kaplan (York Centre): We can settle it fairly quickly. I have the Lysiane Gagnon article in front of me. She suggests that the women were motivated by hypocrisy and that they were opposed to the distinct society in Quebec, and that that was their reason for rejecting the characterization of the equality provisions.

Let me simply ask the Prime Minister to dissociate himself from that suggestion and to accept that the women's groups that are coming forward, whether he agrees with them or not, are at least coming forward in good faith and not motivated as hypocrites as Lysiane Gagnon suggests in her article?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I said: "You can be certain that there is nothing in the Meech Lake Accord that in anyway diminishes the rights of women or anyone else. What the Meech Lake Accord did was to strengthen Canada." I understood that was the position of the Liberal Party because the Right Hon. Leader of the Liberal Party rose in this House and indicated he supported it on behalf of all Members of Parliament.

Mr. Tobin: Are you going to apologize to the women or not?

Mr. Mulroney: If that is still the position of the Liberal Party, I think that would be very welcome.

Mr. Tobin: Dig yourself in deeper.

Mr. Mulroney: Madam Gagnon is more than entitled to her opinion.

Mr. Nunziata: Have some integrity for a change.

Mr. Kaplan: Do you agree with her?

• (1430)

Mr. Mulroney: My hon. friend has not in any way fairly characterized her opinion. I will just read the last line of her opinion.

[*Translation*]

"Our defenders on the other side of the Ottawa River can cool their outrage. Since the first to be concerned are the very last to feel threatened, they had better find other reasons for objecting to the recognition of Quebec's distinct society." Ms. Gagnon is saying that the women of Quebec do not need to be told how to protect the most important rights we have in Canada and Quebec.

* * *

CONSUMER AFFAIRS

BILL C-22—EFFECT ON RANITIDINE

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs. On a number of occasions the Minister stated that the Bill on drug patents will benefit Canadian consumers, that the result will be fair to Canadians, and that the generic drugs now on the market will always be available. If all this is true, can the Minister explain why the drug Ranitidine, which costs 25 per cent less than the original product, will be withdrawn from the market as a result of the retroactive clause of Bill C-22?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I believe the Hon. Member is talking about the so-called pipeline drugs which were sort of caught between old rules and new rules. Those were made public on June 27, on which day they were made effective. So there is not the retroactivity about which the Hon. Member talks.

In dealing with his preamble about the effects on consumers, I would like to point out to the Hon. Member that 93 per cent of drugs in number, 80 per cent by value, have no generic competitors. Those drugs now form a monopoly and are priced accordingly. Traditionally, their prices have been rising higher than the cost of living over the last few years. The Drug Prices Review Board will be in place and mandated by law to keep those price increases at less than the cost of living. Thus for the first time we will have those drugs for which there is no generic competitor being held down in terms of price increases by the Drug Prices Review Board.

If one examines that objectively, and I do not know whether or not that is in the capability of the Hon. Member's Party, one will see that, in fact, there is significant benefit to consumers from that fact. I do not understand why it is so difficult—

Mr. Speaker: The Hon. Member for Windsor—Walkerville.

Mr. McCurdy: Mr. Speaker, I do not understand why it is so difficult for the Minister to fail so utterly and so consistently to answer any question addressed to him.

AVAILABILITY OF GENERIC DRUGS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I would like to rephrase my question and put it to the Minister again. Will the Minister explain how it is better and how it is fair for Canadians that dozens of generic drugs, many of them held up merely by the slow processes in the Health Protection Branch, and many of which lack notices of compliance, will not be available to Canadians? Why will the Minister not accept amendments to his legislation which would make available those drugs that are presently on the market or in the pipeline by deleting the retroactive phraseology in his legislation?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, when the Government announced on June 27 its intentions effective June 27, by what logic does one conclude that this is retroactive? I fail to comprehend on what basis the Hon. Member could keep making this statement about retroactivity.

The question of how to treat the so-called pipeline drugs, those that are in the Health and Welfare approval procedures, represents an enormous compromise in discussions between generic companies, brand-name companies, the provincial Governments, drug plans and so on. I hope the Hon. Member is not suggesting we drop the safety standards that now exist and put on the market drugs that could be potentially dangerous. He seems to be implying that. A compromise was arrived at after months and months of discussions and negotiations, to be effective June 27. In no way is that retroactive. It is eminently fair to consumers, to the innovators and to generic companies.

Mr. McCurdy: Mr. Speaker, I do not know what the Minister has in mind, having recommended to one drug company that it stockpile its ingredients so that it can circumvent his own legislation.

SENATE AMENDMENTS TO BILL C-22

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, again my question is directed to the same Minister. Will he not at least look at the Senate amendments which would eliminate retroactivity, and perhaps even explore with his bosses in Washington this very small sop to the interests of Canadians rather than the interests of Americans and their drug companies?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, it seems to me that it is Mr. Fingerhutt, the consultant in Washington who sits on the NDP strategy committee, who must be advising the Hon. Member to make these crazy suggestions.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

An Hon. Member: Is that his real name?

Mr. Andre: Fingerhutt is his name—

Mr. Speaker: Order, please. The Hon. Minister is formulating a reply and I would ask him to make that reply as quickly as possible.

Mr. Andre: Mr. Speaker, as I have said repeatedly, there are all kinds of conflicting interests, obviously, when one deals with a subject of this complexity. There were months and months and months of negotiations and discussions, not just with generics or brand-names, not just with Washington consultants—

Mr. McCurdy: Or presidents!

Mr. Andre: —but with a research committee. When people such as Dr. Michel Chrétien, who is Scientific Director and Chief of the Institute of Clinical Research at Montreal, and eminent scientists of that capability say that this is vitally important to the future of their institutes and health research in Canada, and when we see young scientists like the one who developed this promising new vaccine for AIDS—

Mr. Speaker: Order, please.

Some Hon. Members: More!

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member for Saint-Jacques.

[*Translation*]

ADVISABILITY TO ADOPT AMENDMENT TO CREATE JOBS IN QUEBEC

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I have a question on the same subject. Yesterday we witnessed a sad spectacle when the Prime Minister distorted reality in an attempt to make Canadians believe that the Liberal Party is against the creation of jobs in Quebec by drug manufacturing multinational companies. Quite the contrary, it so happens that some of the amendments we advocate are aimed at forcing foreign multinational drug companies to do research in Canada to create jobs. My question is this: Why would the Government reject an amendment to Bill C-22 which would guarantee new jobs by forcing these foreign multinationals to carry out research and development here in Canada?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I should think that all Quebecers, including Montrealers, are convinced that it is due to the filibustering of a handful of Liberal senators who are standing in the way of 1,300 new jobs and investments of $700 million. It is a source of deep concern to all Quebecers, all Montrealers. This morning I received a telegram from Montreal Mayor Jean Doré who states that any delay or any amendment to this Bill will have a devastating impact on Montreal and on Canada's economic development in that sector. Now, since my friend is a Montreal member and since Montreal is urgently asking that jobs be created as soon as possible, we have before us a Bill whose effect will be to create 1,300 new jobs in Montreal and inject investments of $700 million in the greater metropolitan area. I think this is good news for Montreal and Quebec. Please, tell the Senators that enough is enough. Get on the Montreal economic recovery Conservative bandwagon.

REQUEST FOR GUARANTEES

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, we will go one step further than the Mayor of Montreal, who wants jobs to be created in the pharmaceutical industry. We demand guarantees that these jobs will be created. We are doing so, Mr. Speaker, because we are as sceptical of the promises of foreign multinationals as we are of those made by the Conservative Party.

Why does the Government, which claims that it wants the multinationals to do research and development here in Canada, why is that Government against legislating measures that would guarantee this would happen and that would oblige the companies to engage in research and development in this country?

Why don't you practise what you preach?

• (1440)

[*English*]

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, a national Government must take a variety of measures designed to generate national growth in all regions of the country.

I know my hon. friend, who represents a constituency in Montreal, will be very pleased with the headline in today's *Toronto Star* on an OECD report which states: "Canada's Economy Best in the West for Growth".

Some Hon. Members: Hear, hear!

Mr. Speaker: I am sure the Right Hon. Prime Minister is aware that we have a rule about exhibiting newspapers, or other things that may be used to support a statement. I know that the Right Hon. Prime Minister will continue the answer without waving the newspaper around.

Mr. Mulroney: I did not think that there would be any objection from the Liberals. It was a quote from *The Toronto Star*.

Mr. Speaker: Perhaps the Right Hon. Prime Minister will accept that it was an objection from the Chair.

Mr. Mulroney: With good grace and alacrity, Mr. Speaker.

The report of the OECD would be of great interest to my hon. friend. It states:

> The buoyant Canadian economy, which last year grew at a faster rate than the economies of every other major Western country, will outperform the others again this year, the OECD predicts.

That is good news for Canada. One of the problems that we have in Canada, and debated in the House, is the fact that the tremendous growth and job creation experienced in Canada are uneven in their application. Newfoundland does not share as equitably as southern Ontario in this type of growth. We must equalize the opportunities. One of the ways to do this, for example, in Montreal, and in Quebec, is to attract the $700 million worth of investment and 1,300 new jobs that will be created in the R and D sector.

* * *

[*Translation*]

FINANCE

THIRD WORLD COUNTRIES' DEBTS TO CANADIAN BANKS—LOSS OF TAX REVENUE FOR GOVERNMENT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I wish to direct a question to the Minister of State for Finance.

The Toronto Dominion Bank announced it had signed an agreement with the Government to cover the debts of the Third World at a cost of $450 million in lost taxes.

Could the Minister indicate to the House what will be the total cost in lost taxes from all Canadian banks as a result of this agreement?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I cannot answer precisely what the total tax implications will be. The tax situation of each bank is different. Each has different foreign tax credits, and each has different taxable rates of income.

I can tell the Hon. Member that in the committee that he and I served on a year and a half ago, he argued for outright forgiveness. If there was outright forgiveness of these debts, the tax deferral would be permanent and much, much larger.

Mr. Langdon: The Minister knows that what I argued for was a Canadian initiative for an international conference to see to it that international action was taken on this issue.

POSSIBLE EFFECT ON INTEREST RATES CHARGED BY CHARTED BANKS

Mr. Steven W. Langdon (Essex—Windsor): Since the Minister could not answer the previous question, I would like to ask him this.

Now that this tax break has helped the banks out of part of their problem, what steps will the Government take to see to it that the banks do not raise interest rates and service charges so that their customers pay for the rest of the costs of these suspect debts?

Hon. Tom Hockin (Minister of State (Finance)): The answer to that question was given on December 18. We have put in place a policy which will allow trust companies, insurance companies, and other financial institutions to compete head-to-head with banks on commercial and consumer credit. This new policy will give an injection of competition to the economy that previously the banks did not have.

* * *

PHARMACEUTICAL INDUSTRY

PROFITS OF DRUG MANUFACTURING COMPANIES

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. The Prime Minister will know that profits for the pharmaceutical industry were among the highest of all Canadian industries from 1968 to 1982. At the present time they are higher than those in Japan, Germany, Britain, France, and Switzerland.

Why is the Prime Minister pushing a Bill that will make profits in Canada even higher than those in the United States, which has the most expensive pharmaceuticals in the western world? Why is the Prime Minister putting profits before the health of the Canadian people?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, if a company makes a net profit after sales of $2 million and invests $1 million in research, the profit declared is $1 million. If the company does no research, it declares $2 million profit.

Through this Act we are attempting to make it attractive for all companies, those already established and new companies attempting to become established in Canada, to invest these funds in research and development and generate thousands of jobs in Montreal, Toronto, Calgary, Nova Scotia, and everywhere around the country. We are tired of seeing our young university graduates in the health sciences and biotechnologies going elsewhere in the world in order to pursue their careers.

RESEARCH WORK—REQUEST FOR INCLUSION OF GUARANTEES IN LEGISLATION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the Minister of Consumer and Corporate Affairs. The Minister will know that, as demonstrated repeatedly in committee, and in the House, the present legislation has no guarantees for research and development, and no guarantees for jobs in this country.

If the Government is concerned about the cures for illnesses such as cancer, why does it not have those guarantees in the legislation to ensure that research for these diseases will stay in Canada? Does the Minister not understand that thousands of Canadians want research and development, but they want the Government to provide good public policy, and to have guarantees that multinational corporations and generic companies do their research in Canada?

When will the Minister act for consumers in Canada as opposed to the multinational corporations?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, everybody involved in creativity and research understands that when an investment is made in research there must be some period of time after the discovery is patented to recover the investment, otherwise it makes no sense. The Hon. Member would have us pass a law that says "Industry shall discover a cure for cancer. But, if you do, do not expect us to patent it, and do not expect to get a period of exclusivity. Invest your money, but we reserve the right to have somebody duplicate your research results immediately."

* * *

NATIONAL DEFENCE

PROJECTED COST OF ACQUIRING NUCLEAR POWERED SUBMARINES

Mr. William C. Winegard (Guelph): Mr. Speaker, my question is for the Minister of National Defence. Yesterday the Minister responded to a question raised about the cost of nuclear submarines. The authority quoted was *Jane's Fighting Ships*. The amount quoted was $12 billion or $13 billion for the submarines which we were to acquire.

• (1450)

I know that in London today the 1987 version of *Jane's Fighting Ships* was published. I wonder whether the Minister has had an opportunity to look at it. Could he tell us what *Jane's Fighting Ships* now believes the cost of our nuclear submarine program to be?

Hon. Perrin Beatty (Minister of National Defence): Yes, Mr. Speaker, I have had a chance to take a look at the foreword to the current issue of *Jane's Fighting Ships*.

It refers to a cost of $7.5 billion to $8 billion, and it says that this looks like a bargain. Further it says that the decision to purchase the submarines represents a radical and welcome break with past Canadian naval policies.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member for Burnaby.

Mr. Robinson: Mr. Speaker, I think I just heard an echo in here.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

SURVEILLANCE OF MAGAZINE PUBLISHERS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, the most recent annual report of SIRC stated that CSIS is abusing its sweeping powers and is spying on far too many Canadians, including targeting a group that publishes a left wing magazine in Canada. The Minister's response to this is to set up another review committee to review the work of the review committee.

In view of SIRC's attack on this targeting of a group which publishes a magazine in Canada, will the Minister explain to Canadians why CSIS improperly targeted this group? Which magazine did it publish? Was it the United Church *Observer*, or what was it? Will the Minister immediately order CSIS to stop this offensive spying, this assault on freedom of speech in Canada?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I trust the Hon. Member is not accusing the United Church of Canada of being left wing. In any event, I would like to correct the Hon. Member. The committee I set up is not a review committee.

If the Hon. Member will read the release I issued at the time I set up the committee, he will see that I said that indeed we were accepting the concerns and recommendations of SIRC. The Osbaldeston committee is to give me an action plan to implement the recommendations and concerns as expressed by them, particularly with respect to counter-subversion, the very concern raised by the Hon. Member.

ALLEGED SURVEILLANCE OF UNION MOVEMENT IN PROVINCE OF QUEBEC

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have a supplementary question. SIRC said to stop spying on this magazine, and I would like to ask the Minister to respond to that.

[*Translation*]

Mr. Speaker, my supplementary question is directed to the same minister. Apparently, the CSIS has targeted not only leftist newspapers in Canada, but also the labour movement in Quebec.

Could the Minister clarify the role played by Mr. Marc Boivin, a former CNTU adviser in Quebec? Was Mr. Boivin an informer or secret agent for the CSIS and, in the affirmative, how could the Minister justify such a scandalous attack against a democratic organization in Quebec?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I presume he did not hear the answer I gave earlier in the House a month or so ago in which I advised that we do not nor is it within the mandate of CSIS to target a union. It never has been and it never will be.

We do target individuals, and that we must do under our particular mandate.

Whether or not Mr. Boivin is an agent, I think Mr. Boivin has publicly discussed that himself. The case is presently before the courts, and I do not think I should comment on it at this time for that reason.

* * *

PHARMACEUTICAL INDUSTRY

STUDY PREPARED BY FORMER DEPARTMENTAL OFFICIAL

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs. He has been flailing around in the House in the last week or two claiming that the new legislation he is proposing will increase jobs in Canada.

Some Hon. Members: Hear, hear!

Mr. Axworthy: I am glad his own Members believe him, because nobody else does. The fact of the matter is—

Mr. Speaker: Order, please. I am sure Hon. Members realize that the hour is late. It would be helpful if questions were direct and answers were a little shorter.

Mr. Axworthy: I would like to ask the Minister about a study which was recently published by Mr. Roy Davidson, the former Senior Economic Adviser of the Department of Consumer and Corporate Affairs and the former Director of Research for the Combines Investigation Branch. He pointed out that in the period in which Canada had compulsory licensing, the net increase in employment was 29 per cent. In the same period in the United States, which had the monopoly system the Minister is advocating, job creation was only 23 per cent, a net loss of 6 per cent compared with what we had under the present system.

Taking that kind of verifiable evidence provided by a distinguished former economic analyst of his own Department, how does he put that kind of evidence against the spurious claims which the Minister and the multinationals are making to show that there will be job creation, when in fact we will be facing job losses?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I have gone over the investments in some detail before the committee. I am glad to send them over to the Hon. Member.

We already have commitments of over $900 million—specific investments in specific places, including the University of Manitoba. There are people who will be employed at the University of Manitoba working on research, and trying to find cures for Alzheimer, cancer, multiple sclerosis, and all other diseases.

Why does the Hon. Member feel that is unworthy of support?

Mr. Axworthy: The last time the Minister made that claim the Pharmaceutical Manufacturers' Association had not heard of the same commitments he is talking about.

OWNERSHIP OF PATENTS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to ask the Minister a question about another distinguished source, the Economic Council of Canada. In its report it pointed out very clearly that 95 per cent of all patents held in this area are held by non-Canadians.

Why is he promoting legislation which will give advantages to non-Canadians rather than following the advice of the Economic Council of Canada which recommended the royalty system, as we have recommended, or a co-venturing system? Why has the Government avoided that recommendation of the Economic Council of Canada and gone with the clear and unmistakable demands of the American Government and the American multinationals?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member is right that our performance in terms of patenting new discoveries, and so on, in Canada does not stand up very well. That is because there has not been research going on in Canada and because we have not had the patent laws to make it worth while for people to invest in Canada. That is what we are trying to cure. The Hon. Member said—

Mr. Axworthy: The Economic Council of Canada says, not the Hon. Member.

Mr. Andre: Why does the Hon. Member have so little faith in Canadian scientists?

Mr. Speaker: Order, please.

[*Translation*]

CONSUMER AFFAIRS

POSSIBILITY OF COMMUNICATING WITH SENATORS WITHOUT PAYING POSTAGE

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs who is also responsible for the Canada Post Corporation. It deals with the Patent Act. Because of the powerlessness of the Liberal leader, thousands of Canadians will die sooner, some chronic patients will never get well, and some senior citizens will no longer be able to afford effective drugs. As Minister responsible for the Canada Post Corporation, is the Minister prepared to authorize Canada Post employees to accept free of charge the many representations made by the old, the sick, the chronically ill, to the Liberal the whigs in the Senate, all those who will not be able to take part in the demonstration scheduled for the Senate next Tuesday on Parliament Hill? They need to be able to contact senators free of charge. Does the minister agree with this?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): I wish to thank the Hon. Member for his question. As all Hon. Members are certainly aware, no stamp is required to send a letter to a senator. I hope that as soon as Bill C-22 is adopted, a drug will be found to cure the pitiful state of the Liberals!

* * *

• (1500)

[*English*]

NATURAL RESOURCES

ALUMINUM COMPANY'S APPLICATION TO USE MORE WATER FROM NECHAKO RIVER IN BRITISH COLUMBIA

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Prime Minister. Over the next 11 days the Aluminum Company of Canada Ltd. will attempt to reach a private settlement with the federal Government to take more water out of the Nechako River, which contributes 40 per cent of the flow of the Fraser River, at Prince George, than federal scientists feel is safe. Since this development is of enormous importance to communities throughout British Columbia, will the Prime Minister add his support for a public inquiry into this major development to ensure that federal constitutional powers are protected and that the development occurs for the full benefit of all water users in British Columbia?

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, I accompanied the Minister of Fisheries last week-end on a journey throughout the Nechako watershed and also the Morice River system which would be involved in the expansion program. I can assure the Hon. Member it is the Minister's desire to negotiate with the company to make sure the interests of which he speaks are protected. Scientists from both parties are meeting this week to see what can be worked out to make absolutely certain that the interests of which the Hon. Member speaks are protected. That is the Government's concern.

GOVERNMENT POLICY

Mr. Jim Fulton (Skeena): Mr. Speaker, I have to address my supplementary to the Prime Minister because I want to know whether or not he endorses on behalf of the Government a public process? This is due to the fact that the Minister directly responsible, the Minister of Fisheries, is on holidays until September 7. The negotiating window expires on August 31. Since all three federal political Parties in the Northwest in 1984 endorsed a full public inquiry, do he and his Government endorse and support a process which involves the public, something which the present Speaker held high in British Columbia?

Some Hon. Members: Order!

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, the Minister is not on holiday.

Mr. Fulton: I confirmed it with his office.

Mr. Oberle: Both parties are desirous of extending the process which expires on August 31 to make possible the kind of thing he is talking about, namely, the meeting of scientists to reach an accommodation and a negotiating process between the parties.

Mr. Fulton: What about the public?

Mr. Oberle: To be fair, in western Canada Alcan is known as perhaps the best corporate citizen we have. It is very active in his riding and it would be helpful if the Hon. Member checked with the Kitimat Chamber of Commerce to see how they feel.

Mr. Speaker: I would advise Hon. Members that we will hear from the Hon. Member for York West and that will be the last two questions of Question Period.

* * *

IMMIGRATION

BILL C-84—POSITION OF AMBASSADOR TO UNITED NATIONS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Minister of State for Immigration. Despite statements by the Minister in the House yesterday, the Canadian Ambassador to the UN, Stephen Lewis, has refused to categorically endorse Bill C-84 in its present form. To quote from his statement outside the House yesterday: "It would be very uncomfortable for me as Ambassador to the United

Nations to be in a situation where our own legislation was in any way out of sync with conventions that we have."

Our Ambassador to the UN will eventually have to promote and defend Bill C-84. He has also refused to endorse the legislation unequivocally. Therefore, does the Minister not agree that amendments to the Bill are absolutely necessary if the Government and its ambassador are in harmony on our policy, rather than sending a conflicting, confusing and embarrassing message?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, Ambassador Lewis is not a Member of this House. Clearly what we have heard Canadians say is: "Stop the abuse. Stop the racketeering". What this House has done is send to committee a refugee determination process that will provide a speedy, fair and just determination which will allow access to real refugees.

The purpose of the other Bill, which is also in committee, is to preserve for persons in genuine need of protection access to a procedure for determining refugee claims. It is to deter the smuggling of persons into Canada. It is to respond to security concerns and, of course—

Some Hon. Members: Order!

Some Hon. Members: Hear, hear!

Mr. Marchi: Mr. Speaker, the Minister should try to answer the question asked rather than one that was not asked.

POSSIBLE ACCEPTANCE OF AMENDMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, my supplementary is directed to the Prime Minister. Every single witness appearing in front of the committee studying the legislation urged the Government to move on amendments. Canada's own Ambassador to the UN has refused to support Bill C-84 emphatically as it stands. Therefore, will he concede that amendments are required to enable our ambassador to defend freely Canadian policy without reservation or embarrassment? If he is not prepared to accept amendments, what instructions or ultimatums has he given the ambassador—

Some Hon. Members: Order!

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, both Bills, which are amendments to the Immigration Act, are now before a legislative committee. While we never said anything was cast in stone, we believe the principles set forth will do just what we want to do. They will stop the abuse, stop the racketeering, and provide an open determination system for everyone in need of our protection.

Some Hon. Members: Hear, hear!

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, can the Government House Leader give us a statement concerning government business? In particular, is the Government ready to call Bill C-71, the Bill dealing with war crimes, which arises out of the Deschênes report, once debate is completed on Bill C-18 and Bill C-19 which the House will deal with now?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would be glad to respond to that. I am prepared to call Bill C-71 this afternoon right after we pass Bill C-19.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, on the same point of order, I am certainly pleased to hear the Government House Leader's assurances that he intends to call Bill C-71 for second reading this afternoon. We in the NDP, in view of the history and urgency of this matter, are prepared to consent to having this Bill go through the House in all stages this afternoon.

At this point I would like to seek unanimous consent in order to proceed with this legislation in that manner.

Mr. Mazankowski: I am not sure whether the Hon. Member is assuming the role of House Leader for his Party. These things are normally discussed amongst House Leaders and I will be prepared to talk about that.

Mr. Robinson: Mr. Speaker, I repeat that at this point I am seeking unanimous consent of the House to proceed with this important legislation in all stages today.

Mr. Prud'homme: You are not the House Leader.

Mr. Lapierre: Mind your own business.

Mr. Mazankowski: Mr. Speaker, we are not even on that particular legislation. The order of business is Bill C-19. There have been no discussions with his House Leader or his Acting House Leader. The Hon. Member is up to his old tactics of grandstanding, and I am not sure whether he speaks for his Party because on previous occasions he took one position and the rest of his Party took another.

Some Hon. Members: Hear, hear!

GOVERNMENT ORDERS

[*English*]

MOTOR VEHICLE TRANSPORT ACT, 1986

MEASURE TO ENACT

Hon. Don Mazankowski (for the Minister of Transport) moved the second reading of, and concurrence in, amendments

made by the Senate to Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings.

Mr. Darryl L. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I am glad to have the opportunity again to speak on Bill C-19, which we have discussed in the past along with Bill C-18. It is memorable that, after so much consultation and so much work by all the House committees involved, we have finally reached a consensus on the National Transportation Act, something which will be good for Canadians in general.

• (1510)

Time and again throughout this lengthy process, the Government has demonstrated the necessary flexibility to develop and modify the economic reforms mentioned in Bill C-19. Indeed, some amendments were made when the House standing committee examined the Bill last spring.

Without going further, I would like to congratulate the Standing Committee on Transport, its Chairman and all members of the committee from all sides of the House who worked so diligently with the provinces and all people concerned with our transportation system. We must remember that there are consumers, shippers and carriers involved in the transportation system and we have responded to the needs of those people.

The transition period during which economic regulation will be phased out was extended from three years to five years, that is, to January 1, 1993. The provinces have generally been relaxing economic controls on the industry for some time, so this gradual approach to change is already well under way.

The extension of the transition period will give truckers well over a decade to adjust to a less regulated environment. Some shippers feel that this is too long to wait. The Government, however, has also listened to the provinces and the trucking industry. A five-year transition represents a reasonable balance of opinions as well as a consensus among the provinces that will be implementing the reforms.

In response to uneasiness expressed by a few provinces concerning the final step to fitness only, Bill C-19 now includes a provision to study the effect of reform in the fourth year of the transition phase which will be 1991. The Government is confident that this study will not show serious problems, but if it does, the Governor in Council can extend the transition period.

When the Standing Senate Committee on Transport and Communications recently conducted its own independent review of the Bill, Senators felt that certain concerns were not adequately addressed in the Bill. Again, we were most cordial and conciliatory to these views, and in fact we recommended and accepted certain amendments that were proposed by the Senate.

I would like to take this opportunity to explain briefly these new amendments that will be brought forth in Bill C-19. First, the wording of Clause 8(5), paragraph (b), has been clarified and now obliges provincial transport boards to have regard to any statement of public transportation policy issued by the Governor in Council after consultation by the Minister with the Government of each province affected thereby.

Second, a new subclause has been added to Clause 34 which requires the Minister to table a copy of the four-year review in each House of Parliament within 15 sitting days of his acceptance of the completed report.

Finally, a new Clause 35 has been added which essentially requires that a review similar to the four-year review be conducted at the end of each year from 1988 to 1993. These annual reviews must contain motor vehicle accident statistics as well as a progress report on the implementation of the National Safety Code. Again, the Minister will be obliged to table these reports in each House of Parliament.

As all Hon. Members can see, these amendments in no way detract from the essence of this Bill. Indeed, they enhance the measures that have been taken. Very close attention has been paid to the safe implementation of the economic reforms that Bill C-19 proposes.

[*Translation*]

Mr. Speaker, I believe at the same time that under Bill C-19 and Bill C-18—this is provided in those acts, those pieces of legislation—security is a high priority for this Government, for us, all Members in this House and also for other Canadian citizens.

Mr. Speaker, it is essential that in every Canadian transportation mode safety be guaranteed. And this is what we have included in those two Bills, Mr. Speaker.

[*English*]

For the trucking industry, the federal and provincial Governments and industry representatives have co-operated to produce a uniform National Safety Code. In March, the federal and provincial Governments reached an agreement on implementation and cost sharing, which was subsequently incorporated into the Bill. The code now has a concrete existence. All Governments are committed to implementing it. Key components will be in place in federal regulations when this Bill comes into force on January 1, 1988.

The Government of Canada has agreed to assist in funding development and implementation of the standard Canada-wide National Safety Code to a maximum of $23.5 million over the next five years. The National Safety Code will form the basis of safety regulations in the future. You know as well as I do, Mr. Speaker—

[*Translation*]

—whether we come from one of the 10 provinces, from the Northwest Territories, Newfoundland, western Canada, British Columbia, or the northern part of the Northwest Territories and Yukon, it is important for us to have a safety code for our transportation system in Canada.

[*English*]

Several key elements of the code will be included in the federal safety regulations. The detailed standards for these regulations will be finalized by the end of this month. Hence, once this Bill is passed, federal regulations setting out safety requirements for both trucks and buses will be in place well before the move from reverse onus to fitness only in January of 1993.

Furthermore, Parliament will be provided with a mechanism for knowing what is going on in the key areas of extra-provincial motor vehicle safety and highway accidents. While available evidence indicates that there is no causal link between economic regulatory reform and safety, many believe there is a connection. The preparation of these reports will dispel any fears that the Parliament of Canada is proceeding with economic regulatory reform of this important transportation industry without first putting in place a mechanism which will enable it to monitor the situation over the next few years.

This should not be misconstrued to mean that we have no highway safety at this time. Canada has an excellent safety record but we are determined to improve it. We already have a fine regime of safety regulations in each of the provinces and territories. Indeed, a number of the elements of the new safety code are already in place in one or more provinces. There will be improvements made to the safety standards in provincial regulations, some of which will be ready by January of 1988 and the remainder of which will be ready by mid-1989.

The provinces have made a commitment in consultation with the federal Government, with the Prime Minister (Mr. Mulroney) and especially with the Minister of Transport (Mr. Crosbie) to have enforcement resources in place by the end of 1989 in order to police these improvements. The improvements that will exist in the new safety code and Bill C-19 include, first, a safety requirement for obtaining an operating licence. For the first time in legislation, all applicants for extra-provincial trucking licences will have to meet tough safety standards. Second, we will have uniform safety requirements for all extra-provincial traffic among the provinces. In the past we have had different codes and different regulations in each province. We are bringing all of Canada together. Third, we will have a national enforcement scheme based on company and individual driver safety deficiency records which will be available to all provinces. Fourth, we will have annual reports tabled in both Houses of Parliament reporting on trends in extra-provincial motor vehicle accidents and on progress in implementing rules and standards governing the safe operation of extra-provincial undertakings.

• (1520)

Economic regulatory reform includes the most effective enforcement tool, the linking of safety compliance with an operating licence. Furthermore, implementation of the Motor Vehicle Transport Act on January 1, 1988, will maintain pressure on the provinces to meet the implementation forecast for the safety code.

Bills C-18 and C-19 are of the utmost importance to our country. We began creating them, not in the last two or three weeks but over a number of years. It has taken in excess of 20 years to revamp our National Transportation Act.

I speak as the representative of my riding, Bonaventure—Iles-de-la-Madeleine, but also for all Canadians when I say that due to the Canadian geography we must create a system of transportation for the shippers, carriers and consumers that is reliable. Regardless of what the Opposition says, safety will never be compromised. We cannot use isolated examples of what has happened in Africa, Europe or the United States. Millions of Canadians have travelled on our highways, our trains and our airplanes. We have an impeccable record.

The Opposition may say that this legislation is bad but, Mr. Speaker, it is good. As the Vice-Chairman of the Transport Committee, as a Member of Parliament, and as a Canadian, I sincerely believe that Bill C-18 dealing with our trucking industry and Bill C-19 dealing with economic regulatory reform will be good.

The Government has attempted to develop a balanced package of reforms which removes obstacles to the growth of our economy and trade with the rest of the world. Over-all, I believe that Bills C-19 and C-18 represent a balance for all concerned; our shippers and carriers and their employees, consumers, air travellers and others in every region of Canada.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I would like to say a few words in the debate on the motion to support the amendments that were sent to us by the Senate. Once more, amendments made by the Canadian Senate to a Bill have been found in order by the Government. I commend the Hon. Member for Bonaventure—Îles-de-la-Madeleine (Mr. Gray) for accepting on behalf of the Government, on behalf of the Minister of Transport (Mr. Crosbie) those amendments from the Canadian Senate.

It is therefore clear that the Canadian Senate, which has a role to play in the same way as the House of Commons in discussing and accepting or proposing provisions to a Bill, is doing its work. In this instance, the Senate found it useful and worthwhile to improve Bill C-19, and this is why we support the motion to accept the amendments made by the Canadian Senate in the area of trucking by extra-provincial firms. I can say immediately that we accept these amendments. We find it quite appropriate for the Canadian Senate to propose occasionally amendments to legislation which was first considered in the House of Commons. I can only repeat how sorry I am that the flexibility shown by the Minister of Transport in accepting the amendments proposed by the Senate to the Bills sponsored by himself or his Parliamentary Secretary (Mr. Thacker) is not shared by the Minister of Consumer and Corporate Affairs (Mr. Andre). I do not understand why one Minister would find amendments from the Senate acceptable while another says that the Senate is overstepping its authority by proposing amendments to Bill C-22. What is good for Bill C-19 could be just as good for Bill C-22, and I find it strange that the Minister of Consumer and Corporate Affairs would refuse to consider such amendments.

In any event, I would like to say that, on the substance of this Bill, the Liberal Party of Canada has been critical right from the start because we believe that the Conservative Government, inspired by a free competition theory which has serious weaknesses, and inspired even more by its desire to reduce the costs of the Canadian transport system, is now destroying the regulatory basis of the Canadian trucking industry.

Basically, the Conservative philosophy seems to be that the Canadian transport industry should catch up with the deregulation which has already taken place in the United States. Unfortunately, the Conservative position on transport deregulation virtually ignores the harmful effects of American-type deregulation on the Canadian trucking industry, and most important, the transport cost increases which will fall on Canadian manufacturers, who will thus lose some of their competitivity on the market as they will have to transfer these higher costs to consumers.

The Canadian Trucking Association states in its presentation to the Standing Committee on Transport that deregulation has clearly contributed in the United States to an increase in competition and shipping costs and to a decrease in productivity, reflecting a deterioration of the financial position of the trucking industry and an increase in the cost of transporting goods.

If there is one thing that the deregulation of the trucking industry in the United States has taught us, it is that there can be no compensatory rates on the basis of service in the trucking industry. On the one hand, we have seen a proliferation of full-load carriers, and on the other, a strong concentration of large, long-haul carriers. The losers are the regional and inter-regional carriers who have mixed loads and provide long distance services.

Moreover, the trucking industry is not alone to suffer from deregulation in the United States. Smaller manufacturing businesses unable to ship large quantities over long distances, which would allow them to benefit from the discounts offered by the carriers, must pay higher prices to compensate the lower rate given to those who ship goods in large quantities.

As we can see, the principle that large shippers pay less and small shippers pay more has serious consequences on all businesses, and not only on carriers already established in Canada. It is quite possible that deregulation in Canada will remove the value of operating licenses in financial statements. As many Canadian carriers use the value of their license as security for credit from the banks, the value of their business will disappear with that of their operating license. All Canadian trucking firms will find it ever more difficult to borrow money and, without Government assistance, they will not be able to compete successfully with the major American carriers.

Unlike the Conservative Government, the Liberal Party is not in favour of deregulating the trucking industry. We said so when the White Paper entitled *Freedom to Move* was tabled, we said the same thing when Bill C-19 came up for second reading here in the House and when is was scrutinized by the Committee on Transport, a parliamentary committee of the House of Commons which heard representations from various groups and people interested in trucking in Canada. We repeated the same thing at the time that, if the Conservative Government was really intent on seeing this deregulation project through, the Minister of Finance (Mr. Wilson) had to take the opportunity of his Budget presentation to do something to help trucking firms be at least on an equal footing with the major American carriers to be in a position to compete with them.

Sad to say, the Minister of Finance unveiled his tax reform, but he did not say a word about this very important question of the support he might have given Canadian truckers. Indeed, American truckers are way ahead in their country if we compare them with our trucking firms and the tax situation they are faced with here in Canada.

We in the Liberal Party recommended introducing a compensation mechanism in the form of a tax rebate for the trucking industry, so that shippers would be compensated for the drop in value of an operating licence issued under current rules of access.

When a company is not in good shape and is near bankruptcy, this artificial value diminishes and the guarantee ceases to exist. When this happens, the banks, as we know very well, call in their loans. If the companies were compensated in the form of a kind of tax relief that would correspond to this depreciation of their assests, Canadian shippers could at least survive. Unfortunately, the Minister of Finance failed to take this into consideration. Today, now that we have reached the last stage in adopting Bill C-19, it is clear the U.S. trucking companies will have an unfair advantage when they come to compete with Canadian companies.

Deregulating the trucking industry means that we are opening the door to American trucking companies who will come here and take a lucrative market away from Canadian companies. They already have tax benefits. They pay a lot less for their gas in the United States than we do in Canada, and in many cases, wages and working conditions in the United States are less attractive than in Canada. We have always wondered why the Conservative Government insisted on dismantling a system that, on the whole, has provided stable employment in the trucking industry in Canada, and why it wanted to get rid of something that is working quite well in this country. We have a competitive trucking industry that meets Canada's needs and the needs of all Canadians. Thousands of workers earn a decent living in our trucking industry. To satisfy certain specific economic interests of big shippers, and for the sake of deregulation at any cost, the Conservative Government is about to seriously undermine a prosperous Canadian industry to promote competition that will

come almost exclusively from big trucking companies in the United States. We find this most unfortunate.

But there is more. In addition to the threat that Canadian trucking companies will be swallowed up by U.S. companies, there is also the highway safety factor.

• (1530)

[*English*]

Transportation is different from most commercial activity. A fundamental difference dictating reaction to commercial forces is that the product, which in this case is a service, has no shelf life whatsoever. If a trucker has a load from point A to point B, and he has to get back to point A, absorbing costs associated with that return move, he can be persuaded under hyper-competitive conditions to back-haul traffic at an extremely depressed rate to cover his out of pocket expenses. That is a sensible market decision for the mode.

It has inevitable long term consequences, as one can imagine. Multiply that by thousands of truckers, all competing to some extent in each other's market-places, with one's man head-haul being another man's back-haul, and there is a potential for destructive competition, at least until a massive shake-up spends itself.

Therein lies the connection to highway safety. The independent trucker, in particular, faced with payments on his rig, expensive maintenance bills, or that atrocious insurance premium, has no alternative if he is to survive in the short term but to ignore hours of service restrictions if he can find another load, or defer maintenance as long as his truck will move. It is these attributes of hyper-competition that result in a deteriorating safety record in association with deregulation, in the absence of an effective and adequately enforced safety regime.

This is exactly what took place in the United States. It has become very clear that after some years of deregulation of the trucking industry in the United States, this phenomenom has now become a very serious problem there.

We in the Liberal Party who have been discussing this Bill have told the Government to be careful, to examine the experiment in the United States and to ensure that what is happening there will not happen in Canada. In doing that, we did not take it out of our minds. It was not done in abstraction.

• (1540)

We have looked at the experiment in the United States. We have studied it and have listened to some experts who have written on the subject. I would like to quote Mr. Nicholas Glaskowsky who wrote a very important essay entitled "Effects of Deregulation on Motor Carriers". This essay has been prepared for the ENO Foundation in the United States. We should take a very close look at what he said because I think it is certainly important, on the eve of deregulating the trucking industry in Canada, to see whether or not it was a useful and appropriate experiment in the United States. Mr. Glaskowsky states:

> Depending on the model, a new over-the-road tractor today costs about $80,000, give or take a few thousand. That is a lot of money. A dozen of them—with a few spare tires thrown in—cost about a million dollars. A motor carrier strapped for cash in an intensely competitive deregulated environment has got to consider alternatives to equipment replacement. The only realistic alternative is to keep and operate the equipment longer before replacing it.
>
> The necessary concomitant to using older tractors and trailers is that they need more maintenance. But, maintenance costs money. And, worse from the standpoint of safety, some types of maintenance can be deferred. In fact, a great deal of maintenance can be deferred, the only limitation being a non-functioning item that literally prevents the vehicle from being driven.
>
> After five years of deregulation three trends are fairly clear: (1) the equipment fleet of the motor carrier industry is aging, (2) a lot of maintenance (expense) is being deferred, and (3) the motor carrier accident rate is increasing.
>
> Part of the cause of the increasing accident rate is probably due to the use of many more less experienced drivers by new entrants and non-union firms. The cause and effect relationship between good and poor drivers on the one hand, and properly and improperly maintained equipment on the other, is fuzzy, but clearly exists. For example, an experienced and careful driver may be able to handle a tractor-trailer with brakes he has "taken up," if he "takes it easy," whereas a poor and/or inexperienced driver would stand a good chance of having an accident if he drove that same rig.
>
> There is no question but that the motor carrier equipment fleet is aging. There is also no question as to the cause of this. It is lack of money for the purchase of new equipment.

I am sorry?

[*Translation*]

Mr. Deputy Speaker: Order, please! The reaction of the Hon. Member for Papineau (Mr. Ouellet) is understandable.

To the best of my knowledge in such instances, Hon. Members have 20 minutes to speak and 10 minutes for questions. I shall have this confirmed and come back to the Hon. Member. You have had unlimited time in the case of Bill C-18, if I am not mistaken.

However, to my recollection, the Hon. Member was allotted unlimited time in that case by resolution of the House.

At any rate, I shall grant the Hon. Member the time requested, but I believe that in this case 20 minutes plus 10 minutes apply.

I shall come back to the Hon. Member shortly.

[*English*]

Mr. Ouellet: Mr. Speaker, if you think I cannot speak for a longer period of time, I will shorten my intervention.

[*Translation*]

Mr. Deputy Speaker: In any case, to settle the issue—

[*English*]

—I do not think there will be any opposition. I am sure the House will agree to give some more time to the Hon. Member for Papineau (Mr. Ouellet) to complete his speech—I am sure that he will not take unreasonable time, in any case, as he never does.

Some Hon. Members: Agreed.

Mr. Ouellet: I thank Hon. Members for allowing me to complete my remarks. I will not abuse their good disposition and will speed up my remarks.

I was citing Mr. Glaskowsky who was describing the situation in the United States. I will continue:

> There is no reason to believe that this trend will lessen in the foreseeable future. Indeed, there is every rational reason to believe that it will continue and may even get worse.
>
> Maintenance, especially preventive maintenance, can do much to keep older equipment safely in use. Carried to an extreme, it probably can overcome all or nearly all of the safety concerns involved. But, such a maintenance-practice extreme is also extremely costly. And that's the problem. The cost/profit squeeze brought about by deregulation affects mostly those carriers who can afford it the least in regard to aging equipment and the associated need for greater maintenance expense. One state (California) attributes an increase in its accident rate to the safety related effects of deregulation.

What is happening in the United States will inevitably happen in Canada. It is true that California, after the deregulation of its trucking industry, has decided to reregulate because of the level of accidents. It is interesting to note what is happening in California. Based on its experience with complete state deregulation, complementing its regulations, they are now deciding to redeem the situation by reintroducing a form of rate regulation. I hope we will not have to go through this terrible process in Canada, to deregulate, to destabilize the Canadian trucking industry, to create a number of accidents on the road and the loss of good jobs for Canadian workers to the detriment of American workers, because quite clearly, what will happen, as has been predicted by the industry, is that there will be excessive concentration of the trucking industry in Canada. Every time there is concentration of ownership, there are mergers of firms. The very first people who are affected by these mergers are the workers, employees of these companies who are losing their jobs. The process is always the same. One merges two companies and then one tries to streamline the operation and improve the efficiency and productivity of the two new companies. In the process, inevitably there are a number of employees who lose their jobs. We will see this happening in the trucking industry in Canada.

More important, the Canadian trucking industry has told us that what will happen is that it will not be able to sustain the competition of some major American trucking companies and will lose some of its market, some of its more productive and financially viable routes. This is a danger which is very real. I think deregulation in Canada will create this situation. If the Conservative Government goes ahead irrespective of the advice it is receiving, we will then be forced to do like the Californian people and reregulate after a bad experiment.

We have been saying all along that we should not do it. Let us put the proper safeguards in the legislation in order to ensure that we are doing it right. If we are able to take advantage of the experience of others, let us take it, and let us do it right in Canada in the first place. Both the Canadian Trucking Association and the Ontario Trucking Association have made representation to the Canadian Government to implement the deregulation process the right way.

• (1550)

One matter which has been outlined to the Government and which it has not been taking care of, something which I regret very much, is with respect to the safety gap that exists in Bill C-19. A balkanized approach to safety has developed. This has created an extremely dangerous situation. The Minister of Transport (Mr. Crosbie) has indicated that the national safety code is to be phased in between 1988 and 1990. Moreover, the Minister of Transport has stated that the main elements of the national safety code will be in place by January 1, 1989.

For the period between January 1, 1988, which is the proposed date of the regulatory change, and January 1, 1989, there will be inadequate safeguards to irresponsible and unsafe trucking operations. This is quite clear. The deficiency there is important and should have been addressed by Ministers but it was literally refused every time we brought it to their attention.

[*Translation*]

The Quebec Trucking Association also made representations on Bill C-19. I would like to briefly quote from them.

"Let us now review the situation. The Government wants to deregulate on January 1, 1988; yet there is no indication that we would have in place a standardized road safety code throughout Canada before 1990 or even 1991.

"Each province interprets in its own way its role in that area, and there is no central leadership other than a pious wish to arrive at a uniform code some day in the future.

"Imagine what could happen if anyone can enter trucking without any ability and qualification tests, without rules and without any regulatory process to protect the public interest, on matters of vehicle safety for instance.

"What we cannot understand is why this Government wants at all costs to travel a road the Americans already are starting to steer away from. Looking at what is going on in United States under deregulation, we find it led to increased road accidents, increased bankruptcies, concentration in the hands of a few large corporations that conquered new markets through price discrimination and unfair practices."

We share the same view exactly. We believe that this measure to deregulate trucking in Canada has been put together hastily. Without the required mechanism for adequate safety, we cannot understand that this Government wants to deregulate trucking immediately without at the same time putting in place a national road safety code.

Each time we have asked the Minister of Transport whether he could guarantee that a highway safety code will be implemented throughout Canada, he has told us that he has received the assurance that the provinces will co-operate. However, he has never been able to give us a clear and specific commitment that a uniform national code will be implemented in all the provinces. We are therefore about to deregulate the trucking industry with no proper guarantees.

We are about to deregulate our trucking industry in exactly the same way as the Americans did, without proper guarantees, and I must say that we are running the same risks as in the United States of disastrous consequences because of an increased number of highway accidents caused by massive deregulation. I have no hesitation in saying that, because of the indifference of the Minister of Transport (Mr. Crosbie), we shall have the same problems on Canadian highways in a few months or years because of this massive, ill-prepared and ill-orchestrated deregulation imposed by the Conservative Government.

[*English*]

Mr. Rod Murphy (Churchill): Mr. Speaker, it is always interesting to listen to the Hon. Member for Papineau (Mr. Ouellet) talk about deregulation. He does a very effective job of explaining his position and all the ills that go along with deregulation. As I said in an earlier debate, it is interesting to hear a former Liberal cabinet Minister take that line since it was his seatmate, a former Minister of Transport, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), who was really the father of deregulation in Canada. He started us down the road, the track, the flight path of deregulation. There is no question that that is the case.

It is interesting to see that members of the Liberal Party when in opposition combine with the New Democrats to fight such legislation, legislation which I suspect they would have introduced were they the Government today. It reminds me of another piece of legislation, one which we will probably be dealing with tomorrow, Bill C-22. A former Liberal Minister of Consumer and Corporate Affairs, Judy Erola, was looking at legislation very similar to what the Conservatives have brought forward with respect to changing the Patent Act as far as it affects generic drugs. Ms. Erola is now the chief spokesperson for the large American-based pharmaceutical companies in Canada. She is their chief lobbyist and was speaking on their behalf on *The Journal* last night. It is interesting to hear how the Liberals say one thing when in opposition and yet the very actions they take when in government are similar to the actions now being taken by the Conservative Government.

Politics aside, I would like to speak about the Bill. I believe that both Bill C-18 and Bill C-19 are dangerous for all Canadians. Deregulation will be an important step to the destruction of a safe and reliable transportation network in this nation. We will be sacrificing service, safety, reliability, job security and Canadian control of our transportation industry.

During the past week both the Hon. Member for Papineau and myself have asked questions of the Government regarding near-misses and accidents which have caused the deaths of people in the United States. I believe that the near-misses and, perhaps, the devastating destructive death-causing crash of an airliner earlier this week were a direct result of deregulation. I think we must recognize that with deregulation, with the competition to stay in business, with cost-cutting measures and the reduction of people working on maintenance, we are running the risk of creating a situation in which we will have more near-misses and more accidents causing death, not only in our skies but along our tracks and on our roads.

I come from a riding which encompasses a great part of northern Manitoba. There are large distances between communities in my riding and people often fly in small planes from one place to another. There have been derailments and people have died as a result of truck accidents along our roads. I recognize that deregulation will create an even greater risk to people living in isolated communities, people living in the north, people who rely on a deregulated industry in which competition will be fierce and in which safety will be sacrificed.

• (1600)

There are already concerns in our nation with regard to the quality of air safety. At the present time there are many small companies involved in providing transportation services to remote communities, and there are a large number of accidents, many of which are caused by poor maintenance records. Many of those accidents are caused by keeping pilots in the air too long, overloading flights to realize as much profit as possible, and not adequately seating passengers. At the present time that is the history. Going into a mode of deregulation will only escalate the whole problem and the threat to the safety of Canadians.

Looking at the history of deregulation in the United States, there has been a reduction in the service to some small communities, and some that are not so small, for example, cities of 10,000, 15,000, 20,000, and 30,000. A situation is created whereby many of the companies want to do the profitable runs between Chicago-Detroit, Detroit-New York, and Seattle—New York. Many companies in Canada will want to do the runs between Toronto-Vancouver, Winnipeg-Vancouver, and Toronto-Montreal. The companies will be less interested in serving Timmins, Thompson, Prince Albert, and the other small communities. In the United States that has certainly been the experience. Companies know there are a large number of passengers on certain runs between cities with large populations, and they will either cut their services to smaller communities, or drastically reduce them.

The people in those smaller communities will suddenly discover that the flight that used to take off at 8.30 a.m. now takes off at 5 a.m. or 6 a.m., and that that is the only flight which leaves that community. In order to use the equipment for a longer period of time, air transportation becomes completely inconvenient to the people in smaller communities. I have already experienced that happening with the amalgamation of PWA and CP, and the management arrangements that are taking place with other small companies. The service is more inconvenient, the equipment is smaller, less comfortable, and obviously slower. This is already happening with the

threat of deregulation. When deregulation becomes a fact, more problems will be created.

The other aspect that concerns me with the general concept of deregulation is that the number of carriers in this country is decreasing. When the Hon. Member for Winnipeg—Fort Garry was the Minister of Transport, and this legislation was first discussed, there were a number of small, independent operators. Now PWA and CP have amalgamated and that new firm has formed management arrangements with other carriers. Air Canada has also made similar arrangements with other small carriers.

Over the last four years, instead of having competition there has been a drastic reduction in the number of carriers and independent operators. Two weeks ago, CAI, the amalgamation of CP and PWA, bought out 45 per cent of Calm Air International Ltd., a small carrier that services the people of my riding.

We are not developing a free enterprise, competitive sense in the country. The larger corporations are having complete domination. There is less service, and less competition, as a result of a Bill which is supposed to be called deregulation, and which the Government has stated will result in more competition. That simply is not happening in the area of air traffic. In the long run, I suspect that it will not happen with rail or truck transportation. In the short term, especially in the trucking industry, perhaps there will be more carriers. In the long term, we will suffer, as the Americans have, and there will be a reduction of service and in the number of carriers available to do the work.

The last area that I wish to deal with in the general concept of deregulation, before I deal specifically with Bill C-19, is its effect on job security. All of us in the House recognize that we are facing a pending rail strike, depending on the outcome of the conciliation talks presently taking place. The main issue is not salaries. For that matter, salaries seem to be a very minor issue in the rail talks. What is at stake is job security, and the insistence of the rail lines that they be able to contract out work that is presently done by their employees.

The reason given by CP and CN for contracting out the work, and taking away the job security of the present employees, is that they expect to be facing more and more competition in the trucking industry. Much of that trucking competition will come from American firms. In this country we are facing a strike as a direct result of the whole area of deregulation, and the legislation that will be passed in the House later today.

Employees in the rail industry may have reasonable salaries, and in the past they may have had job security. It is completely unacceptable for the employees to have their jobs threatened because the Government has a political agenda which states that we must go into deregulation and for some reason open up our trucking industry to Americans. It will not benefit Canadians to be in a situation where the owners of our trucking firms are based in Memphis. It will not help Canadians to pay taxes if the truck drivers are from Tennessee. It will not help Canadian municipalities to raise taxes if the operations are not based in their own communities. It will not help the Province of Manitoba, which has a large trucking industry, if the trucks are based in Minneapolis. That will be the result of the legislation before us.

Perhaps as a result of the desire of the Government to come to some arrangement with the Americans on the free trade talks we will open up our doors to American firms in this transportation Bill. Yet, the Americans will not open up that same door to Canadian truckers. In the United States in the trucking industry, we cannot do what this legislation will allow Americans to do in Canada. The immigration rules and policies in the United States prevent Canadian truckers from operating in the same manner as this legislation will allow and encourage Americans, to take Canadian jobs. That is the truth. We have not heard any government Member deny that that is the truth.

As I have listed them, my concerns deal with the fact that we are giving up service, safety, reliability, job security, and Canadian control and ownership of the transportation industry.

As has been done with the oil industry and the mining industry, in the long run we will find that 80 per cent, 85 per cent, or 90 per cent of the transportation industry will not be Canadian, but will be owned offshore or in the United States. That is the history of the development of Canada in the case of so many of our resource industries, and our other industries.

Transportation has been one of the areas where Canadian control and ownership has remained. We have built up a proud tradition which has resulted in the employment of Canadians. We have built up a tradition which has resulted in servicing and maintenance being done in Canada. We have built up a tradition where the jobs, purchasing, and taxes have remained in this nation.

• (1610)

This is not so in every case. We know that CN has occasionally bought its tracks elsewhere and that CP, in terms of shipping, has quite often flown flags other than the Canadian flag. However, the bulk of the jobs and the bulk of the wealth have stayed in this country because we have had a regulated industry. With all its problems, its inconveniences, and the bureaucracy attached to it, we still managed to maintain Canadian control and to ensure that the industry operated for the benefit of Canadians.

It is interesting to note that the amendments before us at the present time are minor ones. The Government has accepted them, but basically the amendments say that we must keep some statistics on what might happen with regard to accidents in the trucking industry as a result of deregulation. That is nice and commendable and I congratulate Members of the Senate for managing to get them passed. Similar amendments were previously suggested in the House of Commons, but at that time the Government did not accept them. All they are saying is that they will keep a record and that the record will be made available to the House of Commons. They are hardly major amendments which will convince members of the New Democratic caucus to support the legislation, because its basic intent will ruin our transportation industry.

In terms of my own riding I find it upsetting that they have not said, with regard to the trucking industry, that the north should be treated differently. In the case of air transportation, we have recognized that in part of the north we really cannot expect to have a free enterprise system with 15 or 16 operators, each with one plane, no mechanics and no hangars. We recognized it for northern parts of the country, but we have not recognized it in terms of the trucking industry. We are creating a situation where there may not be adequate maintenance, garages, and trained mechanics in smaller communities. Basically we could see fly-by-night operators who come in, take the business, last for a year or two, and close.

It is interesting that that is actually happening—and it is not only a threat to people in northern Canada—in the United States with a much larger population. The number of carriers hauling less than a full load has not decreased as a result of deregulation in the United States. In fact, the reverse is true, because bankruptcies and takeovers have increased the number of general freight companies. It seems that what has happened is that with deregulation the competition is cut-throat. A business lasts for a year or two and provides a fairly cheap service, but in the long run it cannot pay its bills with the banks, do the maintenance, or provide the service necessary to maintain contracts. As a result it goes into bankruptcy and finds itself a victim of takeover.

With the American experience of less competition and worse air safety, why are we going that way? It does not make sense. We know that it will be a threat to the lives and to the safety of Canadians. At present we are being told by CP and CN that it will be a threat to the jobs of Canadians. Why are we doing it? It will not be to the advantage of Canadians. Obviously it is because of a political dogma which is unacceptable to the nation.

Mr. Ouellet: Mr. Speaker, I have a brief comment to make following the remarks of my NDP friend. At the beginning of his remarks he indicated that he thought it was peculiar to see the Liberals adopting a different position now than the one they adopted while in Government.

I remind him—and the public was listening to us—that in this case, like in many other cases, there is a fundamental difference between the three political Parties. In relation to deregulation of the Canadian transportation industry, Conservative government Members are massively for immediate deregulation at all cost. At the other extreme, NDP Members are vehemently opposed to any deregulation at any cost. All along members of the Liberal Party have said, while in government and now in opposition, that we favour some deregulation, flexibility in the regulations which allow better competition and help the shipping and manufacturing industries of Canada to be in a better position to compete world-wide.

At the outset we said that we favoured some deregulation. In fact, the former Minister of Transport, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), brought about partial deregulation in the airline industry which resulted in reductions in ticket prices; fares have been lowered thanks to these efforts.

At the same time as we were favouring some deregulation, we always said that there must be appropriate guarantees in the legislation to protect the jobs of workers in the transportation industry, to make abundantly clear that safety would not be compromised, and to ensure that an industry which is predominantly Canadian would continue to be Canadian.

We certainly oppose the Conservative Bill because we do not see these safeguards in the legislation. This is why we think the regulations contemplated by the Conservatives are so fundamentally wrong.

We are in the middle position. We have the Conservatives who will do it hurriedly, at any cost, and take many risks. On the other hand, we have the frozen New Democrats who are afraid of change. I do not think that position is appropriate either. I much prefer the Liberal position, which is in the middle and will be helpful both to workers in the transportation industry and the shippers who want a better deal.

Mr. Murphy: Mr. Speaker, I must admit that the Hon. Member for Papineau spoke like a true Liberal; he wants to have it both ways.

Mr. Ouellet: The right way, not both ways.

Mr. Murphy: The far right way, there is no question about that.

Let me refer to the history of the last two years of Liberal administration. As the Hon. Member mentioned, the Hon. Member for Winnipeg—Fort Garry was the Minister of Transport and was certainly on the road to massive deregulation. It was not just the matter of a slight difference, that they would do a bit more for safety or to maintain Canadian control. They conducted a series of hearings across the nation in which they pointed out that they were going for deregulation, with a few exceptions, and that they were opening up the air to all sorts of new companies. That is what they bragged about. If we look back at the speeches of the former Minister of Transport and what Liberal government Members were saying across the nation, we must recognize that the Conservative Government is doing in an exaggerated form what the Liberal Government was doing.

That is the truth, and Canadians know it. They remember the speeches and the massive press promotional kits which that Government put out. It was certainly good at that; it talked

about deregulation and called it deregulation. Do not pretend it is anything different now.

• (1620)

The Hon. Member also said we have a rigid position. That is not true. When the former Minister of Transport, the Hon. Member for Winnipeg—Fort Garry set up hearings on deregulation, we said there was a need to change the system. For the air and trucking industries, we promoted ideas which we thought would enhance not only competition in some areas but also service to other areas. Let me just give one quick example because obviously I cannot go through our whole policy paper of four years ago right now.

We said that if the Government wanted to open up competition on east-west routes and increase the number of flights between Toronto and Vancouver, those carriers would also have some obligation to maintain north-south flights so that smaller communities would still receive service. If a new carrier came in, there had to be guarantees that they provide a certain level of service and maintenance. They, too, would share part of the responsibility to make sure smaller communities still received service. We had some ideas which we thought would have increased competition but at the same time guaranteed a level of safe service across this land.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Motion agreed to, amendments read the second time and concurred in.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Davenport (Mr. Caccia)—Environmental Affairs—Acid rain—Effect on lakes in eastern Canada—Request that Prime Minister press economic arguments with United States President; the Hon. Member for York West (Mr. Marchi)—Refugees—Terms of proposed legislation—Punitive measures; the Hon. Member for York East (Mr. Redway)—National Parole Board—Request for changes to parole system.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE, IMMIGRATION ACT, 1976 AND CITIZENSHIP ACT

MEASURE TO AMEND

The House resumed from Tuesday, June 30, consideration of the motion of Mr. Hnatyshyn that Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act, be read the second time and referred to a legislative committee.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I welcome the opportunity to once again rise in debate on Bill C-71. As I said on June 30, the Government views passage of this legislation as an essential step both in correcting historical wrongs and in reforming our laws to ensure that Canada can never be considered to be a safe haven for war criminals or those who have committed crimes against humanity. Further, the law shall apply whether those acts were committed in the past, today, or in the future.

As you know, consideration of the legislation was interrupted on June 30 by adjournment of the House, pursuant to Standing Order. Unfortunately, unanimous consent to extend the sitting to complete second reading of the Bill was not granted. I indicated at that time it would be an early priority of the Government to resume the debate when the House returned and I am pleased to be able to fulfil that commitment today.

In the interim one other significant event occurred. Following the tabling of the report of the Deschênes Commission and the Government's comprehensive response earlier this year, I indicated an additional study undertaken at the request of the commission would be made public. That study, entitled "Nazi War Criminals in Canada: The Historical Policy Setting from the 1940s to the Present" was submitted to the Deschênes Commission by Ms. Alti Rodal and, along with the other information assembled by the commission, was considered by Mr. Justice Deschênes in developing his findings and recommendations. In turn the Government provided both its detailed policy response to those findings and the recommendations and presented the legislation we are now debating here today.

Although the Rodal report contained no new information beyond that considered by the commission of inquiry, the Government believed the report contained useful contextual information and it was made public following a review by the Privy Council Office to ensure conformity with the statutory requirements of the Access to Information Act and the Privacy Act.

The report speaks for itself. It traces the development of issues and policies in the past. It speaks of what is sometimes not a proud history but what is nonetheless history. It is not my intention to debate the policies and practices of past

Governments. That task must fall to those who made those decisions or instituted those policies. It is up to those who are responsible to take responsibility for their acts or omissions. My task, and one from which this Government has never shied away, whether in establishing the commission of inquiry, responding to its findings, or bringing forward legislation and taking action on case files as recommended by Mr. Justice Deschênes, is to face the problem before us today. That is, to reform our laws and ensure that justice is done with respect to suspected war criminals.

Bill C-71 is a critical element in that task. It will give us the tools required to undertake prosecutions where warranted and will bring about important changes to our immigration and citizenship laws to ensure that the errors or oversights of the past are not repeated. Canadians expect their Government to undertake every step consistent with the principles of Canadian justice and the spirit of fairness and equity that is woven throughout the fabric of our nation and its institutions. Those principles are fundamental to our made in Canada policy response and they are an obligation we shall not shirk.

There is one other observation I feel compelled to make before dealing with the substantive provisions of the legislation. We must make every effort to ensure that in our zeal to bring war criminals and those who have committed crimes against humanity to justice, we do not overlook the requirements of our Charter of Rights and Freedoms and of the requirements of natural justice. I am often pressed by the media, groups and individuals, and generally by those interested in individual cases, for information with respect to the identity or whereabouts of suspected war criminals, or about the disposition of specific files turned over to the Government by the Deschênes Commission. In all good conscience, and in my capacity as Attorney General, I cannot and will not do anything that would serve to reveal information which might serve to jeopardize the right of any Canadian citizen or person resident in Canada to a fair trial. Furthermore, where there is no evidence to support prosecution or where Mr. Justice Deschênes recommended that files be closed, it is not my desire to submit persons to a form of trial by media. The requirements of Canadian justice will apply equally to all.

[*Translation*]

Mr. Speaker, the support which this Bill has already received, not only from Members of Parliament but also from the Canadian public, shows just how important it is.

I intend to speak mostly about the amendments proposed to the Criminal Code, but I shall also give an outline of the parts of the Bill which propose related amendments to the Immigration Act and the Citizenship Act. These amendments complement those dealing with other immigration issues which have already been introduced in this House. By proposing these amendments today, the Government is living up to its commitment to respond quickly to the Deschênes Report.

[*English*]

The same is true of the amendments proposed to the Citizenship Act. My colleague, the Secretary of State of Canada (Mr. Crombie), recently issued a comprehensive discussion paper on citizenship, setting out in broad terms the areas to be considered for legislative review.

• (1630)

This is a complex matter from a legal perspective involving not only Canadian law but also principles of international law. However, I believe that the purpose of this Bill can be summarized more simply. It is that we as Canadians will not allow this country to be a haven for those persons who have committed acts or omissions which are rightly condemned throughout the civilized world.

The purpose of this Bill is to confer jurisdiction upon the courts of Canada so that the criminal law can be exercised in a manner consistent with international law and the principles of our Criminal Code. I make no apology for the somewhat intricate nature of the proposals the Government has brought before the House. They are necessary if we are to address not only those wrongs which have already occurred but also those which sadly will take place in the future.

This Bill is retrospective rather than retroactive. The acts or omissions encompassed in the definitions of war crimes and crimes against humanity have long been regarded as criminal by the community of nations. It is important to note that the military tribunal at Nuremburg reconfirmed the prior existence of these offences as have other courts since then. This Bill recognizes this fact and therefore would confer jurisdiction upon such cases.

I think it is important to stress that only offences which were known both to international law and to Canadian law at the time when such offences were committed will be brought before the courts. There will be no new offences created or applied retroactively to past acts or omissions, something which would be rightly viewed by Canadians and courts alike as repugnant to our concept of justice. Similarly, the proposed amendments to the Immigration Act and the Citizenship Act would not have retroactive application for the same reasons.

This important point is underscored by reference to the words of Mr. Justice Deschênes who said:

> We are not aiming to make acts, which were deemed innocent when committed, criminal now; such would be unacceptable retroactivity. But extermination of a civilian population, for instance, was already as much criminal in 1940 as it would be today, under the laws of all so-called civilized nations. We are only trying to establish now in Canada a forum where those suspected of having committed such offences may be tried, if found in Canada.

However, I should point out to the House that international law is evolutionary and has changed over time. The definitions of war crimes and crimes against humanity reflect this. In the past, Canada has amended its laws in order to conform to its international obligations. Often these amendments have also recognized the increasing acceptance in international law of

the principle of according universal jurisdiction to the national courts in respect of internationally acknowledged offences.

The proposals in this Bill are made in this tradition and have been designed to respect international principles of jurisdiction with regard to any particular time period. Canada will conduct its prosecutions under the new amendments in accordance with international law.

While we must always be vigilant to ensure that the law and its application are fair, this is perhaps an instance where we must be particularly scrupulous. For this reason, the Bill contains provisions that the accused will be entitled to the full range of defences available under the laws of Canada or under international law at the time of the conduct in question and at the time of the trial. This will of course include the Charter of Rights and Freedoms. In this way, it will be clear to everyone that while Canada condemns and will act against war crimes and crimes against humanity, this country will only proceed in a just and equitable fashion. I believe that in acting against historic evils, we are at the same time preserving historic rights.

[*Translation*]

It should be noted as well, Mr. Speaker, that the Bill contains a provision whereby a defendant can be convicted even if the offence was committed to obey orders or pursuant to the law in force at the time and in the place of its commission. I think that all members of this House and even all Canadians find it necessary to ensure that some people do not avoid prosecutions by maintaining that the act or omission they are charged with were legal in the place of their commission. In case of "war crimes" and "crimes against humanity", international law must have precedence over domestic law.

[*English*]

As the report of Mr. Justice Deschênes has already emphasized, the offences addressed by this Bill inevitably raise considerable emotions. The urgency the Government attaches to the enactment of this Bill recognizes the necessity of treating the problem as dispassionately, justly and expeditiously as possible in order to reassure all Canadians and to prevent intemperate individual action. I believe that this view is shared by my hon. friends opposite and I commend them for the support for this Bill which they have already shown. I am sure they will work with us to ensure that the proposals are not delayed. I am also most encouraged by the attitude of those groups which had legal standing before the Deschênes Commission.

The Bill also recognizes the need for prosecutions not to be undertaken lightly nor solely in response to the understandable pressure that offences of this horrible magnitude inevitably create. For this reason, proceedings will only be commenced after the personal written consent of the Attorney General or Deputy Attorney General of Canada has been given. It is proposed that the proceedings will only be conducted by the Attorney General of Canada or instructed counsel. This is in accordance with the recommendations of Mr. Justice Deschênes.

I have already referred to the evolutionary nature of international law. The restriction on the right to prosecute also carries with it the responsibility to ensure that any action is in conformity with the treaties, rights and accords to which Canada is a party at the time such prosecution is considered. In general, this monitoring of international law is the duty of the Attorney General of Canada.

I will now turn to the amendments proposed to the Immigration Act and the Citizenship Act in support of the changes to the Criminal Code already described. I will first consider the provisions of the present Bill as they relate to the Immigration Act.

Consistent with the Government's response to the Deschênes Commission report, these changes will be prospective in nature. The single most important change to the Act is the addition to Section 19 of the Immigration Act of a new class of inadmissible persons. This new admissible class consists of persons who, there are reasonable grounds to believe, have committed a war crime or crime against humanity as these concepts are defined in the amendments to the Criminal Code.

As it is evident that no selection or assessment process, no matter how thorough, will be successful in preventing the entry of all inadmissible persons, it is necessary to provide a means for the removal from Canada of those war criminals who might be successful in slipping through the screen. This has been done through the creation of two new classes of persons against whom removal action can be taken should it come to light after they have been admitted to Canada that they have committed war crimes or that there is strong evidence suggesting that they may have committed such crimes.

The Bill also restricts appeals to the Immigration Appeal Board by persons ordered deported as war criminals to questions of law or fact. Other classes of persons having the right to appeal to the Appeal Board may do so on the basis that for humanitarian reasons, they ought to be allowed to remain in Canada. It is inappropriate that war criminals and persons who have committed crimes against humanity should enjoy this privilege.

The Immigration Act currently provides for the removal of persons to their country of citizenship, country of residence or the country from which they came to Canada. An important provision of this Bill with respect to the removal of war criminals empowers the Minister of Immigration to select any country that is willing to receive a person as the country to which he shall be deported, notwithstanding the fact that normally he would not be deportable to that country.

• (1640)

This provision is necessary because the country that is both willing and best able to prosecute, while at the same time offering guarantees of due process of law, may not be a

country to which the person concerned would be deportable under existing Canadian law.

I would also like to outline briefly actions being taken by the Government outside the context of this Bill to implement the recommendations of the Deschênes Commission with respect to the immigration program. The recommendation of the Deschênes Commission with respect to refugee claims by war criminals has been implemented in Bill C-55 by including in the definition of "convention refugee" the exclusion clauses contained in the United Nations convention relating to the status of refugees. These exclusion clauses include persons who have committed war crimes and crimes against humanity. Their inclusion in Bill C-55 will have the effect of preventing such persons from being found to be refugees.

[*Translation*]

In addition, the Canadian Employment and Immigration Commission is in the process of developing new administrative procedures in order to ensure that people asking for landed immigrant status will answer questions about their potential participation in war crimes or crimes against humanity. Moreover, these proceedings will mention their positive or negative answer, which could be used later as evidence.

[*English*]

The proposed amendments to the Citizenship Act will also be prospective in nature only. They would make involvement in a war crime or a crime against humanity a bar to the acquisition of Canadian citizenship. Section 20 would be amended in three important ways.

First, citizenship could not be acquired or resumed if the person was being investigated or charged with, on trial for, or subject to or a party to an appeal regarding war crimes or crimes against humanity unless and until that person has been fully cleared. Second, a conviction for these offences would be a permanent bar to acquisition or resumption of citizenship. Third, the onus would be placed squarely upon the applicant for citizenship to reveal any involvement in offences of this nature. Failure to do so would then render the applicant subject to prosecution and/or revocation of citizenship.

These amendments would, I believe, be a full and positive response to the concerns raised before the commission of inquiry. I am sure that the House appreciates, as I do, the swift and thorough efforts of my ministerial colleagues and their departments in addressing these related issues.

In order to avoid delay, the Government has already begun to act upon the recommendations of the commission of inquiry headed by Mr. Justice Deschênes. As he states in his report, this will require another monumental effort. Mr. Speaker, I believe that this work should proceed as soon as possible with the benefit and blessing of this House.

[*Translation*]

Hon. Bob Kaplan (York Centre): Mr. Speaker, we often say in this House that we are very pleased to have the opportunity to take part in a debate.

[*English*]

We often say what a pleasure it is to be able to participate in debate. In my case in respect to this Bill that would be an understatement. A large preoccupation of my life has been the events of World War II, in particular the holocaust, and the fact that our country, without intending it in a general sense, did become a place where a certain number of war criminals found safe haven. I think that by and large Canadians are appalled with this situation. It reflects badly on those, some in high places, who, over the decades, have been responsible for their arrival and their continued presence in our country.

It is difficult to characterize Canada as a just society or civilized place without a strong policy to bring to justice those who have committed crimes which can be characterized as war crimes or as crimes against humanity. Yet they are here. The royal commission appointed by the Government, under the exceptionally competent leadership of Mr. Justice Deschênes, presented a report with a blueprint for action. I want to acknowledge that the Government has adopted an important part of the blueprint for action, albeit not all of it. I would have liked to have seen all of it implemented, but an important part of it was implemented.

I am in the awkward situation of wanting to speak on this reading of the Bill but wanting also to see the Bill go forward quickly. Our House Leader made an offer to the Government on behalf of the Official Opposition. That offer was that we were prepared to give the Bill all three readings today, or earlier than today. We would have been prepared to have the Bill go to Committee of the Whole rather than to a regular legislative committee.

All of our willingness to expedite the passage of this Bill relates to two fundamental points. First, although the Bill can bear some improvement, we are satisfied that it will achieve the good purpose of providing for the prosecution of some war criminals. That is one reason why we support the swift passage of this Bill.

More important, however, is the fact that we are dealing with a problem which is rapidly becoming history. We are dealing with crimes committed by a small number of individuals in Canada who are aging and will be the subject of prosecution under this Bill and against whom evidence will be brought, pursuant to this Bill, by holocaust survivors who are also aging.

It is, therefore, very important that we move swiftly. While the Government has expressed a commitment, provided a royal commission, and brought forward legislation, I only say that I wish it had been done more quickly. I wish it had been done by past Governments, including the Government of which I was a part. However, I cannot refrain from commenting on the fact that if this is to be effective it must be done as quickly as possible. For that reason we supported moving through all of the stages quickly and getting on with the job in the time left on the biological clock for action against the war criminals in Canada.

We will, therefore, uphold the agreement that we made to have the Bill referred to a legislative committee by five o'clock today. I hope that when the Bill is considered by a committee some amendments can be considered, not in the spirit of wanting to slow the Bill down but in the spirit of wanting to be certain that the Bill is more effective.

For example, I would like to be certain that the Bill will apply to all war criminals. While there is no doubt that the main genesis of the Bill is the holocaust which took place during World War II, there are other victims of war crimes and crimes against humanity who are living in our country. World War II was not the only war in which terrible atrocities were committed. Atrocities have been committed outside of war, against victims who have found haven in our country.

• (1650)

When a war criminal or a criminal who has committed a crime against humanity is living here, whether he or she comes from Europe, Asia, South America, Central America, Africa, or wherever, I want to be sure that this amendment to the Criminal Code will be available for the prosecution of that individual. Justice requires certainly no less.

I want to argue, and will do so in the legislative committee, that any individual within Canada who has committed a war crime ought to be amenable to being charged under the Bill, whether he or she has become a citizen, a landed immigrant, whether they are here on a more casual basis, such as on a work permit or as a visitor, or just passing through.

If international intelligence puts us in a position to lay a charge against someone who is in our country waiting to change planes, I think this legislation should be amenable to being used for that purpose.

Finally, in spite of the fact that Mr. Justice Deschênes recommended it, I do not think we should give a monopoly to the federal Attorney General when activating this legislation. I have great confidence in the present incumbent and I am certain he will do his duty under this legislation. I am looking forward to seeing that he does. However, I think provincial Attorneys General across the country have the competence also to bring charges under the Criminal Code. They understand the rules of evidence and deal with many matters that involve international and foreign evidence. I believe provincial Attorneys General ought also to have the door open to them to lay charges and bring forward prosecutions when they feel that it is advisable to do so, perhaps even where the Attorney General of Canada may not feel that a prosecution should be brought, in a particular case.

I want to indicate that this is only a stage and that simply passing second reading and referring this Bill to committee in no way assures that it will be passed and the Government will do the investigations and the Attorney General of Canada will lay the charges. I think the commitment that the Government has made requires it to follow through and do all those things I just mentioned.

Let me say that I am not questioning the good faith of my friend. I am only indicating that if he and his Party want the recognition and the thanks that would come from having and implementing an effective war criminals policy, it must follow through. It cannot just refer it to a committee where it will languish in a rerun of the Deschênes Committee, accepting as witnesses everyone who wants to come. In that respect, I think those who want action and wish to tell the committee that they want action will be doing themselves a disservice by seeking to appear before the committee. I hope we will be very disciplined when this Bill goes to committee, to see that we can move within a time frame I have described and have action and results.

I commend the Minister, as I commended the other steps that the Government has taken in the evolution of a war crimes policy. However, each step in itself will mean nothing if we do not proceed and reach the point where something can actually be done.

There has been talk about this issue for a long time. When we were in Government, we were able to move in a limited area. We attempted to produce extraditions and we managed to accomplish one. Certainly one was not the limit of my ambition in that area. I hoped we would be able to produce more, which I believe will be possible under this legislation.

Therefore, I want to give my support and encouragement, and that of the Official Opposition, at this stage. But let us not take too much satisfaction from reaching one stage. It is important to reach the stage where war criminals are being brought to justice.

While one was brought to justice in the former administration and more might have been brought to justice, at this stage let us at least get to one, and then more.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I will be brief because I believe all Members of the House recognize the urgency of this legislation. Indeed, as I indicated earlier, we are and have been prepared to facilitate the passage of this legislation through the House in all stages today.

I want to acknowledge the importance of the decision taken by the Government to establish the Deschênes Commission. Clearly, in the face of some 40 years of inaction, this decision was an important one. It sent out a signal that Canada at last was prepared to take seriously our responsibility to bring to justice those who were responsible for these terrible crimes against humanity.

I want to commend the Canadian Jewish Congress, the Simon Wiesenthal Centre, B'nai Brith, the Canadian Holocaust Remembrance Association and others for their tireless dedication over many years in urging Governments to take action.

As we know, it was only in 1982 that action was finally taken. I want to acknowledge the work done by the Member for York Centre (Mr. Kaplan) within his Government in

attempting to persuade his colleagues in Cabinet to take action. Unfortunately, he was unsuccessful.

The former Minister of Justice, Mr. Chrétien, stated: "I don't think we should start prosecutions in Canada for crimes committed in European countries 35 years ago". That slammed the door on any further action. I am very pleased that the Government recognized that that response was inadequate and that action had to be taken.

We know that Canada's record, both before World World II and following World World II was quite appalling. Irwin Cotler quite rightly called it the "bureaucratization of horror".

This record was eloquently documented in the report of Alti Rodal which was referred to by the Minister. In *Nazi War Criminals in Canada* she set out very clearly the fact that a strong anti-semitism underlay many of the actions of the Government at that time.

As Irving Abella said: "None is too many, was the underlying philosophy of those Governments". Today, surely we must recognize that our responsibility must be that one is too many when it comes to the presence of alleged war criminals in Canada.

We are not speaking in abstract terms. I think it is important to underline that we are dealing with human beings who are responsible for terrible atrocities. I recently had an opportunity to visit Ukraine where I viewed official archives, met with officials, and heard personally from men and women in Lav'in who had witnessed these terrible crimes against humanity.

There is the man with tears in his eyes who, at the age of eight, saw the village in which he had been sheltered as a young Jew be burned to the ground, subsequently returning to see the horrors of that event. There is the story of the destruction of the village of Huta Pieniacka. There is the deeply moving tale of the woman who witnessed her father being murdered in front of her eyes. We have an obligation in Canada to bring to justice those responsible for these war crimes and, indeed, all other war crimes. This legislation is an important step in achieving that objective.

The Deschênes Commission recommended other steps as well. Instead of dismissing them as the Government has done, I believe we should have seriously examined those alternatives. Apparently this Bill will go to a legislative committee where we will be proposing amendments in a number of important areas.

Let me close by quoting the words of the president of the Canadian Jewish Congress, Dorothy Reitman, who said: "The presence of Nazi war criminals in Canada has been an affront to the Canadian conscience, a moral stain, a betrayal of everything that people died for and Canadians fought for. The report of the Deschênes Commission would help to remove the stain, to redeem the victims, to right the wrong and to restore faith in the rule of law".

We have waited far too long. Let us finally move as a nation to right this historic wrong.

As I indicated earlier, I wish to seek unanimous consent of the House in order that we might proceed through all stages of this legislation today. We are prepared to proceed in this manner, given the urgency of the legislation. I would seek the unanimous consent of the House to proceed through all stages of the legislation today, through Committee of the Whole and third reading.

• (1700)

Mr. Lewis: Mr. Speaker, as I explained to my friend this morning, a Member of our side, who will be participating in the committee work, was unable to be here today. He also has amendments he wishes to place. The fact that we are debating this Bill today is as a result of co-operation among all Members during the proceedings earlier today.

I could not for a moment think of going back on my word to this Hon. Member when I said this would be heard in a legislative committee and he would have his opportunity to place amendments. I am sure, given the spirit of Hon. Members, and what was said here today, that those meetings at committee will be very brief and that the Bill will proceed, with the co-operation of the other two parties, to, hopefully, third reading next week, or after those committee hearings.

While I am unable to give the consent, I do say that there is a good feeling toward this Bill and there is no question in my mind that third reading will pass very, very shortly and that this Bill will be law before the end of August.

Mr. Deputy Speaker: There being no unanimous consent, is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

[*Translation*]

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS—MOTIONS

[*English*]

THE ENVIRONMENT

SOIL EROSION

The House resumed from Friday, June 19, consideration of the motion of Mr. Caccia that, in the opinion of this House,

the Government should consider the advisability of introducing a coherent, comprehensive policy and plan of action to respond to the threat of soil erosion posed to Canada's agricultural land, as described in "Soil at Risk" and "Soil Degradation in Canada".

Mr. A. H. Harry Brightwell (Perth): Mr. Speaker, I am very pleased to rise to speak on this motion of the Hon. Member for Davenport (Mr. Caccia) because I have a great deal of interest in the matter of soil conservation. In my area, the riding of Perth, one of the greatest farming areas in Canada, it is of deep concern to the farmers as well.

My interest in this subject was spurred by a piece of historical fiction I read. It was about an immigrant who came, I assume legally, many years ago to the American States. As he treaded across those States, he used a test when he came to a piece of land he thought was good. He took a rod and drove it down into the ground until it came to the hard soil underneath. He measured in this way, perhaps imperfectly, the amount of topsoil. This gentleman was from Scandinavia and I assume he went to the area of Minnesota. Finally he found a piece of land where he could drive his rod down, I think it was something like 18 inches before he came to hard ground. He said to his family: "This is where we will stay. This is where we will farm because this is good land".

After reading this book, I read a report about the same area where the amount of topsoil left on many of the farms which had been farmed for perhaps 150 or 200 years was only something like five inches or six inches. This struck a bell with me. In my riding, many of our farms have only that amount of topsoil. If farmers plough deeper than six inches they turn up clay. There is very little reserve left in many of these areas.

In Ontario, which grows intensive crops of corn, they say that if you grow a 100-bushel crop of corn, you lose 100 bushels of topsoil off that land. I know that is not totally true because some land is flat and the topsoil does not run away. Some areas are protected by trees, and some areas have a lot of hills where much more topsoil runs away. I asked an expert what would happen if one had a piece of land with perhaps eight inches of topsoil and every year corn was grown for never ending time. How long would it take for all that topsoil to disappear leaving nothing on that farm? The answer was about 100 years. I saw then that our farmers today, who are farming in difficult times and with techniques that are pushed by economics, may be forced to expend the soil on their farms so there is nothing left for the farmers of the future.

This particularly worried me. We see corn grown on land year after year. We see bigger tractors used on that land because the soil gets more compacted. We see more chemicals being used on that land because without rotation, without the ability to put other crops in, one has to add chemicals to kill the weeds. We are seeing a destruction of trees which would stop some of the erosion because farmers have to use 100 per cent of their farm land. That is a very frightening prospect.

I am sure the farmers of Canada are aware of this problem. They may not know the solution. They may not know how to handle it, but they are aware of the problem. For economic reasons they cannot really stop some of their practices or do something else which would help their land.

Of course, we know that much of the cost of land degradation does not accrue to the farmer. It accrues to the societies living downstream, the cities that have to clean out the sewage, the water flows, the provinces which have to clean out the ends of rivers. The total cost does not accrue to the farmer. He may not even realize what the total cost is, although he does know the problem.

I am very interested in the motion of the Hon. Member, although I believe it is possible that there is a move already in process which will answer his concern, and perhaps this motion is simply unnecessary.

Because of the Senate report called "Soil at Risk", which was tabled in 1984, and indeed other reports mentioned by the Hon. Member in his discussion on June 19, this issue has become very important to any thinking environmentalist in Canada. It was on the agenda of the First Ministers' Conference in 1985 and as a result of the deliberations there, six working groups were set up. One of these dealt with the soil and water conservation problem. This particular working group was composed of federal and provincial officials who studied the problem and produced a report for agricultural Ministers in July 1986. This report provided the basis for the soil and water related recommendations that were put forward by agriculture Ministers in the national agriculture strategy. The soil and water conservation part of that strategy called for many different aspects but particularly for the establishment of a co-ordinated soil and water conservation program adapted to each province. In other words, it would not be the same in every province because each province's needs are different. How could one compare, for instance, the rolling land in southwestern Ontario with the flat prairie lands in the west. So each province would have a different need.

The program would provide awareness in education programs so that we ensure that everyone is aware of it, and improved extension and technical advisory services to help the farmer and the communities plan the use of the land because we cannot blame this totally on the farmer. It would provide for more on-site demonstrations of preservation techniques. It would also provide for additional research, improved financial support and assistance in areas such as soil survey work and infrastructure planning. That is all under just the one requirement of the program.

Other requirements are improvement of federal and provincial co-ordination mechanisms, a creation of a focal point for co-ordinating existing and new soil and water activities, the re-orientation of federal and provincial programs to meet needs, and the negotiation of federal-provincial agreements to finance and co-ordinate these programs, and the

establishment of local water and soil conservation organizations where appropriate action could be taken to facilitate the farmers' participation in local activities.

The national agriculture strategy calls for a federal-provincial partnership to be developed whereby both parties can define their ongoing work and in this light the federal Government has designated officers to work bilaterally toward a definition of the program by province. As well, Agriculture Canada has put together an inter-branch committee which is now in the process of defining a comprehensive national soil and water policy. In carrying out that task, federal representatives have already completed a round of consultations with each province in order to define the needs and to start the process of co-ordinating activities between each of these governments. As well as all of this, consultations with Environment Canada are under way. This is what is planned under the strategy.

• (1710)

Before I complete my remarks, I want to mention another program that is already in place but which has nothing to do with this strategy. It was developed separately. I refer to a soil and water environmental enhancement program which will be put in place in my area. Some $30 million in federal and provincial money will be designated to meet the problems of soil erosion. This is a program being carried out separately from the programs I mentioned before.

In thinking about environmental problems in terms of soil, we must remember that things we do in the soil can affect other areas, for example, water-tables and the quality of water that we have available in our cities for consumption. We have to keep in mind that we should not change programs so much as to cause other problems to rear their heads. It is my view that this federal-provincial approach to soil conservation will provide the coherent and comprehensive policy and plan of action called for by the Hon. Member for Davenport. It is for this reason that I maintain that his motion is simply an unnecessary one.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I too am delighted to speak to the motion put forward by my colleague, the Hon. Member for Davenport (Mr. Caccia), and to express my appreciation for him having brought forward such a motion. The significance with respect to his bringing forward the motion is that he comes from a large urban area. I believe that the solution to the problem lies with our urban cousins as opposed to our farmers.

What is before us is an important motion. The Hon. Member can provide a valuable service to the country by visiting urban Canada, since he understands the ethics and mores of urban Canada. He can more appropriately change them than those of us who come from the rural parts of the country.

Speaking for the West, there is absolutely no doubt as to the description of the problem. In the high western plains we have been farming for some 50 years. The fertility of the western plains has dropped by some 50 per cent. If it goes down by another 50 per cent over the next 50 years, we could very easily have nothing but pure sand, which would lead to the very real possibility—in fact a probability—of seeing a massive desert in that area.

This is not a situation which can be taken lightly. The amount of soil lost in western Canada each spring is truly massive. I flew over all of southern Alberta this spring and even at a height of 18,000 feet we could barely see out the window of the plane when the winds were blowing strongly. It was not difficult to see that where farmers were using proper strip farming procedures there was no land blowing. However, where they were into farming 80 acres or more, the strips were wide enough that I could see a few pebbles rolling along on the western end which just grew and grew until the whole field was blowing away. As well, salinity is a very major problem on the high plains.

The motion before us asks for more government involvement. In fact, there is a government strategy in place. However, I want to argue that the real solution is not necessarily in more government involvement, although I think that will be the case in the short term. The solution is not necessarily in more regulation, although I believe that in the short term we will need to have more regulation. Nor is the solution implementing laws that would send farmers to jail for not stripping properly.

I submit that the real solution lies with our urban cousins, those of us who live in the small and larger urban areas, to pay more for farm produce. I say that for one reason. I believe that farmers want to save the soil. In fact, farmers more than anyone else want to save the soil if for no other reason than they want to conserve their income-generating asset. However, the situation goes beyond that.

Farmers have a unique attachment to the soil. Those of us who work with farmers every day and, indeed, those of us who come from the land ourselves, understand that. One has just to stand in a field after a harvest knowing that one has prepared the soil, seeded it and watched it grow, sprayed it for weeds and then swathed and harvested it. Often times one stands at the edge of the field only to see that the entire field has been destroyed as a result of a hail storm. That is a sick feeling that you would never want to have, Mr. Speaker.

If farmers received the proper amount of money for their produce there is no doubt, and I can assure anyone in the House, that we would not need laws. No farmer will let his land go down. But he needs to have a higher price for his produce so that he does not have to mine his land but actually farm it. That is where the solution lies.

With respect to grain, we have to get at our European and American neighbours who have placed us in a price war that is driving the price of grain far below the true cost of production.

How can we convince our urban cousins to do that? I am not sure. Until we can do that, even with low prices, farmers themselves are doing much, much more. Today, farmers are more knowledgeable than they were even 15 years ago when I was a young man coming off a farm. They simply know more now and they want to do better.

In southern Alberta we have a Drylands Salient Control Association which is doing absolutely first-class work in the Warner-Milk River country south and east of Lethbridge. The Government is moving. My colleague, the Hon. Member for Perth (Mr. Brightwell), set out the six task forces. We are operating at the political level, federally and provincially, and at the administrative level with the bureaucrats. We can all say that it is not going fast enough, and we do, and perhaps it is not. But at least it is moving ahead.

The long and short of it is that the solution lies in the pricing structure. If we were to get the prices up a bit—and it would not have to be a lot—farmers would make an investment in their soil and machinery that would stop us from having any problems.

I noticed in another document I was reading that we have clear objectives on acid rain, which gets into another dimension that affects farming, particularly the forest industry which is a type of farming, as well as the production of maple sugar. Canada's clear policy is that acid deposition in vulnerable areas must be reduced to less than 20 kilograms per hectare per year. I think my hon. friend from Davenport would agree with that. Indeed, when he was part of the Government he might have been part of the setting of that objective. But in order to do that, total Canadian sulphur dioxide emissions from the Saskatchewan-Manitoba border east must be reduced to 2.3 million tonnes per year. That would be some 50 per cent of the 1980 level. Also, the transboundary flow of sulphur dioxide from the United States into eastern Canada must be reduced to about two million tonnes per year. Again, that is 50 per cent of the 1980 level.

Because I did not realize at first exactly all of the things that Canada was doing in this area, I want to set forth some of them. On May 22 Canada began discussions with the United States on a possible bilateral accord. It is the first time since 1982 that the two countries have engaged in negotiations that could lead to a lasting solution to the acid rain problem.

• (1720)

A concept paper tabled by Canadian officials outlined the nature and scope of a possible accord. The paper clearly stated that, to be acceptable to Canada, the accord must have definite targets and schedules for acid rain reduction. Specifically, Canadian representatives stressed that the flow of United States sulphur dioxide to Canada must be reduced to the 2 million tonnes that I referred to. This objective was again stressed at a July 28 meeting of Canadian and American officials. The federal Government believes that an effective U.S. acid rain abatement program requires action by both the U.S. administration and the Congress. To date our efforts have been focused on the U.S. President. Increasingly, in the months ahead, we will be concentrating on American legislators while continuing to work with President Reagan and his administration on a bilateral accord.

As we have learned from our history when dealing with the huge republic to the south, it is not enough to deal with the administration. As a Parliament, we somehow have to develop and expand our parliamentary contacts. The Canada-U.S. Parliamentary Association does good work. The yearly meeting where they come up and sit with us in Canada, and where we go down and sit with them in the United States is a good program. Perhaps it should be expanded further. More and more the U.S. Congress is responding to narrow special interest groups. Less and less it is reacting and making decisions based on the national good of the entire United States. We too are faced with those pressures of narrow interest groups that develop sophisticated techniques, and powerful levers over us as Members of Parliament. It is difficult to take a Canadian view rather than the view of your own narrow self-interest group.

Whether it is on free trade or 100 other topics, we in Parliament have to develop a more refined mechanism in order that we can go to the United States and sit with members of Congress and have them see our Canadian perspective. I do not believe that they want to destroy North America any more than we do.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I take great pleasure in speaking to the motion introduced by my hon. colleague, the Hon. Member for Davenport (Mr. Caccia). Having heard the previous speaker from the government side express his interest in and frequent involvement with farmers, I must say it astounds me that the Hon. Member spent most of his time talking about acid rain when he was involved in a discussion of such importance as reading the future agricultural production of Canada. I would have thought that the Hon. Member might have said that acid rain is an important issue, one that requires a great deal of work in order to give it prominence in the consciousness of Canadians and Americans, and that while it is a significant problem, an equally significant program is the problem of soil degradation in Canada. Perhaps he should have continued to give some constructive characterization of the problem, and its potential solutions. I regret that the opportunity was lost to enlighten this Parliament and the people of Canada on this significant problem.

I stand before you, Mr. Speaker, and unashamedly admit my fundamental ignorance of agriculture and farming. I am an urban dweller who should be made more conscious of the issues affecting the farming community. My own constituency barely has a farm, if any, within its boundaries.

It is consistent with the concerns of the former Minister of the Environment that he should raise this issue. There are a great many problems in the environment that will create a

problematic future for our children. There is a great deal of discussion of holes in the ozone layer, the greenhouse effect caused by excessive petroleum product combustion, carbon dioxide causing a future warming or cooling of our climate, the contamination of food and beverages, and the dumping of toxic and carcinogenic substances into our waters. We discuss the lead in the air from lead in gasoline.

There is also an awareness of the global problem of soil erosion. I think most people are aware of the desertification of parts of Africa, and the consequent famine. It is worth noting that wind erosion and the consequent wafting of dust in the air probably has a far more significant impact on climate than the production of pollution by our factories because it shades the earth from the sun.

Two years ago when exploring the constant stream of literature that crosses our desks, I came across a book entitled *Soil At Risk*. It was an impressive and informative document in terms of drawing my attention to, and enlivening my concern about soil erosion. At the same time it suggested a function that the Senate has well fulfilled, and that is being involved in long-term studies of the type that the immediate concerns of the House of Commons do not permit us to do.

When we consider the problem of soil degradation, we are considering a problem which is characteristically the type of issue with which the House has great difficulty. We are not talking about next year, much less today, but we are talking about a century from now. In the year 2050 we will be faced with serious problems of being able to maintain ourselves and our economy to the extent to which our survival is based upon a prosperous agricultural sector. Presently it is costing in the neighbourhood of $1.5 billion a year. As was earlier noted by my colleague, huge amounts of soil are being lost to cultivation. Some $20 to $35 per hectare is the average cost of soil degradation in this country. In immediate terms, this involves an area of something in the order of 650,000 Canadians, 10 per cent of our gross domestic product, and 20 per cent of our positive merchandise balance in trade.

This country can ill afford to lose its soil. Because of climatic and geological conditions, Canada has only 9 per cent of its vast land mass in cultivatable soil. Much of that area is taken up in other uses, for example, in cities, roads, forests, and other not unreasonable uses. Only 4.5 per cent of our land mass constitutes cultivatable soils. In addition to the degradation of our soil, if one envisions the future increase in our population, it is obvious that we are going in a dangerous direction. It was mentioned earlier that to a large extent the problems or the solution to the problem of soil degradation belongs to the cities, we urban residents. One of the significant causes of the loss of our richest, most fertile soil is the willy-nilly expansion of cities and towns into areas that were previously farmland. Year by year huge amounts are lost.

• (1730)

As I told you, Mr. Speaker, I am an urban dweller and therefore not tremendously knowledgeable about agriculture. However, I was a member of a regional conservation authority and I live in a county where soil erosion is quite marked. Whether it be by wind or by water, one knows immediately what are the causes simply by looking across our flat country. There are no trees, so in the area where I live we have exploited the land, purely and simply, without any attention to conservation.

The book "Soil at Risk", and the Science Council of Canada publication "Soil Degradation in Canada" are to be recommended to all to read.

I was interested in hearing the results of the federal-provincial conferences and other consultations on the issue of soil conservation. I would have to say, if indeed effective actions are being taken, that they are being kept quite well hidden from the general population. Certainly the most important thing which needs to be accomplished is to increase the awareness of Canadians of the dire threat to their survival and to the survival and self-sufficiency of the country as a result of the degradation of soil.

It results from wind and water erosion, from salinization, from acidification due to the excessive use, chiefly, of fertilizers, from compaction due in large measure from tilling practices, and from loss of organic matter.

As you have indicated by your signal to me, Mr. Speaker, I do not have much time to elaborate on all these issues, but it is clear that many of the problems result from the practices which are being used and often encouraged by other government policies, whether they be taxation policies, transportation policies, farm products transportation policies, marketing boards, or whatever.

There is no doubt that there is a significant difficulty on the part of the farmer in attempting to address the problem. There is no doubt that the urban dweller has a significant role to play. However, certainly the urban dweller will have to be made aware of the situation of our land as well as the situation of the farmer fighting increased costs and lower prices; facing a lack of adequate information on how to deal with the problem; and facing government practices which have failed to provide adequate research, adequate information, adequate advice, and a national policy which everyone knows would deal effectively with this very serious problem.

We have heard much about acid rain and much about the pollution of our waterways. This motion calls for not only increased awareness and action on this very serious problem, but it calls for that action to be co-operative and on the basis of concern on the part of farm dwellers and city dwellers as well.

Motion (Mr. Caccia) negatived.

Mr. Lewis: Mr. Speaker, I rise on a point of order. I suggest that the sitting be suspended until six o'clock in order for those who have adjournment motion questions and the respective Parliamentary Secretaries to attend.

Mr. Caccia: Mr. Speaker, in view of the fact that the first question in the late show tonight is in my name and that the Parliamentary Secretary is here, I am ready to proceed. I wonder whether the Parliamentary Secretary would be agreeable to proceed at this point and hope that the other two Members who have questions make it to the Chamber.

Mr. Lewis: Yes, Mr. Speaker, that is satisfactory to the Government. We will try to work in the second and third adjournment debate matters as soon as possible.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ENVIRONMENTAL AFFAIRS—ACID RAIN—EFFECT ON LAKES IN EASTERN CANADA—REQUEST THAT PRIME MINISTER PRESS ECONOMIC ARGUMENTS WITH UNITED STATES PRESIDENT

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in March of this year I raised in Question Period the findings by Dr. Schindler of the Freshwater Institute of Winnipeg concerning the impact of acid rain on the ecology, in particular on the life of organisms on which fish feed. In that process I raised the urgency for the Prime Minister (Mr. Mulroney) to proceed with the matter of an acid rain agreement with the United States.

On that occasion the Minister of the Environment (Mr. McMillan) made reference to the agreements that were being discussed, at least, and to the bilateral discussions which were taking place. It was implied that Canada was to meet with the President of the United States with a clean conscience, having put into place a domestic program on acid rain from Manitoba to Newfoundland.

Today I should like to put very briefly to the Parliamentary Secretary the following chronology, in the hope that he can answer the questions I have for him flowing from the chronology and the intervention last March.

In March, 1984 the Government of Canada sought and obtained the agreement of the provinces to introduce a program which, by 1994, would implement a 50 per cent reduction in pollution emissions by producers of electricity and non-ferrous metals.

In March, 1985, the present Government confirmed that agreement and announced a detailed program.

By April, 1987, to make it short, several provinces signed that particular agreement with Ottawa, namely, Ontario, Quebec, Manitoba, Newfoundland, and Prince Edward Island. We still had two provinces missing, namely, New Brunswick and Nova Scotia, both of which want some funds for research or even for electric generating plants.

After enormous pressures from the committee on acid rain we finally managed to get the Premier of New Brunswick to appear before the committee on April 2. He appeared and made an announcement that he was ready to introduce a plan for New Brunswick and to sign this agreement with Ottawa. The media were there. A lot of publicity was given to that committee meeting, and Mr. Hatfield disappeared. We have not heard from him since April 2, which was just on the eve of the meeting that took place in Ottawa between the Prime Minister and President Reagan.

It was certainly well timed to convey the impression that Canada was moving, but we have not heard since from the Province of New Brunswick on the commitment it made at that time, through its Premier, that it would sign an agreement with Ottawa.

We also have another province which has not signed yet, that is, Nova Scotia. Here again that province has been dragging its feet to come through with the commitment and promise it made back in 1984 to cut its pollution in a manner which, quite frankly, is rather modest and not substantial.

Nevertheless, we have two provinces with Conservative Governments, New Brunswick and Nova Scotia, that have not come through with the promise and commitment they made twice, once in 1984 and again in 1985. At the same time we see two provinces run by Liberal Governments, Quebec and Ontario, that have come through on their promises by signing an agreement. I begin to wonder whether it is perhaps Tory ideology which is impeding action by the Premiers of Nova Scotia and New Brunswick in coming through on a promise made some time ago. I cannot find any other explanation.

• (1740)

As I mentioned, the Premier of New Brunswick made a very clear and explicit commitment before our committee. We have not heard any word from the Premier of Nova Scotia despite letters from the chairman of the acid rain committee. Therefore, I am taking this opportunity to bring the matter to the attention of the Parliamentary Secretary. I am sure he is well briefed, and he is well known for his competence and thoroughness. I am also sure he will give us a very comprehensive reply.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, the federal Government established clear objectives on the acid rain issue. To protect the Canadian environment from damage due to acidification, acid deposition in all vulnerable areas must be reduced to less than 20 kilograms per hectare per year. Achieving this objective requires that total Canadian sulphur dioxide emissions from the Saskatchewan-Manitoba border eastward be reduced to 2.3 million tonnes per year. You will know that is 50 per cent of the 1980 level. As well, the transboundary flow of sulphur dioxide from the U.S. into eastern Canada must be reduced to about 2 million tonnes per year. Again, that is 50 per cent of the 1980 level.

The federal Government and the provinces are implementing a program to achieve the required emission reductions by 1994 at the latest. More than 90 per cent of the reductions required are in regulatory or program form and have been ratified in federal-provincial agreements.

The federal Government is unequivocably committed to securing an accord with the U.S. that specifies targets and schedules to reduce transboundary acid rain to the level necessary to avoid environmental damage. The Canadian objective is to have the flow of U.S. sulphur dioxide emissions into Canada reduced from 4 million tonnes to 2 million tonnes by 1994, paralleling the Canadian acid rain abatement program.

On May 22 Canada began discussions with the U.S. on a possible bilateral accord. This is the first time since 1982 that the two countries have engaged in negotiations that could lead to a lasting solution to the acid rain problem. A concept paper tabled by Canadian officials outlined the nature and scope of a possible accord.

The paper clearly stated that to be acceptable to Canada the accord must have definite targets and schedules for acid rain reduction. My friend opposite will remember that phrase because that is what he fought for when he was the Minister. Specifically, Canadian representatives stress that the flow of U.S. sulphur dioxide to Canada must be reduced to 2 million tonnes by 1994. This objective was stressed again at a July 28 meeting of Canadian and American officials.

The federal Government believes an effective U.S. acid rain abatement program requires action by both the U.S. administration and Congress. To date our efforts have focused on the U.S. President. Increasingly, in the months ahead, we will be concentrating on American legislators, while continuing to work with President Reagan and his administration on a bilateral accord.

This fall promises to be an important period for our dealings with the U.S. administration and the work of Congress. Canadians can be assured that the federal Government will continue to place a high priority on securing U.S. emission reduction targets and schedules. Our objectives and our determination could not be clearer.

NATIONAL PAROLE BOARD—REQUEST FOR CHANGES TO PAROLE SYSTEM

Mr. Alan Redway (York East): Mr. Speaker, you may recall that just about a month ago the National Parole Board granted an unescorted day pass to a man by the name of Real Chartrand. As you know, he was convicted of first degree murder and sentenced to die in 1972. This was for the murder of a police officer in Ste. Thérèse, Quebec. That murder occurred after a chase following a bank hold-up. While awaiting the carrying out of that sentence, in 1976 the Parliament of Canada repealed capital punishment. As a result, his sentence was commuted to life imprisonment. He was to serve some 25 years in prison, but at the same time an amendment to the Criminal Code was passed which provided that someone convicted of first degree murder could, after just 15 years, apply to a jury and have it decide whether he or she should be eligible for parole at the end of 15 years.

Mr. Chartrand is the first person to have the opportunity to take advantage of that change. Just a month ago, after applying to a jury in the same community where he shot and killed the police officer and where he was convicted of first degree murder, the jury decided he was entitled to go to the NPB and ask for a parole after only 15 years. As you know, he did that and was given the right to unescorted day passes.

All that occurred just a few days after this House had debated the issue of capital punishment and voted on that issue in the early morning of June 30. Coming so quickly after the return of capital punishment was defeated in this House it came as a shock to many Canadians. They felt that not only was a decision made on June 30 to not increase the penalty for murder, but in fact a few days later, on July 9, there was a decision in effect by the NPB to reduce the penalty for first degree murder.

You may recall as well that in April of this year a national poll was conducted. It found that at least 62 per cent of Canadians felt that the parole system was too easy. It was too easy for people to get out on parole. Some 82 per cent of Canadians were against the idea of a week-end pass for criminals convicted of serious crimes. Only 2 per cent felt our parole system was too harsh. Only 33 per cent felt it was just right.

It is interesting and perhaps even significant to find that in the Chartrand case one of those who felt he should have received parole after 15 years was the father of the police officer murdered by Mr. Chartrand in 1972. As you will recall, he was in fact the Chief of Police of Ste. Thérèse at the time that incident occurred. Following the decision by the NPB to release Chartrand, the father of the slain police officer, Mr. Labelle, now retired, said that if Chartrand has rehabilitated himself, why not let him out? He said that if he had made an effort to change, give him a chance.

• (1750)

Mr. Labelle obviously stands with that 36 per cent of Canadians who feel that either the parole system in Canada is all right as it is or perhaps that it is even too harsh. Obviously he does not stand with the 62 per cent of Canadians who feel that there is something wrong with the parole system, it is too lenient, it should be changed and it should be changed very quickly.

Why is it that some 62 per cent of Canadians do not have confidence in our parole system? I think the Chartrand case is perhaps a good example of what concerns Canadians about our parole system. Someone who was quite clearly convicted of the first-degree murder of a police officer was released on day passes after just 15 years. Is that in fact a proper penalty for the deliberate first-degree murder of a police officer who was in the line of duty?

It seems to me that another reason for this is the whole question the Minister of Justice (Mr. Hnatyshyn) raised not too long ago when he said that Canadians have lost confidence in our criminal justice system. He said that the reason we have lost confidence is that the media has been sensationalizing all of these cases. It may be that that is the answer but I personally do not really think so and I know that 62 per cent of Canadians are with me. I think they feel that there is definitely something wrong with and something that has to be changed about our parole system. Having defeated the principle of capital punishment again in June of this year, they feel that Parliament now has a duty and an obligation to see that changes are made to the parole system, changes which would restore the public's confidence in that system.

In my view, we need a parole system that not only works but seems to work as far as the public is concerned. We need an entire criminal justice system that not only works but seems to work as far as the public is concerned. I hope that tonight, the Parliamentary Secretary will tell us that the Government will be unveiling such a system, a system that will restore the confidence of that 62 per cent of Canadians who just do not have any confidence at all in the present parole system.

[*Translation*]

Mrs. Monique B. Tardif (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, first of all, I would like to read, if I may, the mandate of the National Parole Board: "The National Parole Board, as part of the criminal justice system, makes independent, quality conditional release decisions and clemency recommendations. The Board, by facilitating the timely reintegration of offenders as law-abiding citizens, contributes to the protection of society."

What I have just quoted, Mr. Speaker, clearly expresses the NPB's purpose and guides the NPB's day-to-day activities. The statement is the starting point for the renewal under way within the NPB, a renewal initiated last year by the Solicitor General, Mr. Kelleher.

The Minister did not await survey results to decide to take action: for some time, in close co-operation with the chairman of the Board, he had been analysing what changes should be made and how best to familiarize Canadians with the activities and nature of the National Parole Board.

I would like to point out, Mr. Speaker, a few important changes that have already been made: the attention focussed on victims, who may now express their views to the Board in the course of its deliberations and reviews; the guarantee to victims that their testimony will be a factor in decisions on the release of offenders; the NPB's organizational review, the purpose of which was to ensure the Board's greater effectiveness as well as improvements in training, techniques and information for board members; the joint efforts of the NPB and the Correctional Service to enhance their respective contributions to the protection of society while reducing the need to build new prisons; the measures taken by the two agencies to make the transition from a prison setting to life in the community easier for the inmates; the establishment of uniform release standards, now on the verge of publication, to replace by the end of 1987 the current criteria which are too vague and general; the implementation by the Minister and the chairman of strict criteria for the selection of board members, thereby ensuring a very high level of competence.

In the end, Mr. Speaker, one reason why 62 per cent of Canadians have mixed feelings about the system may well be because the system is poorly understood. The Solicitor General (Mr. Kelleher) is perfectly aware of that stumbling-block, and that is why he has requested that the workings of the system be exposed to public scrutiny, so that everyone can see and understand how the Board reaches its decisions. In so doing, the NPB will demonstrate to Parliament, to the Government, to other agencies in the criminal justice system and to Canadians in general how the National Parole Board contributes to the protection of society.

As we have seen, Mr. Speaker, the Board is going through a period of change. The Hon. Member will, I am sure, join me in applauding what has been done so far. I am convinced, as well, that the NPB's new direction and new spirit will not only lead to greater security for Canadians but will also contribute substantially to assuaging the fear of crime, which affects the quality of life of so many people.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 3(1).

The House adjourned at 5.58 p.m.

HOUSE OF COMMONS

Friday, August 21, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House proceeded to the consideration of amendments made by the Senate to Bill C-22, an Act to amend the Patent Act and to provide for certain matters in relation thereto.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, it is with mixed feelings that I initiate this debate to respond to the Senate's report on Bill C-22. First, this Bill is a carefully crafted package which balances a wide variety of interests. It reflects the need to respect in Canada, as in every other industrialized nation, the concept of intellectual property and that a creator, an inventor, an author, or whoever has created some property of value, is protected by the state from those who would copy that property.

It also reflects the fact that we in Canada must—I emphasize must—ensure that our research and development, science and technology activities are increased over what they have been in this country.

Everyone who has looked at science in Canada has concluded that we must do more. We cannot rely in perpetuity on our raw resources. We cannot continue with the philosophy that we can let the rest of the world develop the new technologies, the new drugs, the new treatments, and new goods and services, and we will pay for them with our raw resources. We cannot continue in that way without facing a drastic drop in our standard of living. We cannot continue our past practices in this country of being hewers of wood and drawers of water.

Bill C-22 also acknowledges that Canada ought to become involved in the manufacturing of fine chemicals, rather than relying on imported drugs and chemicals.

Most significantly, this package acknowledges that the health care of Canadians is vitally dependent on more research in health related areas in Canada. It makes common sense that only through research will we be able to increase the quality of life of Canadians as our population gets older, and be able to find cures for Alzheimer's disease, arthritis, cancer, AIDS, muscular dystrophy, cystic fibrosis, multiple sclerosis and the many diseases that still inflict mankind. I think we all know intuitively that there is a much greater likelihood of getting the best and latest treatment in our hospitals if those physicians in our hospitals are working in a research-orientated atmosphere. If we are going to say in essence, let the Americans, Swiss, British, French and Germans do the medical research, we will wait until they prove out the new treatments, the new drugs, and then trust that our physicians will learn from their developments and apply those to Canadians, what we are saying is, Canadians will get the treatment later on. The rest of the world, the citizens of these other countries, will have access to these treatments early on.

• (1010)

Again, it is common sense—and everyone working in the area will acknowledge it—that physicians working in a research atmosphere are simply that much more able to understand, to diagnose quickly to realize the importance of new treatments and to apply them. There are all kinds of anecdotal support of that. Again, common sense and the normal experience all of us have had, would acknowledge that.

This package, Bill C-22, provides consumer protection. It provides that Canadians will have drug prices at 80 per cent of what they are in the United States. It provides that drugs will not increase more than the cost of living. It is in the original Bill C-22. It provides a mechanism to ensure that consumers are not gouged.

When one talks about consumers in Canada, one has to acknowledge first the magnificent health protection system we have. We have medicare. We have hospital care. No one in this country goes without medical help if they need it. No one in this country goes without drugs if they need them. Eighty-five per cent of the population is covered by drug plans. In fact, if one looks at the percentage of drugs prescribed under drug plans,one finds it is much higher than that. The 15 per cent who do not have drug plans are in a kind of low-risk group.

In my own personal experience, I had no drug plan until my first child arrived. When I was single and first married, I was young and healthy, and for the odd prescription I needed, it was simply economically sensible for me to pay for that prescription. When our children came along and it was necessary to have some protection in case of a debilitating disease the children might have had, I subscribed. That is the

nature of the situation. So when I talk about 85 per cent of the population having drug plans of one sort or another, in fact, way over 90 per cent of all drugs are purchased under drug plans.

Virtually 100 per cent of senior citizens in Canada are covered by drug plans and they are by far and away the largest users of drugs as a group. Therefore, consumers, individually, in Canada are already protected enormously. Bill C-22 ensures that the funders of those drug plans, be they provincial Governments, private plans and so on, will not be faced with increased costs as a result of this Bill.

It is a balanced package arrived at after months of discussions, negotiations, analysis and examination. Frankly, any objective, and I stress the word "objective", observer can reach no other conclusion after looking at all the facts.

Has this Bill been adequately studied? I do not know of a Bill, at least in this Parliament, which has had more study. This Bill had 87.5 hours of House and legislative committee time—87.5 hours. I do not know of any Bill which has had that much time. There were 250 submissions—250 submissions.

Mr. McCurdy: All against.

Mr. Andre: The Hon. Member of the New Democratic Party makes a point. He says all these submissions were against. All right. Let us talk about some of the groups that are in favour of Bill C-22. They are: the Canadian Association of Retired Persons; the Canadian Medical Association; the Canadian Chamber of Commerce; the Science Council of Canada; Dr. John Evans, National Biotechnology Advisory Committee; Dr. Michel Chrétien, Clinical Research Institute of Montreal; Patent and Trade Mark Institute of Canada, the Canadian Society for Clinical Investigation; the International Business Council of Canada; the Canadian Federation of Biological Societies; the Canadian Manufacturer's Association; the Canadian Pharmacy Association, the Canadian Society of Industrial Pharmacists; *Fédération internationale des conseils en propriété industrielle*, the Biological Council of Canada; 70 individual pharmaceutical companies; the European Federation of Pharmaceutical Industries; Dr. John McNeil, the President of the Association of Deans of Pharmacy; the Canadian Association of Pharmaceutical Students and Interns; the Society of Professional Pharmacists; the Association of Canadian Community Pharmacists; The Kidney Foundation.

The list goes on. It includes: the Canadian Cardiovascular Society; the Canadian Dermatology Foundation; the Canadian Paediatric Society; the Canadian Diabetes Association; Transplant International; Advanced Coronary Treatment Foundation; the Canadian College of Neuropsychopharmacology; the Terry Fox Foundation; the Biomedical Research Centre of B.C.; First Seniors Resource and Research Society of B.C.; Pacific Pharmaceuticals, University of British Columbia, B.C. Mental Health Association; Biomira, a small Canadian biotech company in Alberta; Chembiomed Ltd., another biotech company in Alberta; the Alberta Minister of Economic Development; Calgary Research and Development Authority; Health Sciences Centre, University of Calgary; Faculty of Pharmacy, the University of Alberta; Alberta Pharmaceutical Association; Saskatchewan Pharamacare Program; The University of Manitoba. I will skip over a few now.

The Toronto Board of Trade, The Municipality of Mississauga.

Some Hon. Members: No, no!

Mr. Andre: All right, I will read more of them. Dr. Lawrence Spiro, University of Toronto; Dr. McLeod, The Dean of Medicine, of McMaster University; Professor Don Thompson, York University; Connaught Labs, the discoverer of insulin; the Gerontology Research Council of Ontario; Hospital for Sick Children, Toronto; Medical Centre, Peterborough; Pharmaceutical Marketing Club of Ontario; the Ontario Pharmaceutical Association; the Ontario Council of Administrators of Teachers; the Quebec National Assembly; Robert Bourassa, Premier of Quebec; Daniel Johnson, Minister of Industry; *Fédération nationale des associations de consommateurs* du Québec; *Institut de Cardiologie du Québec*; Biomega a new biotech company in Quebec; *La Fédération de l'Age d'Or* with 250,000 members; Jean Doré, may or Montréal; Montreal Board of Trade; and the Montreal Chamber of Commerce.

The supporters of the Bill also include; Bureau de valorisation des applications de la recherche, Rassemblement des citoyens de Montréal; Conseil du Patronat; Institut Armand Frappier; Faculty of Medicine, McGill University; la Faculté de médecine, Université de Sherbrooke; Université de Montréal; *Association des étudiants en pharmacie de l'Université de Laval*; *Association des résidants en pharmacie de l'Université de Laval*; *Association canadienne française pour l'avancement des sciences*; *Coalition nationale pour la recherche en sciences de la santé*; *L'Association des médecins de langue française*; *la Fédération des médecins spécialistes du Québec Provigo*; *Ordre des chimistes du Québec*; *la Fédération des médecins omnipraticiens du Québec*; Conference of Montreal Suburban Mayors; *Fonds de la recherche en santé du Québec*; ACEF de Laval; Accurex Clinical Data Research, Montreal.

It also includes: the New Brunswick Senior Citizens Federation; Dalhousie University; Cystic Fibrosis Society; Prince Edward Island Medical Society; Newfoundland Pharmacy Council; Faculty of Pharmacy, Memorial University, and many, many more.

Some Hon. Members: Hear, hear!

Mr. Andre: I find it strange to have it repeated in the House *ad nauseam* by Members of the Opposition that no one supports this Bill. Is there anyone involved in medical research, in the treatment of the sick in this country, who is not in

favour of this Bill? Is there anyone involved in the treatment of the sick in Canada who does not understand the importance of research and development? What about the experts? Is there anyone in that category who is not in favour of this Bill? I doubt it. That is not someone I would like to approach with an ailment, I will tell Hon. Members that.

• (1020)

How about the general public? The Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) stated in his memo to the Liberal caucus: "Nobody supports this Bill". There was a poll taken of members of the Canadian public and the following question was put:

> As you may know, the proposed bill would extend the period of time which brand-name companies are protected from having their drugs copied by generic companies . . . Those who support the Bill offer several arguments as to why it is necessary:
>
> (1) Companies which spend the money to develop new drugs should be protected from having their works copied just like any other invention.
>
> (2) If brand-name companies double research efforts in Canada, health care and quality of life will improve because of early access to new, high quality cures.
>
> (3) Canada is essentially a fair country and should be at least as fair to brand-name manufacturers as other countries are.
>
> (4) If we have to choose between developing research jobs in the brand-name companies or protecting existing jobs in generic companies, jobs in the brand-name companies would be better.

I could have developed much stronger arguments than those. But those are the arguments for it.

Those who oppose the Bill, the question goes on, offer several arguments as to why it is a bad idea:

> (1) Nothing should be done which might increase the price of drugs, because the sick and the poor will suffer.

We have heard that in the House many, many times from members of the Opposition.

> (2) Nothing should be done to help the brand-name companies which are mostly foreign-owned, especially if it hurts the Canadian-owned generic companies.

We have heard that before. It has been said that these foreign multinationals are the ones who will benefit.

> (3) Brand-name companies seem to be doing just fine in terms of profits, therefore, there is not a need to change things.

We heard that yesterday. Those companies are already getting profits so we should not change things.

> (4) Just because other countries offer greater protection to brand-name companies doesn't mean Canada is being unfair and needs to change its laws.

That is the "if it ain't broke then don't fix it" argument which we have heard from the other side.

What was the response of the public when asked, "Given those arguments how do you feel about it?" The arguments were interdispersed, sometimes leading with the positive and sometimes leading with the negative. Five per cent of the population said that the Bill is a very bad thing; 29 per cent said it is a bad thing; 54 per cent said it is a good thing; and 8 per cent said it is a very good thing. So 62 per cent said it is a good thing, yet members of the Opposition say that the public of Canada does not support this measure. That is nonsense.

Some Hon. Members: Hear, hear!

Mr. Andre: Perhaps more telling is this proposition:

> I would support the bill if the government put in place a way of making sure that drug price increases would not be higher than the rate of inflation.

That is in fact in the law. We have done that. Eighty-one per cent said yes to that proposition, which means that 81 per cent of the Canadian population supports what we are doing in this Bill.

Some Hon. Members: Hear, hear!

Mr. Andre: What the amendments suggested by the other place in response to Bill C-22 would do would be to return to an old Liberal policy which has been thoroughly studied and found to be inadequate. I will point out very clearly in ways that can be subject to no other interpretation but to verify that they are inadequate. I will provide the evidence and the references on which the evidence can be checked if in fact there is doubt in people's minds.

First, the Senate proposals make a mockery of intellectual property protection. They fail to recognize the importance of intellectual property protection for developing both a dynamic pharmaceutical industry and new products. I find it incredible that there is not that understanding—I really do. People say, "We cannot provide patent protection because it might hurt the consumers". I will show that we protect the consumers. I ask Hon. Members to think about that argument.

If we were to allow generic book publishing; if we said that any time a book came out another company could publish a copy of it provided it paid the author a 4 per cent royalty, then when Pierre Berton comes out with his new book at $29.95 for the hard-cover copy, a generic producer could put out a paperback version immediately for $2.95. Think of the hundreds of millions of dollars that that would save Canadian consumers of books. Think what that would do to the intellectual quality of the country and to its literacy. Think about those people who, for unfortunate reasons, are unable to participate in athletic activities by virtue of age or infirmity and who rely on reading as their main source of recreation—the poor, the elderly and the infirm. Think of the money we would be saving them if we had generic book publishing. This would be an enormously beneficial thing to the consumer. But think of the destruction and havoc we would be wreaking on our authors.

Indeed, in this case, Pierre Berton is a millionaire already so why does he need any more copyright protection for his book? Is it not fair to consumers who want to read his excellent books about the history of Canada, the CPR, the Yukon and so on that they be able to get a generic copy immediately rather than

having to pay $29.95? I ask Hon. Members to think about that for a while, especially those who so casually dismiss the necessity of providing our scientists, researchers and those who discover cures with some kind of protection. Does it not make more sense that we say to our scientists, "Look, if you find a cure for cancer we will let you patent it and that is yours exclusively for 10 years; and if you get rich, alleluia"? Why is it a sin for a scientist to get rich on discovering a drug that cures cancer?

Mr. McCurdy: Name one rich scientist.

Mr. Andre: How do we in Canada so casually and easily say that, by cracky, if that scientist is working for a company, well, we cannot allow that company to make profits. That is tragic. My goodness, if it is a company that employs that scientist, we cannot do that. I wonder about the values of a country that thinks that a million and a half dollars a year for Tim Raines is fair because he is a super athlete, but, by cracky, if a company discovers a life-saving drug and makes a big profit, then that is a catastrophe, a sin; that is immoral. Surely, if we are walking the moral high ground we say as a society, as we have said, "we will make sure that no one in this country goes without that cure for cancer. We as a society will pay for those cures. We will provide for the hospitalization, physician care and the drugs they need; but we will not penalize those who do the research and discover those life-saving drugs because we recognize that they have created something of value, some property, and they have a right to it. Surely that is the only moral high ground.

Some Hon. Members: Hear, hear!

Mr. Andre: I heard the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) say, "Well, since it is mostly foreigners who have the patents in Canada, why should we protect these foreign patents? Only 5 per cent of the patents are Canadian". What that says is that it is all right to steal the intellectual property of foreigners. If in the process we steal the intellectual property of those 5 per cent of Canadians, well, that is the price we are willing to have those inventors pay. That is very magnanimous of us. We are prepared to see Canadian scientists carry the cost of our desire to take the intellectual property of foreigners.

• (1030)

That points out a symptom of what is wrong in this country. Only 5 per cent of our patents are by Canadians. That is a symptom of what the Government, and my colleague, the Minister of State (Science and Technology) (Mr. Oberle) have been repeatedly discussing. In fairness, it is also what the Opposition has been discussing. But when it comes to the specifics that will help, the Opposition says, "Oh, no. Yes, we are in favour of more science and technology, but do we recognize that the fruits of that effort should be patented? Oh, no". It is a source of continuous bewilderment to me how the Opposition manages to balance those two positions, or the intellectual gymnastics they go through to occupy both those positions at one time.

This Bill states that there will be 10 years of exclusivity. Before the Bill was amended by the Senate, it provided that if the drug is developed in Canada there is a 20 year protection. What was taken out by the other place was a specific advantage for research done in Canada. That was taken out by the Liberals over there while the Liberals here state that there are not enough Canadian patents anyway, so why worry about it.

Time and time again, both here and elsewhere, I have faced the accusation that this is giving in to pressure from the United States. We have had pressure from the United States. We have also had pressure from Britain, France, Germany, Switzerland, Japan, and every single country in the western industrialized world. We are a member of the Group of Seven. We pride ourselves on being a major industrialized country. Yet, in our patent laws respecting pharmaceuticals, we are equivalent to Bolivia and Taiwan. The rest of the industrialized world does not understand that. They say that it is unconscionable for Canada to do that.

It is correct that we have been under pressure, and quite properly. If the Opposition thinks that we can retain our status as a leading industrialized country, retain our moral suasion capabilities *vis-à-vis* our allies, and still behave like a Third World country in terms of our treatment of intellectual property, I wonder what planet they come from. How can we possibly do that?

Even more important, at least to me, is that anybody who is even peripherally aware of what is happening in the world of science today recognizes that there is an enormous revolution in the area of biotechnology. Exciting things are happening that will have a profound effect on our society. It is vitally important that we participate. There are a number of small Canadian companies in this business. We have excellent universities that turn out excellent people. These people want to do research in this area, and they are ready to do it. But they cannot if we say that the fruits of their research are not patentable, or that the patent can be infringed upon through compulsory licence immediately. That is what we are saying, and we are giving a death knell to Canada's opportunities in this high-tech area. For goodness sakes, do not make this tragic mistake. Do not deal Canada out of this biotechnology revolution. Do not be so short-sighted for political gain.

Some Hon. Members: Hear, hear!

Mr. Andre: The Senate proposals contribute to the stagnation of pharmaceutical research development in Canada. Under our proposal we have a commitment from the industry, and it will be honoured because annually in the House of Commons we will have the figures to see if they have been honoured. If they have not been honoured, they will be reviewed and there will be an opportunity for redress during the review by Government in four years, and by Parliament in 10 years. There is a commitment for 10 per cent of sales to go

into research and development, which is the international norm for this industry. Based on projections of the growth in the drug market that will represent $1.4 billion in new investments by 1995.

[*Translation*]

In terms of jobs, increased research will make it possible to create about 3,000 jobs for Canadian graduates in advanced technology disciplines. Universities, hospitals and private research institutions across Canada will benefit from this increase.

Mr. Speaker, various scientific groups that carry out research across Canada have long awaited a Bill that would promote research in this country. Bill C-22 is that long-awaited legislation.

At public hearings held by the Senate Committee as well, these scientific groups all spoke out in favour of Bill C-22, as adopted by the House of Commons.

[*English*]

We have already had over $800 million announced, contingent upon passage of Bill C-22. That research will happen. It is false for the Opposition to claim that is not the case.

I wish to refer the opposition critics to an article published last fall in the economic business supplement of *le Devoir économique*. In the article there are predictions by experts, and I will quote the headline:

[*Translation*]

"The new Patent Act could mean 10,000 jobs for Montreal."

[*English*]

According to the author, François Côté, that predicts 10,000 employees in Montreal alone, based on spin-outs and development of related companies. For example, what is not included in the 3,000 jobs we are discussing are the several hundred jobs in manufacturing.

Incidentally, the Senate's amendments have made it impossible for a company called Delmar, in the City of LaSalle, which is apparently where Paul Martin Jr. will start his rise to greatness. I wonder if Paul Martin Jr. is aware that the Senate has put the kibosh on several tens of millions of dollars that were earmarked for the City of LaSalle for the manufacturing of fine chemicals. I wonder if he is aware of what his friends in Ottawa in the other place are doing to the city that at some future date he hopes to represent.

The fact of the matter is that the jobs are real, and they will occur. The Senate, and members of the Opposition, have stated that under the recommendation by the Senators, which they say is based on Eastman, the research fund has an incremental 10 per cent royalty on the generic companies. This is a type of tax because it does not go directly back to the owner, so it is not a royalty by definition. Under that 10 per cent it will create a royalty research fund which will be rebated to companies that do research. They say that fund will guarantee research jobs. That is why they support it.

First, that does nothing for the new Canadian companies. That money goes back to the multinationals, the people they purport to dislike. More significantly, what will that cost? We estimate, and the study is here and I will send it over, that that fund will generate about $200 million over the 10-year period.

The opposition parties state that they are following Eastman. I wish to refer them to Dr. Eastman's report, page 365, which deals with this recommendation for the research fund. Dr. Eastman says that in 1983 had that fund been in place there would have been an additional $4.6 million into the research fund. In other words, had that 10 per cent royalty been in place, which the Senate is recommending and the Liberals and the NDP are supporting, that would have generated $4.6 million in research.

In the same paragraph Dr. Eastman states that because that would raise the price of generics by 10 per cent this would induce a price increase in the competing brand name company by an equivalent amount that would result in increased costs to the consumer of between $26.6 million and $30.6 million.

• (1040)

In other words, to generate $4.6 million in research through this fund the consumer has to pay $28.6 million more, about six times as much. Under the scheme the Liberals want, for every $1 million which goes into research the consumer would have to pay $6 million. To generate the $200 million for jobs which the Liberals say will be guaranteed, the consumers will have to put up a mere $1.2 million. What kind of proposal is that? They say they are doing this to help the consumers when what they are proposing will cost consumers $1.2 billion to generate $200 million of research funds.

They say they are doing this on Eastman's recommendation. They have not read Eastman's report. It is on page 365 and is very simple and can be understood. They need not even read the whole page, it is in the first paragraph.

Anyone who claims that they are following what the Senate suggests or recommends in order to protect consumers does not know what they are talking about. Rather than protecting consumers they are hurting them.

The proposal of the Senate will not provide any money for medical faculties. Under Bill C-22, $400 million will go to our teaching hospitals, research institutes, universities and faculties of medicine over the next 10 years. There is nothing in the Senate proposal which the Liberal Party and the New Democrats apparently support which will do that. I repeat that it will do nothing for new companies starting up.

Biomira is a small company in Edmonton run by Dr. Gordon Politeski. They have 30 employees and are developing cancer diagnosis and therapy using synthetic carbohydrate cancer antigens. They are trying to raise some money. They are fairly successful. They have 30 Ph.D. or Masters students and hope

to grow to 100. They say that without patent protection their growth will be restricted. If they do develop cancer therapies they are faced with the prospect of having them copied by somebody else.

In Dr. Politeski's notes he says that he is aware of one bright scientist at the University of Alberta who was forced to license a product very early on to a Japanese company because of lack of research dollars. He received $80,000 and the Japanese company recently licensed his product to a U.S. firm for $15 million plus royalties. What a tragedy. What a shocking waste of Canada's intellectual capital. The NDP and Liberals want to carry that on.

Some Hon. Members: Shame, shame!

Mr. Andre: Why do they not go to the University of Alberta and talk to the scientist involved here, or to Dr. Politeski or anyone involved in this area and see if they can, in all conscience, carry on with this immoral campaign of theirs? There would not be the improved health benefits to Canadians under the Senate amendments which our proposal would produce.

I will relate another anecdote. We have heard arguments about whether this will be real research and whether there will be real benefit to health care. Let me tell you the cardizem story. Cardizem was a drug developed by a Japanese company, a so-called beta blocker to treat hypertension, angina and so on. Through clinical research in Montreal at a company called Nordic it was discovered that cardizem was a calcium blocker. To put that in understandable terms, every year in Canada about 20,000 people will have a heart attack of the so-called inner heart. Of those 10,000, will have a second heart attack within 30 days, and of those, 5,000 will die. Cardizem prevents the second heart attack.

There are literally thousands of people alive today because of this discovery in Montreal. Everybody involved in this says, "You ain't seen nothing yet, you ain't seen what we can do if you pass Bill C-22 and give us the resources to carry on the research we are doing in health care". In the heart area in particular, Montreal is one of the world centres. They have superb capability there. Under this Bill they will get tens of millions of dollars enabling them to hire more of the graduates of our university system and pursue this work and save untold numbers of Canadian lives. Faced with that track record how can anybody in this House vote in conscience without first going to Montreal, talking to those people, and seeing what will be put at risk by pursuing the policy of trying to kill this Bill?

Some Hon. Members: Hear, hear!

Mr. Andre: With regard to manufacturing in Canada, the Bill provides that if you manufacture the fine chemical in Canada, as opposed to importing it from abroad, you can introduce a generic copy after seven years. One manufacturer alone predicts that his company could employ several hundred people within the next few years if we give him that window of opportunity. None of those jobs are in the 3,000 we have talked about; we have not put those in that category, but there are several hundred jobs in one generic manufacturing company alone that have been put in jeopardy by the amendments from the Senate which the opposition Party apparently wants to support. How can they say that job creation must be a first priority in the country when they will not support this amazing job creation program?

There is the question of cost to consumers. I will repeat again, as I have already done so many times, that 7 per cent of drugs attract a generic competitor. On a value basis it is 20 per cent. That leaves 80 per cent on value or 93 per cent on number of drugs that are monopoly. Right now there is no federal oversight in terms of the price of those drugs. Under our scheme the Drug Prices Review Board will be examining those drugs and keeping the price increases of them at less than the cost of living. If that Board had been in place between 1969 and 1983 there would have been a saving to consumers in Canada of between $80 million and $180 million.

The Opposition dismisses that Board. Dr. Eastman, whose analysis they claim to support, albeit not totally because they have not read his report, will head that Board. He thinks it will be effective. We have policy review by Government and Parliament to ensure that it is effective. We will have annual reports so that parliamentarians can oversee it. In spite of all of that the Opposition and the Senate say it will not work.

How about the savings to provincial Governments in medical research itself? One drug, cimetidine, which goes by the brand name of Tagamet, is an ulcer drug which is fairly expensive. However, it saves net on hospitalization costs each year $130 million because people with peptic ulcers do not have to be hospitalized as frequently as a result of the discovery of that drug. So what if the provinces, through their drug plans, have to spend an extra $50 million on that drug each year if they save $130 million on hospitalization costs? It is a net benefit.

I will now go to the question of this process and whether the Senate has a right to veto the decisions of this House. There is no question that the Constitution and the House of Commons Act say that the Senate has a legal right to kill Bills. It has that right indeed, but I remind Members of the House that the Governor General has the legal right to do the same thing. By refusing to give Royal Assent the Governor General can kill any Bill we pass. However, there is a democratic tradition that the Governor General, as an appointed person, without the mandate of being elected, has no such moral right and the Governor General does not exercise such a moral right and would not do so. If she chose to do so, though I cannot imagine for what reason, there would be a tremendous constitutional crisis in Canada and we might no longer have a Governor General.

• (1050)

The Senate threatening to veto this Bill is acting in the same unconstitutional way as in the hypothetical case I just mentioned. There is no way that one can morally justify a non-elected body vetoing legislation.

Members of the New Democratic Party say the Senate has no right to exist. If the New Democrats and the Liberals say that the Senate has the right to veto this Bill, then they have to concede that it has the right to veto every Bill. They are saying that, as a Government, we in essence must have Allan MacEachen, the Liberal opposition Leader in the Senate, sitting at the cabinet table.

The Government Allan MacEachen supported was defeated in September of 1984. The people of Canada said that he and the Liberal Government of Pierre Trudeau no longer had a right to sit at a cabinet table deciding what is happening. However, the NDP and the Liberals say that he does, he still has the right to veto this Government's program, he has the right to veto the decisions of this democratically elected House.

I wonder how the NDP would get by this principle. This is the Party of principle; "We mean what we say and we say what we mean," they say.

Mr. Nunziata: You have lost the moral right to govern. You are at 25 per cent in the polls.

Mr. Andre: Oh, boy, now we are hearing from a genius. This guy says that the only way a Government has any right to legislate its program is if Gallup or Angus Reid says it is ahead in the polls. Otherwise it loses the right to govern. That is a fine democratic principle. Under that principle—

Mr. Nunziata: They don't trust your Government, they don't trust the Prime Minister (Mr. Mulroney).

Mr. Andre: Under that principle, your leader no longer has a right to lead your Party.

Some Hon. Members: Hear, hear!

Mr. Andre: Mr. Speaker, we cannot have two federal Governments. We cannot have one still led by former Deputy Prime Minister Allan MacEachen overruling the Government in this House. That is a principle that I do not think even members of the NDP could support. In fact, that is what they will be doing if they vote in support of what the Senators have done.

I would like to recommend that this House send the following motion back to the other place. I move:

> That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:
>
> Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.
>
> Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.
>
> Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.
>
> Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.
>
> Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.
>
> Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.
>
> Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.
>
> And, that:
>
> Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:
>
> (2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."
>
> Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:
>
> 31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying
>
> (a) the quotient obtained by dividing
>
> (i) $25 million by
>
> (ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by
>
> (b) the population of the province for the fiscal year in respect of which the payment is made.
>
> (2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.
>
> (3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Let me give a brief explanation of Amendment 10(a), the amendment we accepted. We had proposed that the Act shall come into force on a day set by proclamation. The Senate amended that to say that the subsections of the Act shall come into force on a day or days as set by proclamation. It provided the Crown with added flexibility. We do not really need it, but if the Senate feels that we should have that added flexibility, we accept that amendment.

We restored the provision for the $100 million to the provinces. I had become increasingly convinced based on

evidence before committee, such as that about the Saskatchewan Pharmacare Program, that the provinces would not face increased costs due to this Bill but in fact would save money. However, a commitment of $100 million had been made. We will honour that commitment, but I would hope everyone in the House would agree that that money ought to go to medical research. We are paying the money to the provinces for medical research. It will be theirs to administers to the research communities in the way they see fit and we hope that that is in keeping with Parliament's commitment to research and development.

The other Senate amendment which we amended further had to do with the 10-year period of exclusivity. It was a case of two sets of lawyers disagreeing. The lawyer the Senate had hired felt that our definition was not precise. The lawyers in the Justice Department advised us that it was. We have come up with new wording which will hopefully satisfy the Justice lawyers as well as Mr. French, the lawyer the Senators hired for $800 a day.

That is the gist of the motion. I recommend it to the House. I have copies of the amendment. I will put them on the Table and make them available for anyone who would like to see them.

I humbly ask all Hon. Members to consider what is at stake, which is, Canada's reputation, jobs, research and development and Canada's health care system. I hope all Hon. Members consider as well the nature of the threat made by some Senators, though I hope the threat was not real, to our democracy. If the Senate can veto what the House of Commons does—

Mr. Nunziata: Why did you accept their amendments then?

Mr. Andre: The Hon. Member asks why I accepted their amendments. I just spent an hour explaining that it would be too costly to consumers and too damaging to research and he was not here. He ought to read the speech I made and do a little bit of homework before he shouts across the House.

In the long run, I am sure common sense will prevail and Canadian scientists can breathe a sigh of relief and get on with finding new cures to the ills that affect mankind.

Some Hon. Members: Hear, hear!

• (1100)

STATEMENTS PURSUANT TO S. O. 21

[*English*]

HISTORIC EVENTS

ANNIVERSARY OF HITLER-STALIN PACT

Mr. Alan Redway (York East): Mr. Speaker, this Sunday, August 23, is Black Ribbon Day, the anniversary of the signing of the Hitler-Stalin Friendship and Non-Agression Pact in 1939. That treaty divided Poland between Nazi Germany and the Soviet Union, authorized the U.S.S.R. to take over Latvia, Estonia and Lithuania, and signalled the beginning of World War II just 10 days later.

On Sunday, the International Black Ribbon Day Committee in Toronto, together with similar committees across Canada, Britain, Australia, Sweden, France and the United States will hold rallies to remember the partition of Europe, honour the millions of people who lost their freedom behind the Iron Curtain, and give thanks for our own freedom.

All those who cherish peace with freedom should join with the International Black Ribbon Day Committee this Sunday as they call on the Soviet Union to live up to its repeated statements in support of peace and *détente* by renouncing the Nazi-Soviet Friendship Pact, something it has never done, and by honouring its Yalta commitment to allow free democratic elections in eastern Europe.

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PHARMACEUTICAL INDUSTRY

BILL C-22—ACCEPTANCE OF SENATE AMENDMENTS

Mr. John Nunziata (York South—Weston): Mr. Speaker, a few moments ago the Minister of Consumer and Corporate Affairs (Mr. Andre) concluded his remarks concerning certain Senate amendments to Bill C-22. Over the course of about 30 or 40 minutes he accused the Senate of being undemocratic and made a number of other disparaging comments. Having said all that, he then proceeded to accept a number of those amendments. One could conclude that the Minister was being somewhat hypocritical. First he says the Senate is undemocratic and useless and should not be amending House of Commons legislation. Then in the same breath he accepts certain of those amendments. That would lead one to conclude that the legislation was faulty and in need of amendment.

Not only that, the Minister of Transport (Mr. Crosbie) also accepted Senate amendments to certain pieces of his legislation. Canadians can see through both the Minister of Transport and the Minister of Consumer and Corporate Affairs. This legislation is not in the best interests of Canadian consumers.

* * *

SPORTS

BASEBALL—LITTLE LEAGUE CHAMPIONSHIPS IN TRAIL, B.C.

Mr. Bob Brisco (Kootenay West): Mr. Speaker, this year the Canadian Little League Championships are being held in the beautiful city of Trail, British Columbia, the home of champions. The championships are being played out at the

Andy Bilesky Park, named after the manager of the Trail Little League team, Mr. Andy Bilesky. He has coached more winning teams than anyone else in Little League history.

In this series there are six teams: Glace Bay, Nova Scotia, representing the Maritimes; Pinecrest-Ottawa, representing the Province of Ontario; Sherbrooke-Fleremont, representing the Province of Quebec; Edmonton, Alberta, representing the prairie provinces; Stewart Channel, representing the great Province of British Columbia; and of course the host team of Trail, British Columbia. As of last night there is a three-way tie between Stewart Channel, B.C., Glace Bay, Nova Scotia, and the host team, Trail, B.C.

They have set new records in attendance, seeing crowds in excess of 3,500 at the park. All three teams have a 4-1 standing going into the semi-finals today. Tomorrow the championship game should be seen by an estimated 5,000 people. Regardless of who wins the championship, I have every confidence that they will be excellent ambassadors for Canada at the World Championships in Williamsport, Pennsylvania.

Some Hon. Members: Hear, hear!

* * *

INDUSTRY

FOOTWEAR INDUSTRY—DECLINE IN SHARE OF MARKET

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, when the Government dropped most quotas on imported footwear some 21 months ago, it predicted the shoe industry in Canada would thrive despite the change. Instead, as we predicted, and as *The Financial Post* reported this week, the change in policy "has dealt a crushing blow to much of the Canadian shoe industry".

The market share of Canadian producers has fallen from 41 per cent in December, 1985, to 35 per cent in December, 1986. The Shoe Manufacturers Association says the decline is continuing. Jobs in the industry have fallen by 11 per cent. For many small communities across Ontario and Quebec, the cost has been tragic. This shows what the Government's free trade, market-oriented ideas will create elsewhere in the economy.

The Government's strategy for the shoe industry has been to give up and retreat, instead of carrying through the restructuring process which we would have supported and which would have meant a modern effective future for this industry.

S. O. 21

DISASTERS

EDMONTON TORNADO—RELIEF FUNDRAISING—TRIBUTE TO VOLUNTEERS' WORK

Mr. Walter Van De Walle (Pembina): Mr. Speaker, the recent tornado that struck the Pembina constituency causing the loss of 27 lives and hundreds of millions of dollars in property damage has rallied the people of Canada to our aid with messages of sympathy to the bereaved and homeless. The disaster prompted spontaneous donations of food, clothing and funds from across Canada.

A major contribution to the relief fund was made through the sale of a commemorative edition of *The Edmonton Sun*. Some $300,000 will be raised through the combined efforts of the *Sun* newspapers in Calgary, Toronto and Edmonton, as well as Jasper Printing, RN Graphics and Intercity Papers by the sale of this special edition, and other activities.

The support received from all levels of government was gratifying. I wish to recognize in a special way the thousands of volunteers. Canadians have demonstrated once again their kindness and generosity. On behalf of the people of Pembina, I wish to convey our sincere gratitude to our fellow Canadians.

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[*Translation*]

CARTOGRAPHY

ESTABLISHMENT OF INSTITUTE IN SHERBROOKE—IMPACT

Hon. Jean Lapierre (Shefford): Mr. Speaker, this week the Minister of State for Youth (Mr. Charest) and the Minister of State for Forestry and Mines (Mr. Merrithew) made an announcement in Sherbrooke about some kind of institute for cartography. As you know, Mr. Speaker, there was a federal commitment, repeated by the Prime Minister in 1984 during the election campaign, that as a result of decentralization, an institute for cartography representing an investment of $100 million and 400 jobs would be established in Sherbrooke.

Mr. Speaker, this week, the Government tried to make us believe it was decentralizing. The fact is, however, that it is not decentralizing anything, and the new institute will be about as big as a Canada Employment Centre.

Mr. Speaker, the announcement made this week reminds me of someone who promises his wife a mink coat for Christmas and gives her a fake fun fur coat. The people of this area feel they have been cheated out of $88 million, and I urge Government Members—I see the Hon. Member from Brome—Missisquoi (Mrs. Bertrand)—to claim the difference. I think the area is short $88 million and the Laprade Fund is a good example of a case where the goods were not delivered and compensation was offered in the form of a fund, and I urge the Hon. Member for Brome—Missisquoi and other Members from the area to ensure that the area gets its fund as well.

S. O. 21

[*English*]

MINES AND MINING

OPENING OF WORLD'S LARGEST OPEN PIT GOLD MINE AT HEDLEY, B.C.

Mr. Fred King (Okanagan—Similkameen): Mr. Speaker, the OECD reports that economic growth in Canada in 1986 was the strongest among the major industrialized countries. Today I report more good news for Canadians.

On Monday I attended the official opening of the world's largest open pit gold mine at Hedley in the riding I represent. The $61 million investment in the Mascot Gold Mine creates hundreds of jobs for Canadians and demonstrates the new private sector confidence generated by the policies and actions of the Prime Minister's (Mr. Mulroney) Government. It is encouraging to note that this project went into production without one cent of assistance from either the federal or provincial Governments.

Socialist policies promoted by the NDP and their Liberal cousins are designed to discourage private sector activity, leaving everything up to big government. The Prime Minister's Government and the Government of British Columbia recognize that real job development can only be undertaken by private initiative. Mascot Gold Mines and the OECD report demonstrate that truth.

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LABOUR CONDITIONS

UNEMPLOYED OLDER WORKERS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, there is one group of victims of Canada's recession of the 1980s who have not recovered and whom the Government is ignoring. I am speaking of the growing group of older workers who have been without work for more than a year. Last year these people made up 7.7 per cent of the unemployed. This year they make up 9.3 per cent.

• (1110)

Many of these people have seen their lives devastated after years of work by being laid off and finding themselves unable to find another job. Studies indicate that the toll on the emotional health of individuals and on their family lives is very great.

In the past these people might have had some help from the Labour Adjustment Benefits Program, but that program has come to an end. In the 1986 Budget, the Conservatives promised a program of adjustment for older workers. Like so many Conservative promises, this one turned out to be a hoax and now older unemployed workers are paying the price.

The Labour Adjustment Benefits Program is discontinued and the program of adjustment for older workers has not started.

It is not good enough for the Government to blame the provinces. The Conservatives ended the only program helping older workers. It is time for them to deliver on their promise to create a new one.

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GOVERNMENT APPOINTMENTS

APPOINTMENT OF GERALDINE KENNEY-WALLACE TO HEAD SCIENCE COUNCIL OF CANADA

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, the Prime Minister (Mr. Mulroney) announced this morning the appointment of Dr. Geraldine Kenney-Wallace as chairperson of the Science Council of Canada.

Dr. Kenney-Wallace is Professor of Chemistry and Physics, and Chairman of the Research Board at the University of Toronto. She is an international authority on lasers and non-linear optics.

Educated at the Royal Institute in London, and the University of British Columbia, she is the author of over 80 research papers. She is currently a member of the Science Council and of the Premier of Ontario's Advisory Council on Technology.

She has held Sloan Foundation, Guggenheim, and Steacie research fellowships, and Noranda and Sigma XI lectureships.

In addition to her impressive academic credentials, she has a special talent for promoting public awareness of the importance of science and technology. She is an eloquent spokesperson on the role of science and technology in the lives of contemporary Canadians.

She is an important addition to the science and technology team that this Government is putting together. I, as Chairman of the Standing Committee on Research, Science and Technology, join with others in the House in welcoming her to her new responsibilities.

Some Hon. Members: Hear, hear!

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INDIAN AFFAIRS

ATTENTION NEEDED FOR NATIVE PEOPLE

Mr. Rod Murphy (Churchill): Mr. Speaker, I want to speak on behalf of the native people not only of my riding but across the country. They realize that at the present time the Native Economic Development Fund is frozen, that the northern development agreement has not been signed by the Government, that special ARDA is frozen.

There is a backlog of thousands of houses needed on Indian reserves across the country. There are no water and sewage facilities on many of those same reserves. It takes five years to get a new school on the planning list of Indian Affairs. Nursing positions are left unfilled in northern remote reserves year after year. They have been left out of the Constitution. They are Canada's forgotten people and it is time we paid more attention.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAYING ADOPTION OF BILL C-22

Mrs. Monique B. Tardif (Parliamentary Secretary to Minister of National Health and Welfare): Since 1969 or for almost twenty years, manufacturers of generic drugs have had a chance to become competitive on the drug market. During that time, they decided to compete with 7 per cent of the drugs currently available on the market.

What about competition and prices for most of the drugs on the market, in other words, the other 93 per cent?

Canadians have the right to ask the Government of Canada whether this is really being competitive and whether the Patent Act of 1969 provided a real solution.

Mr. Speaker, the Liberal Senators are opposed to the Bill adopted by the House of Commons, and especially to the appointment of a drug prices review board. Are the Senators afraid the legislation proposed by the House of Commons will offer better protection of intellectual property, allow investment and research financed by the private sector and provide for fair prices for consumers, or is this a vast petty politics operation?

* * *

[*English*]

INDUSTRY

FILM INDUSTRY—DISTRIBUTION POLICY—PROPOSED LICENSING SYSTEM

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, last February the Minister of Communications (Miss MacDonald) announced with a great deal of fanfare a new Canadian film distribution policy. Unfortunately, that film distribution policy has still not seen the light of day.

Pressure from the Hollywood majors has prevented that very enlightened policy from being tabled in the House. Fear and pressure have been brought to bear and I would hope that the Minister's wish to see a flourishing Canadian distribution industry, which is presently dominated by affiliates from Hollywood, becomes a reality.

Canada is treated as an extension of the U.S. market. The legislation proposes a licensing system which would allow Canadian companies to have access to international films other than those that are produced by the Hollywood majors. It is an enlightened policy and I sincerely hope the Minister of Communications will have the courage to stand up to Jack Valenti, to the Hollywood pressure and, in the face of free trade, still present her new film distribution Bill to this House.

* * *

[*Translation*]

THE ECONOMY

CONSEQUENCES OF DELAYING ADOPTION OF BILL C-22

Mrs. Gabrielle Bertrand (Parliamentary Secretary to Minister of Consumer and Corporate Affairs): Mr. Speaker, ever since our Government decided to proceed with Bill C-22, a number of distinguished voices have been raised across this country, including those from Quebec which I know best. I am referring to Dr. Yves Morin, the famous cardiologist, Dr. Michel Chrétien, Director of the Institute for Clinical Research in Monteal, Mr. Jacques Gagné, Dean of the School of Pharmacy at the University of Montreal, Mr. Michel Bergeron, Director of the Department of Pharmacology at the University of Montreal, researchers at the Armand-Frappier Institute, and many more.

Mr. Speaker, I think the Liberal position is untenable. First of all, the position taken by Montreal Members who made long speeches against the Bill and then stayed away from the House when the Bill was put to a vote. Second, the position taken by the Liberal Senators who in the course of their proceedings are trying to introduce amendments that would be a disaster for consumers, Canadian researchers and our young scientists.

I think it is obvious that in this debate, the Liberal majority in the Senate is playing a distinctly partisan role. Canadians have a right to expect a better performance from those who are appointed to sit in the Upper House.

* * *

[*English*]

THE ECONOMY

DISPARITY IN REGIONAL GROWTH

Mr. Jack Harris (St. John's East): Mr. Speaker, we noted yesterday and this morning the Government congratulating itself on the OECD report. However, I must point out a very serious matter that is also included in that report. It noted that

the starkness of regional growth disparities in Canada was unusually pronounced in intensity last year.

The concern expressed in this report is very important to Canada's growth and development. It obviously calls for very strong and stern measures to encourage growth in the regions, more than has been encouraged by the recent announcements of the Government in western and Atlantic Canada. I would expect that the Government would respond more strongly.

ORAL QUESTION PERIOD

[*English*]

PHARMACEUTICAL INDUSTRY

BILL C-22—AMENDMENT OF PATENT ACT—MINISTER'S POSITION

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs. He is fully aware that the report done by Dr. Eastman and released in 1985 stated very clearly that, as a result of the 1969 Bill brought in by the previous Liberal administration, Canadians saved approximately $211 million annually. The Minister is also aware that under the present legislation he is now putting forward to the House, there are no guarantees for jobs, no guarantees for research and development, and that the only guarantee is that Canadians will have higher prices for prescription drugs.

Why does the Minister persist in trying to put through this piece of legislation when millions of Canadians, as represented by six provincial Governments, including his own Government in the Province of Alberta, are against this legislation and want Members of Parliament to amend it accordingly?

• (1120)

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): As the Hon. Member knows from committee, and the evidence adduced there, had Bill C-22 been introduced in 1969 as opposed to the amendments then made, the savings to consumers in 1983 would not have been $211 million. They would have been between $230 million and $360 million.

Bill C-22 provides more protection to consumers than does the 1969 amendments. So if it is consumer interest about which the Hon. Member is primarily concerned, and dismisses all the other considerations of research, high tech jobs and international obligations, then he should, even on that basis alone, be supporting Bill C-22 because it provides more protection for consumers than did the 1969 amendments.

JOB GUARANTEES

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is directed to the same Minister. The Minister knows very well that it is he and his Government who are abdicating their responsibilities to consumers, Canadians, and to people in research and development, by not providing guarantees under the legislation. Perhaps the real reason for pursuing this particular piece of legislation is contained in a letter the President of the United States wrote to one of the United States Senators. He said: "We will want to make sure that the outcomes provide for comparable treatment for American and Canadian investment—"

Mr. Turner (Ottawa—Carleton): Come on. Where is the question?

Mr. Dingwall: "—and intellectual property rights in both countries". Is it not a fact that the Minister one day in the House of Commons denied pressure from the Americans and the next day there is pressure? Is it not a fact that the United States of America is calling the tune with regard to this piece of legislation and you are abdicating your responsibilities—

Mr. McDermid: You are flogging a dead horse.

Mr. Speaker: The Chair very reluctantly interrupts a lead question, but I have to ask all Hon. Members to refrain from using the personal "you" in the exchanges. The Hon. Minister has the floor.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the guarantees of jobs about which the Hon. Member talks, I have gone over many times in the House, but repetition does not seem to work with that Hon. Member in terms of his acknowledging their validity. I remind the Hon. Member that virtually the entire research community in this country, people involved in pharmaceutical and medical research, and so on, accept that these guarantees are significant, and in fact are looking forward with great anticipation to the jobs and research opportunities which will come from this. They are there. There is the review. There are the annual reports that will be made to this House.

I guess more significant is the royalty fund about which the Hon. Member talked. If he reads the Eastman report, page 365, he will see that for every dollar of research provided to that fund, the consumer will have to pay $6.20. That was the ratio in 1983. So the guarantee procedure that the Hon. Member and his Senator friends are advocating has guaranteed the cost to consumers of a lot of money for negligible research.

PRICES REVIEW BOARD

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, the Minister knows that all the groups which appeared before the standing committee were clearly in agreement that amendments to strengthen the Act, for guarantees for jobs in research and development, were acceptable to them. The Minister knows that. So let us not have any falsehoods.

Some Hon. Members: Oh, oh!

Mr. Dingwall: With regard to price, the Minister has said that the Prices Review Board will control prices. He knows that constitutionally it has been challenged. Second, he knows it has no authority to act, only to react. Why is the Minister telling Canadians that he has in the legislation a review mechanism which is going to control prices when in fact he knows it will not control prices one iota?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, we have been over this so many times, it is hopeless to deal with that Hon. Member. However, I remind the audience that—

Some Hon. Members: Audience?

Mr. Andre: —the House, that Dr. Eastman, who has agreed to head up this board, concludes that the board will be effective. I do not see how the Opposition can say we should rely on Dr. Eastman on this point but not on that point. I do not know how they bridge that intellectually.

As to the Hon. Member's comment that all witnesses before the committee felt the way he claims, that is plain false and anyone can see that by looking at the record of the committee hearings.

[*Translation*]

EFFECTS OF BILL C-22—REQUEST THAT GOVERNMENT DEMAND GUARANTEES FROM FOREIGN MULTINATIONALS

Hon. Jean Lapierre (Shefford): Mr. Speaker, in the past few days, Government Members have been showering us with figures. Depending on who is speaking, economic spin-offs range from $500 million up to as much as $1.4 billion. The Minister mentions between 1,000 and 3,000 jobs. In fact, every speaker, including the blue jay from Lévis, has different figures. We are also in favour of job creation.

What I want to ask the Minister is this: Considering that the Members of his own Government do not agree, either on the amount of investment or the number of jobs created, does he not think he should immediately call the bluff of the big foreign multinationals and make sure he has firm commitments, not empty promises?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the commitments made are as firm as is the Opposition's resolution not to be dissuaded by facts and evidence from their political opportunism.

Some Hon. Members: Hear, hear!

Mr. Andre: I am in receipt of a telegram from—

[*Translation*]

Mr. Speaker, I received a telegram from Mr. Michel Hamelin, President of the Executive Committee of the Montreal Urban Community. They feel that as far as they are concerned, these unfounded changes would be a threat to the creation of 1,300 jobs and to major investment in this country.

[*English*]

So the people in Montreal, in the urban area, recognize these jobs are real. They are looking forward to them and they wonder why the Liberal Party is trying to frustrate the creation of these jobs in Montreal.

[*Translation*]

REQUEST THAT GOVERNMENT DEMAND GUARANTEES FROM FOREIGN MULTINATIONALS

Hon. Jean Lapierre (Shefford): The Minister has just given us an example of the discrepancies we have observed. I say to the Minister that he is going to let the foreign multinationals bleed Canadian patients for the sake of their shareholders outside Canada. He can brag all he wants about the jobs that were promised, but he cannot table a list, he cannot table investment amounts, he has no firm commitment, and in that case, as soon as the legislation is passed, the companies will be able to do as they please.

I am asking the Minister why, instead of fighting the Senate and acting tough, he does not act tough with the multinationals and demand specific guarantees?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, it is regrettable, and one can understand the admonitions that are in Beauchesne about raising questions about subjects under debate, because every one of these points was covered between ten o'clock and eleven o'clock this morning. If the Hon. Member paid attention to the debates, looked at any of the committee studies, or paid any attention, he would see that every single thing he said is absolute garbage.

Mr. Speaker: The Hon. Member for Oshawa.

Mr. Broadbent: Mr. Speaker, the Minister, I see, is given to his usual understatement.

* * *

THE ADMINISTRATION

CODE OF CONDUCT—INTRODUCTION OF REFORM PACKAGE

Hon. Edward Broadbent (Oshawa): In the absence of the Prime Minister, my question is directed to the Acting Prime Minister. The Acting Prime Minister will know that many months ago the Government promised to introduce a package of reforms concerning conflict of interest, the tendering process, and the financing of political Parties. The people of Canada are still waiting. It has been more than seven months since this promise was made. Will the Acting Prime Minister assure the House that we will have this package of reforms introduced in time to be put in place before the next election?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, this matter is

under very active consideration and action has been taken with respect to lobbyists. We had hoped that the recommendations of the Parker Commission might be down soon and, if there were any recommendations included in that report, that could be taken into consideration as well. However, I can assure the Hon. Leader of the New Democratic Party that this is very much a priority with the Government. I think I can say an announcement will be made within the next weeks or months.

* * *

[*Translation*]

POLITICAL PARTIES

INDIVIDUALS AND FINANCING

Hon. Edward Broadbent (Oshawa): This is a priority for Canadians. More specifically, with respect to the financing of political parties, is the Minister prepared to guarantee that the Government will table a Bill that would allow only private individuals to make donations to political parties?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think the Hon. Member is overlooking the fact that much has been done to open up the process, the scrutiny of Order in Council appointments and a number of other things, including parliamentary reform. Consistent with the openness of this Government, further action will be taken.

• (1130)

I can assure the Hon. Member that, and I simply want to repeat it, this matter is very clearly under active consideration. There is a Bill before the House now having to do with the Canada Elections Act and certain reforms thereto. However, I hope that all Hon. Members will have a chance to review this legislation so that we can bring it forward very soon.

REQUEST FOR INTRODUCTION OF LEGISLATION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I listened to the Minister's answer with interest. I wish it had been pertinent to the question asked.

Considering that one province in Canada has moved in an important and progressive way on the question of financing political Parties, is the Government prepared to consider legislation that will be put in place before the next election, that will restrict to individuals only the right to make financial contributions to political Parties?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not sure if that is a firm position of the New Democratic Party or not. Surely in the course of consideration of the legislation that is currently before the House that will be considered in due course. If that is the position that his Party wants to put forth, then it can be considered, I suppose, at that time.

Mr. Broadbent: We want to hear your position.

* * *

THE ADMINISTRATION

PARKER INQUIRY REPORT

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is for the Deputy Prime Minister. It concerns the report of the Parker Inquiry into the conflict of interest allegations against the former Minister of Regional Industrial Expansion. The Deputy Prime Minister indicated that the Government might be looking to that particular report with regard to new rules and regulations with respect to conflict of interest.

Can the Deputy Prime Minister with some degree of precision indicate to the House when that report might be made public and tabled in the House of Commons? Can he also indicate what the total cost of the inquiry will be? We know that the legal fees for the former Minister to the tune of about $650,000 have been paid. I am sure that Canadians would like to know what the total cost of this particular inquiry will be.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not sure whether the report has been completed. When it is completed and presented to the Government it will be presented and made public. I have no knowledge whatsoever of whether the report is completed.

Mr. Lapierre: We are told that he has it.

Mr. Mazankowski: The Hon. Member opposite says that we are told that the Minister of Justice has it. I think the Minister has made it perfectly clear that the Government has not received the report. I cannot tell the Hon. Member with any degree of precision and accuracy what stage the report is at, but suffice it to say that when it is presented it will be presented and made public.

PAYMENT OF FORMER MINISTER'S LEGAL FEES

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Deputy Prime Minister answered only one part of my question. He did not answer the other part. I am sure that the Government does have some answers with regard to the total cost of the Parker Inquiry.

Canadians are outraged that the Government of Canada decided to pay the legal fees of the former Minister of Regional Industrial Expansion. I have a letter from the Department indicating the reasons why the Minister's legal fees were paid. The letter states that the payment is being

made "on the basis that the Commission is investigating the conduct of Mr. Stevens as a Minister" and therefore lies within established precedents. We all know that the inquiry was looking into the personal conduct of the Minister and that that excuse is a flimsy rationale for paying the legal fees of that particular Minister. Will the Deputy Prime Minister be using that same rationale to pay the legal fees of the former Minister of State for Transport?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, it is rather difficult to indicate to the House the cost of the inquiry when it has not yet been completed. Surely the Hon. Member would understand that.

With respect to the precedents, there are clear precedents established for the payment of legal fees. Payment to former Liberal cabinet Ministers has been made. That precedent has been established. Of course, that is the matter and that is the rationale which is taken in terms of making the judgment with respect to the Hon. Member for York—Peel.

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PHARMACEUTICAL INDUSTRY

BILL C-22—COST OF RESEARCH

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is for the Minister of Consumer and Corporate Affairs. The pharmaceutical companies will be given a 10-year monopoly by Bill C-22 when it becomes law on the basis of a promise that they will spend about $1.4 billion in additional money. Some 60 per cent of that additional research expenditure, however, will be written off at a cost to Canadian taxpayers.

Will the Minister confirm that, given this 60 per cent write-off and the increased prices of patented pharmaceuticals, in effect the taxpayers will be paying for substantially all of that research?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, Canada, along with I think every other industrialized nation, provides that research and development is deductible for tax purposes. In fact most nations have more generous incentives. So one can say that, if one uses the logic that all money belongs to the Government first and foremost and any deduction from income therefore is a contribution from the Government to that effort, then on that basis the Government makes that contribution to research and development, whether it is in the field of pharmaceuticals, widgets, mousetraps or what-have-you.

Is it the position of the NDP that in fact research and development ought not to be tax deductible? If that position were implemented, then the small amount of research being conducted in Canada would turn out to be zero. I am sure the Hon. Member would want to think that out before he adopts it as his Party's position.

MINISTER'S POSITION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, the Minister knows that drug profits are among the highest in manufacturing, with a 20 per cent average in 1985, and some as high as 50 per cent, transfer pricing, and now a 10-year monopoly. After years of profitable business in Canada how does the Minister justify this raping of the Canadian taxpayer for a group which, before 1969, would not do research and cannot be expected without firm commitments to do so now?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, when the Hon. Member does his sums I know that he has based them on a newspaper article this morning written by Dan Westell. What was incomplete in that study was that it did not look at the additional tax revenue from those 3,000 scientists being employed in Canada rather than overseas, the scientific people, and so on, in the high-tech jobs. Those are the spinout benefits of that. If the Hon. Member wants to do a tax balance on that he should consider all the factors.

As I pointed out many times in committee, a company that does not do research does not deduct that from its income. If in 1983 the companies had been spending 10 per cent of revenue on research as opposed to 5 per cent, then their return on investment would have been a normal industrial return. They show a higher return because they are taking that money out of Canada. We want it spent here in research and development which, incidentally, has the effect of reducing their income after taxes.

* * *

SHIPBUILDING

INDUSTRY'S SITUATION IN ATLANTIC CANADA

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Deputy Prime Minister. The shipbuilding industry in Atlantic Canada has been asking the federal Government for assistance. Not only has it been denied this assistance but the Minister of Public Works has said that the shipbuilding industry should take a long, hard look at itself and perhaps pick a shipyard in the region that could close its doors forever.

This is a treacherous response to an industry that needs help badly and one that has been led to believe that help would be forthcoming from the Government. Why does the Government not take a long, hard look at itself and realize that its failure to keep its commitment is sabotaging the shipbuilding industry in Atlantic Canada?

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I too share the concern of the Hon. Member. I think he would also agree with the fact that there is some 60 per cent of over-capacity in the shipbuilding industry throughout the world, which has had a major effect in depressing prices in the industry. The Government has responded by providing a tremendous amount of work to the shipbuilding industry. Something in the order of 90 per cent or 95 per cent of the business done in the shipbuilding industry is provided by government contracts.

There has been some degree of rationalization in the Canadian shipbuilding industry. That has taken place throughout the world. It is simply in concert with the realities of the international situation. I can assure the Hon. Member that we will, as a Government, work with the industry in trying to pursue the course of rationalization in a manner which would not provoke undue dislocation.

• (1140)

ELECTION PROMISE

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, during the 1984 election campaign the Government dangled over the heads of the people in Atlantic Canada that it was going to provide $75 million to develop shipbuilding in Canadian ports. Atlantic Canada has not received the benefit of that promise.

Why will the Government not keep its promise, create these jobs in shipyards in Atlantic Canada, and create the needed employment that has been looked forward to in Atlantic Canada as a result of the promises of the Government?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, perhaps the Hon. Member in his good intentions might wish to prevail upon his Leader and his critic for defence matters, and persuade them to support the initiatives of the Government in terms of the White Paper in which the Government is calling for the building of a number of nuclear submarines.

This would provide some 55,000 person years of work. That is the manner in which the Hon. Member can help. Those jobs would be created in Canada for the shipbuilding industry. I urge that the Hon. Member raise that issue with his caucus and his Leader.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

ADMISSION OF ALLEGED WAR CRIMINALS TO CANADA—ROLE OF FORMER RCMP OFFICER

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

In a recent study by Alti Rodal it was revealed that in 1983 a senior RCMP officer and member of the security service deliberately ignored federal policy and destroyed records to facilitate the entry into Canada of two alleged Nazi war criminals, one of whom was a member of the SS.

Will the Solicitor General confirm that this is accurate? Will he indicate whether or not this individual is currently a member of CSIS? If these allegations are in fact accurate, and this person lied to his political masters and destroyed documents, will the Minister not accept his responsibility and ensure that this person is fired from CSIS for these reprehensible actions?

Mr. Beatty: Who was the Solicitor General at the time?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can advise the Hon. Member that this incident occurred in 1983. The person was a member of the RCMP at that time, and an administrative decision was made to move him out of the area that dealt with immigration and screening, or anything to do with the area of citizenship.

I am advised that today he still does remain a member of CSIS, who transferred from the RCMP to CSIS. He is employed in an area that has absolutely nothing to do with immigration or citizenship matters.

Mr. Robinson: Mr. Speaker, it is absolutely shocking that a member who was responsible for lying and destroying federal documents has not been disciplined whatsoever, but has merely been moved from one section to another.

BEHAVIOUR OF OFFICERS DURING VISIT OF INDIAN CABINET MINISTER

Mr. Svend J. Robinson (Burnaby): My supplementary question is with respect to two other members of CSIS. The Minister will be aware of the fact that the head of SIRC, Ron Atkey, has accused CSIS members of being amateurish in the case of a Sikh cabinet Minister, visiting British Columbia, who was shot and seriously wounded.

Will the Minister confirm that Ron Atkey did write a letter suggesting that CSIS members took a four-hour lunch break during the time that the Sikh Minister was seriously injured? What action will the Minister take on this matter? Is he going to shuffle them into another Department, transfer them to another city, or will he ensure that they are properly disciplined, if these allegations are well founded?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, the Hon. Member well knows that the case involving the attempted murder of the Indian cabinet Minister is presently before the courts. As a matter of fact, the B.C. Court of Appeal has handed down a decision on the legality of the warrant. The matter has been referred back to the court. Since it is presently before the courts, it would be quite inappropriate for me to discuss it at this time.

Mr. Robinson: What's that got to do with discipline of CSIS members?

* * *

THE ECONOMY

OECD REPORT—UNEMPLOYMENT

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is directed to the Deputy Prime Minister. It relates to the quotes yesterday by the Prime Minister from an OECD report.

The Prime Minister did not quote statements in the report that Canada's unemployment rate is "high by historical standards, and compared to the OECD average", and "is likely to remain above its pre-recession level". This, Mr. Speaker, in the fifth year of recovery.

Will the Deputy Prime Minister tell the House if the Government really is satisfied with its record over the past three years, as the Prime Minister indicated yesterday?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, not only have we had endorsement from *The Toronto Star* of the effectiveness of federal government policies, but if the Hon. Member would refer to the editorial in today's *Globe and Mail*, it puts the whole thing into perspective. It outlines the effectiveness of Canada's economic programs developed by this Government which has created the "jobs, jobs, jobs" that our Prime Minister talked about during the 1984 election. I would suggest that the Hon. Member read that very objective article.

Miss Nicholson (Trinity): Mr. Speaker, it is nice of the Deputy Prime Minister to suggest I read the newspaper. I also read the report.

* * *

TAX REFORM

NATIONAL SALES TAX PROPOSAL

Miss Aideen Nicholson (Trinity): My supplementary question is directed to the Minister of Finance. The OECD report quoted yesterday also noted "a sharp decline in disposable income". It stated that Canada's higher than average inflation rate was due, in large part, to "indirect tax increases".

Since the Canadian Chamber of Commerce, and other groups, are also calling for up-front visible taxes, is the Minister now prepared to be open with Canadians and reveal the hidden part of his tax strategy, which is the national sales tax?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Minister of Finance will make his statements on national sales tax in due course. It is not for me to announce that on his behalf.

I might add that the slight increase in inflation that we have witnessed in the last few months can be traced, in some part, to the spending of the Ontario provincial Government. This has caused prices to increase rather than abate. I would hope that provincial Government could moderate its spending somewhat in order to help with this inflationary increase.

* * *

RIVER SAFETY

WHITE WATER RAFTING FATALITIES—STRICTER REGULATIONS

Mr. Fred King (Okanagan—Similkameen): Mr. Speaker, my question is directed to the Minister of Transport, or in his absence to the Parliamentary Secretary to that Minister.

This year 12 persons have died in four separate river-rafting accidents in British Columbia. It seems imperative that the Department of Transport amend the Boating Restriction Regulations which are in place in British Columbia in order that permits for commercial river-rafting operations be required on all waters in that province.

What action has been taken in response to these tragic accidents to bring an element of regulated safety into the business of river rafting in British Columbia?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I wish to thank the Hon. Member for Okanagan—Similkameen for his question.

The Government has acted in this area. Indeed, the Boating Restriction Regulations were declared on August 14, and will be published in *The Canada Gazette* on September 2.

We also have agreement with the provincial Government of British Columbia to change the river-rafting standards. It is regrettable that again government has to move in because people do not use some sense of their own. The Government has acted.

* * *

[*Translation*]

FINANCE

CONSEQUENCES OF RISKY BANK LOANS

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question is directed to the Minister of State for Finance. Can the Minister confirm that the Canadian Imperial Bank of Commerce received the approval of the Superintendent of Financial Institutions and the Government to transfer about $850 million to its reserves against high-risk foreign loans, that this transfer will reduce taxes payable by the CIBC by about

$400 million and that consequently, the Bank will probably not pay any income tax at all for the current financial year? Does the situation really warrant the Government's approving this change in the Bank's accounts that will mean the CIBC will not have to pay any income tax for the current financial year?

[*English*]

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the tax provisions and the loss provisions that will be taken as a result of this loan experience mean the following for that bank: under current tax practice and consistent with tax reform, it will be taking its losses this year. If its experience should improve over time from what it projects, when the income comes into revenue it will be taxable. That is quite different from outright forgiveness which the Hon. Member's Party has often suggested. Under outright forgiveness there is a massive deduction. Banks will not pay taxes for many years under outright forgiveness, plus it is irreversible.

• (1150)

EFFECT ON TAX REVENUE

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, the Minister confirms that there will be a very substantial write-off, which will, in fact, cut $400 million from the tax liability of the Bank of Commerce for the fiscal year 1987 and probably result in it paying no tax at all on its profits despite substantial profits on domestic business in 1987.

Does the Minister not agree that it is about time that we had a minimum tax on corporations, including the banks, so that they could write something like this off over a number of years, as was the previous practice, rather than forcing the taxpayers to pay all of these losses in one year?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I fail to see the accounting significance of what the Member is suggesting. Whether the banks take the write-off this year or over time, the effect in terms of tax revenues is virtually the same.

* * *

THE CONSTITUTION

MEECH LAKE ACCORD—EQUALITY RIGHTS

Hon. Bob Kaplan (York Centre): Mr. Speaker, in the absence of the Prime Minister I will direct my question to the Deputy Prime Minister. Yesterday I asked the Prime Minister to dissociate himself and his Government from the suggestion that women's groups are opposing the Meech Lake distinct society clause because they do not want Quebec to be recognized as having a distinct society.

In reply yesterday, right here in the House, the Prime Minister once again expressed approval of the newspaper column by Lysiane Gagnon in which that view was strongly expressed. However, in front of the committee yesterday the Government's own Advisory Council on the Status of Women expressed concern about the equality rights provisions in the Meech Lake Accord.

Will the Government simply recognize the good faith of that point of view?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I appreciate the opportunity to respond to that question again today because we want this matter to be put in the proper perspective. It was determined by the First Ministers that if there was an egregious error made with respect to the provisions of the Meech Lake Accord consideration would naturally be given to amendments to rectify that error.

Fortunately, there has been no indication to the present time, on the basis of our best legal advice, that there is such an error with respect to the rights of women or any other group in Canada, including minority groups. The best legal advice that we have, which is supported by very eminent authorities, is that women's rights in particular are in fact unaffected in a negative manner by the Accord.

As the Hon. Member knows, because he is participating, we have a committee which is doing very good work in examining all facets of this matter and hearing from well respected groups and organizations.

I thought the Prime Minister answered the Member's question very well yesterday in that he cast no aspersions with respect to motivation on the part of any women's group which has appeared before the committee. That is the situation and it should be accepted by the Hon. Member.

GOVERNMENT POSITION

Hon. Bob Kaplan (York Centre): Mr. Speaker, the Minister of Justice has just told us that it was determined by the First Ministers that only egregious errors would be recognized and corrected. Whose Constitution is this? It is not the First Ministers' Constitution but the Constitution of Canada.

Various groups of Canadians are coming forward to express their views about the Constitution. Are they not entitled to try to improve the Meech Lake Accord, egregious errors or not? Are they not entitled to have a say? Are the views which are coming forward with so much support and so much good sense not worth considering?

To put it in one question, why will the Government not recognize that the Meech Lake Accord, as good as it is and as important as it is, is capable of being made better?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, it was not this Government which gave the country its process for amending the Constitution. It was the Government of which the Hon. Member was a part which set the process in place with respect to the amendment of our Constitution.

I think this particular amendment is a historic point in our history which should be supported wholeheartedly by all Canadians. The entry of Quebec into the Constitution is something which we as Canadians should applaud and support.

We naturally want to consider improving our Constitution. Indeed, one of the most important elements in terms of the agreement reached by the First Ministers was the provision that henceforth we will have an annual constitutional meeting among First Ministers at which improvements to our Constitution can be examined. This has never been the case before. The Government is giving more consideration to the sensitivities of our country than has any previous administration.

Mr. Speaker: I regret to interrupt the Hon. Minister.

* * *

TARIFFS

PIANO FACTORY—PROTECTION RECOMMENDED BY TARIFF REVIEW BOARD

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the last piano factory in this country in Clinton, Ontario, is facing closure because of competition from Korea. It took its case to the Tariff Review Board, won that case, and the Board recommended extra protection to the Government.

I would like to direct my question to the Minister of State for Finance. Why has the Government not yet moved to implement these recommendations in order to protect these jobs that matter so much to the small community of Clinton, Ontario?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, I would like to thank the Hon. Member for raising this issue. I hope to be meeting with the management of the company in Clinton in the next week to discuss this matter. There are problems with the business plan which concern the viability of this firm as well as tariff questions which have to be discussed.

LOAN GUARANTEES QUERY

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, could the Minister also explain why a meeting which was set up with the Minister of Finance and this company was cancelled? Why has the Government rejected loan guarantees for this factory despite firm export orders which the company has for 1,200 piano sales to the United States? In short, why is the Government ignoring this small community's future?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, we know that loan guarantees can be given when we know that a firm can be viable in the short term, medium term and long run. That is what we are trying to assess. Hopefully that will be done in the next week to 10 days.

CANADIAN PACIFIC RAILWAY

CARRIAGE OF DANGEROUS GOODS—METRO TORONTO SPEED LIMIT

Mr. Alan Redway (York East): Mr. Speaker, in the absence of the Minister of Transport I will direct my question to the Parliamentary Secretary. On July 14 last a CP train carrying hazardous materials and travelling at a speed of about 40 miles per hour derailed in my constituency. Fortunately, the car that contained the hazardous materials did not derail.

One year ago, at the request of the former Minister of Transport, the present Deputy Prime Minister, CP Rail voluntarily imposed a 25 mile per hour speed limit on trains carrying dangerous goods on a portion of their track in Metro Toronto. Unfortunately, the derailment this time occurred on another portion of track where that limit was not imposed.

Will the Parliamentary Secretary give us his undertaking today that he and the Minister will immediately request CP Rail to impose a 25 mile per hour speed limit for all of their trains carrying hazardous goods through Metropolitan Toronto? If they refuse to do so, will he instruct the CTC to institute a mandatory speed limit of 25 miles per hour in this area?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I can assure you that we never tire of the questions of the Hon. Member for York East and on this one he has certainly been persistent. The Minister is vitally concerned about this as, indeed, are all Members of Parliament.

As the Member knows, there is a task force studying the whole question of Toronto and the routes of tracks through the Metropolitan area, due to its explosive growth. I believe that task force is to report in March of 1988.

However, in the meantime I will, of course, consult with the Minister on this. I am sure the Minister will speak with CP because it may well be appropriate for that 25 mile per hour zone to be extended to cover the area within the Member's riding. We will certainly take that up and give it serious consideration.

* * *

• (1200)

EXTERNAL AID

MOZAMBIQUE—REQUEST FOR MORE ASSISTANCE

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, in the absence of the Secretary of State for External Affairs, my question is addressed to the Deputy Prime Minister. The Deputy Prime Minister knows only too well that front-line states in southern Africa are indeed on the front line and that in fact Mozambique in particular is being terrorized

and has had its transportation and infrastructures destroyed by the South African forces. In fact, the Red Cross has made an appeal about that and has borne eloquent testimony to it.

Is Canada prepared to match its rhetoric beyond its emergency food aid and some $24 million from CIDA? Is it prepared to take some meaningful steps to bolster the economy of Mozambique which unfortunately receives one of the lowest percentages and rates of assistance from Canada's aid program?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as the Hon. Member knows, the Secretary of State for External Affairs just returned from a visit to that region of the world. I would certainly undertake to raise the Hon. Member's question with him. I think he will be in the House next week and I am sure that he would be only too happy to respond in a definitive way.

REQUEST FOR CO-ORDINATED MEASURES TO AID AFRICAN FRONT-LINE STATES

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, while this tragedy in Mozambique is unfolding, Canada is not putting its money and its efforts where its mouth is and its visitors are. Does Canada have any firm, specific, concrete proposals to make before the Francophone Conference and the Commonwealth Conference for an organized, co-ordinated effort to get emergency medium and long-range aid, grants and expertise to these front-line states? Does it have any proposals for strengthening and diversifying their economies so that they do not have to depend on trade with South Africa?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, one of the purposes of the visit of the Right Hon. Secretary of State for External Affairs was to get first-hand knowledge of some of these issues and to prepare himself for the two important summits which are to be taking place in Canada in the very near future. I am sure that, as a result of his fact-finding mission, he will have something positive to put forth at those meetings.

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AIR TRANSPORT

PROPOSED TRANSPORTATION OF PLUTONIUM THROUGH CANADIAN AIRSPACE

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my question is for the Acting Prime Minister. Canada's Nobel Prize winner, John Polanyi, describes the proposed flights of radioactive plutonium across northern Canada as being reckless given that an accident could constitute a hazard for thousands of years. In light of the extreme danger and urgency involved, has the Government taken the appropriate action to advise Japan and the United States formally that these flights will not be allowed?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, as the Hon. Member perhaps knows or will know as she continues her studies as a new Member, we do have a process here that involves an international component and a domestic component. No one has formally applied to Canada for anything at this point but if and when Japan were to do that, we would follow all the appropriate steps.

I can assure the Hon. Member that there is a very real concern as to the national interest of Canada when it is proposed that anything like plutonium or any other dangerous chemical be moved across the country.

TERRITORIAL SOVEREIGNTY

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, on March 23, 1987, the Secretary of State for External Affairs gave his assurance to the Hon. Member for Skeena that Canadian airspace would not be violated. Can the Hon. Member tell us what the Government's position is on this issue now?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, it is exactly the same. The territorial sovereignty of Canada will not be violated. If someone applies in the proper way, we will follow the proper process to decide what is in the best national interest of Canada.

Mr. Speaker: I should advise the House that the Hon. Member for Scarborough East has a single question. There will be a single question from the Hon. Member for Papineau and a single question from the Hon. Member for York West. That will close off Question Period.

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NATIONAL DEFENCE

NATO AND NORAD—IMPLICATIONS OF SUGGESTED CANADIAN WITHDRAWAL

Mr. Bob Hicks (Scarborough East): Mr. Speaker, my question is directed to the Minister of National Defence and it concerns recent press reports about proposals from some quarters that Canada withdraw from NATO and NORAD. Has the Government studied the implications of such a move if by chance it ever took place?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, yes, I have heard rumours myself that in some quarters this is being proposed. The effect of such a policy would be to cost Canada any influence in setting alliance policy for arms control or defence. It would drive up the cost to Canada of the air defence of North America by some $5 billion. It would also raise serious questions about what we

would do with the army when we brought it home in view of the fact that it is unlikely that we would be invaded by land. We would either mal-deploy the army or else we would have to lay off thousands of soldiers.

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RAILWAYS

REQUEST THAT MINISTER INTERVENE WITH CN ON REGIONAL TRAFFIC CONTROL CENTRES

Hon. André Ouellet (Papineau): Mr. Speaker, in the absence of the Minister of Transport, I have a question for the very able Parliamentary Secretary.

Some Hon. Members: Hear, hear!

Mr. Ouellet: He is working so hard, in fact, on behalf of the Minister, that he should get his salary.

[*Translation*]

Mr. Speaker, after abandoning its tracks in Abitibi—Témiscamingue, after practically closing down the Point Saint Charles Maintenance Centre, the Canadian National is about to dismantle its regional rail traffic control centres and thus deal the Quebec economy another savage blow.

Could the Parliamentary Secretary ask the Minister to use his authority and inform this Crown Corporation that a decision of this kind is totally unacceptable?

[*English*]

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I think I can say nothing more than yes to that question. I would be happy to do so.

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IMMIGRATION

BILL C-84—COMMITTEE EXAMINATION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Minister of Justice. There are reports that the Deputy Minister of Justice is in strong disagreement with the Department of Immigration over the legal implications of the new refugee legislation, Bill C-84. Now the Department of Justice is refusing to come to testify before the committee that is studying Bill C-84.

Why is the Minister refusing to have his Deputy Minister and other officials come before the legislative committee studying Bill C-84? Is it because they are worried about the legal fallout and ramifications of Bill C-84? Will the Minister assure the House that he will permit his Deputy Minister and officials to come properly and freely before the committee studying Bill C-84 as every other government witness has agreed to do?

Patent Act

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I will try to respond briefly to a very agonizing question. The Hon. Member obviously does not have his facts straight. I do not want to disabuse him of his notion with respect to the position of the Department of Justice. We have been working in collaboration with our colleagues in Employment and Immigration with respect to this important legislation. I can only say, and the Hon. Member will understand, that committees are in charge of their own destinies.

There has not been any attempt to avoid the issues. What I hear from the committee, and probably the Hon. Member would share this view, is that the witnesses and the Ministers who have appeared before the committee are doing so well that it does not need the help of the Department of Justice.

ROUTINE PROCEEDINGS

[*Translation*]

STRIKING

PRESENTATION OF TWENTY-SEVENTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour of tabling, in both official languages, the Twenty-Seventh Report of the Striking Committee.

[*Editor's Note: For above report, see today's Votes and Proceedings.*]

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QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

• (1210)

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed consideration of the motion of Mr. Andre:

Patent Act

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I am happy to participate in this debate. However, I am disappointed that the Minister of the Crown supporting this Bill is probably unavoidably—

Mr. Mazankowski: Just outside in the lobby.

Mr. Dingwall: He will be back? I accept the word of the Deputy Prime Minister (Mr. Mazankowski).

It is interesting to note that for a number of days we have had comments by the Prime Minister (Mr. Mulroney) and of course the Minister of Consumer and Corporate Affairs (Mr. Andre) concerning the process that Bill C-22, amendments to the Patent Act, is presently undergoing. We have heard time and time again sentiments expressed by government Members which seem to be very consistent. Yet as time goes on we find their statements are not backed up by their actions. I believe the Minister has swallowed himself on Bill C-22. I believe the Prime Minister has also swallowed himself over the process involving Bill C-22.

For your listening pleasure, and for the record, I want to read what the Prime Minister of Canada has said about the legality and constitutionality of the Upper Chamber and its debate over Bill C-22. I quote:

> This is being choked off by a handful of non-elected Liberal Senators who are in turn in the process of inflicting very serious and perhaps irreparable damage to the scientific well-being of Quebec. This Act by an unelected, undemocratic group shall be resisted by every Quebecer, by every elected Member of Parliament irrespective of the side of the House he or she happens to be on. I tell you, there will not be a Liberal left or an NDPer left if this is the attitude they propose to display to the people of Canada.

Those were the words of the Right Hon. Prime Minister of Canada regarding the legality and constitutionality of the Senate in its debate on Bill C-22.

Logically one would automatically assume that any amendments coming from the Senate would not be accepted by the Minister. That is what he has said repeatedly on the electronic media. Yet some of those amendments have been agreed to by the Government. If there was ever an example of hypocrisy, of swallowing oneself, it has to be the behaviour of the Minister concerned and of course the Prime Minister.

To say for the last number of days that no changes by an unelected bunch of political hacks will be accepted and to then turn around and do the exact opposite, as has been done on previous occasions on other Bills, indicates to me quite clearly that the Government is trying to have it both ways. It wants to be in a position to criticize the Senate when it is to its advantage. Yet when the Canadian people cry out, as they have regarding these amendments to the Patent Act through a number of representations to the committee examining Bill C-22, you can see that the Government of the Right Hon. Prime Minister wishes to disassociate itself from such political hacks as Michel Cogger, Jean Bazin, Finlay MacDonald, Lowell Murray, and a number of other individuals. That is what the Government wishes to do.

I suggest, to be fair and reasonable, that the Conservative Government cannot have it both ways. It either believes in the legal and constitutional authority of the Upper Chamber or it does not. If it continues this kind of inflamed rhetoric, then the Prime Minister and the Minister should have the common

decency to place before this Chamber legislation to reform the Upper Chamber.

We know the Prime Minister speaks with a forked-tongue. He says one thing and does the opposite. There are numerous examples of that. This is another undisputed example of the Prime Minister of Canada, aided and abetted by the Minister of Consumer and Corporate Affairs who accepted some of the Senate amendments, contradicting themselves and practising another degree of hypocrisy.

There is such a thing in this country as a Minister of Consumer and Corporate Affairs. It has been said by others that this is a Minister of corporate affairs, not one who, while perhaps legally authorized to do so, stands up to protect and enhance the rights of consumers. He is a Minister who is intrigued by corporate affairs and the web of connections in the corporate world. He is mystified by the international glamour of multinational corporations. Earlier today we saw the display of a Minister of corporate affairs who is concerned about protecting and enhancing the multinational fabric in the international world.

• (1220)

We heard a Minister of corporate affairs take another giant step in an attempt to perpetrate on Canadians his wisdom or expertise with regard to the constitutionality of a second chamber. The result was a clear, unequivocal message to Canadians that although he is the Minister of Consumer and Corporate Affairs (Mr. Andre), his mandate has but one objective, to serve the masters of the corporate world.

His predecessors in previous Governments as well as his own saw their mandate as one to enhance and improve the rights and privileges of the Canadian consumer. This morning, we saw a despicable display by a Minister of the Crown. I say to him that he and his Government will pay the price for legislation that is fundamentally flawed. There were suggestions in the committee and in both Houses, as well as by individuals across the country, of ways and means to improve the Bill. However, the Minister has chosen to protect and enhance the multinational corporations.

I am sorry to say that I must hold the Minister responsible to those thousands of Canadians who want reasonable and affordable drugs, who want jobs in this country and want research and development. They want to see a Canadian pharmaceutical industry but we have seen the complete opposite from the Minister of Consumer and Corporate Affairs. I believe a Bill should be introduced to change the name of his portfolio to corporate and international affairs, to advance the right of Pfizer in the United States which had profits last year in excess of $600 million.

While there is nothing wrong with the profit motive, we are not in the business as legislators of seeing to one aspect of this industry, namely, profitability. We have signed an oath to represent the best interests of all Canadians and thereby try to establish a public policy that addresses the fundamental pillars of a pharmaceutical society.

Let me say to the Minister that some of the things he has said in this chamber are partly correct but, as usual, he has chosen his words carefully in order to portray, as inaccurate as it is, an image of what members of this Party are attempting to do with regard to Bill C-22. It was the New Democratic Party that wanted no changes to the 1969 Act on pharmaceuticals. It is the Tories and the Minister of corporate affairs who want to give more to the multinationals. Consistently, since the hearing process began in the House of Commons, throughout Question Period, through the debate, and even in the Senate, we have adopted a reasonable set of proposals predicated upon the recommendations of Doctor Eastman, an authority recognized by all Members of Parliament and all political parties. We have attempted to put reasonable proposals to the Government through the committee hearings. There were 48 amendments in the House of Commons which the Conservatives defeated. Now they want to do away with the amendments that members in the other House have taken upon themselves to return to us in the House of Commons.

I find it peculiar, if not somewhat extraordinarily unusual, that the Government would go to such great lengths in attempting to perpetrate a lie to the Canadian people. We have indicated what changes we want to the legislation. They are reasonable amendments, keeping in mind that we are a Party which is concerned about the well-being of Canadians and the prices they will have to pay for drugs. We are concerned about having more research and development take place in this country, certainly in Montreal and Quebec. We want to see jobs created. However, our Party and other witnesses have told the Minister time and time again that he is not heading in the right direction. He is only responding to one element of the process. It takes more than multinational corporations to develop a Canadian pharmaceutical industry. A Canadian pharmaceutical industry means multinational corporations operating here in Canada, as well as generic companies operating in Canada. It means the protection of consumers and more research and development that is not only conducted by multinationals.

Again, the Minister of corporate affairs has attempted to perpetrate another lie, that the generic companies are the only group we want doing research and development in Canada. We want the multinational corporations as well as the generic companies to do more research and development in this country, whether it be clinical research, basic research, innovative research, or a combination of those. That is our desire. But when one examines the Bill it becomes more clear that those objectives cannot and will not be met by that legislation. So you see, Mr. Speaker, there is a difference between the governing Party and our Party. There is also a major difference and distinction between our Party and the New Democratic Party with regard to the Patent Act.

• (1230)

The Minister of Corporate Affairs—I have now by virtue of an Order in Council in my caucus changed the name of his particular portfolio—has tried to share some thoughts with Canadians on the floor of the House of Commons. He would lead us to believe that on the issue of intellectual property rights, somehow we in Canada are the target of abuse by other foreign countries with regard to intellectual property rights affecting the pharmaceuticals. Let us look at that one realistically.

The *raison d'Etat* of a multinational corporation is what? The *raison d'Etat* of a multinational corporation is profit. There is nothing wrong with that. That is their mode of operation. It is profit, profit, profit and profit. Let us look not at figures that I, as an opposition Member of Parliament, would want to put on the floor of the House of Commons for debate, but let us look at the figures which are being given by a distinguished authority in the person of Dr. Eastman. Dr. Eastman submitted a report. From 1969 to 1983 under the old law—not Bill C-22—were the profits reasonable for these multinational corporations? Perhaps they were keeping in line with the manufacturing sector. The answer is that the most profitable sector in manufacturing was the pharmaceutical industry. It made unprecedented profits. The average employment in the manufacturing sector for that period was 4 per cent. In the pharmaceutical industry it was 29 per cent. That is not bad. It is a very profitable industry. The law said that if one invents a pharmaceutical drug in Canada, one must pay.

An Hon. Member: If.

Mr. Dingwall: The Hon. Member says "if" and then leaves the Chamber. I know he will be back. He will want to participate in the debate because he feels as strongly about it as I do.

If you are to use that particular drug that was invented by an individual, you had to pay a 4 per cent royalty. That is the system. That is how it works. The industry is profitable. Its profits are way up. Employment is up. It receives a 4 per cent royalty from those individuals who wish to reproduce its particular drug. That is not a very bad situation to be in. The Tories now say that over and above that we have to give the pharmaceutical industry a 10 year period of exclusivity; not a month, not two months, not three months, but 10 years. That is not so the industry will be just a little more profitable, but that it will be much, much more profitable.

In turn, these multinational corporations with headquarters in Switzerland and the United States are going to promise—not give us a consummated contract—that for all that money we have given them, besides the new additional 10 year period of exclusivity over the next 10 years, they will do some research and development. There is no written contract, no guarantee, none whatsoever.

It is the poorer people of my province, in my constituency, the poorer people in Manitoba and Newfoundland, the senior citizens in New Brunswick, Prince Edward Island, Ontario and Quebec, the farmers of western Canada, the shipbuilding yard worker in British Columbia, the good people of Saskatchewan, Manitoba and Alberta, who will now have to pay higher drug prices to profitable multinational corporations which will then become more profitable and which then will have a 10 year period of exclusivity, over and above, on the promise that maybe—but maybe not—they will do research and development.

In some parts of my constituency I know what the people would call that. The first four letters spell "bull". I am not going to say the last word because it may be unparliamentary, but that, too, is a four-letter word.

I would think that those of us who have the privilege of sitting in Parliament, of taking an oath to serve the best interests of the Canadian people, would look at such a situation and say, "Surely to God we would want to have as a bare minimum some guarantees of jobs, some guarantees of keeping the prices down and some guarantees of research and development". But what do we have? We have the multinational corporations getting richer and the Canadian people getting poorer as a result of this legislation.

I told you, Mr. Speaker, what is the policy of the New Democratic Party. It wants no amendments, no changes. The Tories want a period of 10 years exclusivity. I have said to the Deputy Prime Minister, as he knows, and I have said it in committee, that we favour a four-year period of exclusivity. We favour having the multinational corporations, as well as Canadian companies, pay a certain amount into a royalty fund for the purposes of research and development.

I even said to the Minister to keep an open mind. If he finds that the royalty fund I am suggesting is not in keeping with what he believes would achieve the objective he is trying to achieve, let us try to work something out to address that, but let us have some guarantees for jobs, guarantees in terms of the distribution of that wealth, because I know the good people of Alberta, like the good people of Nova Scotia, are getting sick and tired of the benefits of national public policy accruing to certain specific areas of this country.

With certain public will, and political will, I might add, we can change that sentiment and perception felt by the various regions of the country. The Government has chosen repeatedly and consistently to refuse that type of suggestion. I am dismayed.

• (1240)

When I entered Parliament I thought we were here to try to develop good public policy, to address the fundamentals of that particular sector. I thought we were here to try to improve the lot of all Canadians, and not just Pfizer of New York City whose profits in the first quarter of this year were in excess of $600 million.

Mr. Dick: How about in Canada?

Mr. Dingwall: I find the conduct and the behaviour of government Members to be despicable in view of the facts. The facts are there for all of us to examine and to read.

I would now like to return to the argument of the intellectual property right. Canada is the envy of the world when it comes to pharmaceuticals. I was down in Washington one month ago and I met with a Congressman by the name of Henry Waxman who heads up a subcommittee which looks into the pricing of pharmaceuticals in the United States. I met with Mr. Bill Haddad who was the chairman of the generic industry in the United States. They acclaimed Canada as having the greatest system. There are those in the United States who would like to adopt or at least examine more fully the prospect of adopting such a system in the United States.

I do not want to suggest to my good friend the Deputy Prime Minister that there is a pending law which is similar to the one in Canada—there is not. However, there is a movement, a serious movement to have put in place the type of law that we now have before us, inclusive of the amendments thereto. Consumer groups in the United States have acknowledged the tremendous piece of legislative work done back in 1969 which met the objectives of the Government of the day. Of all the Members of Parliament at that time, did the Conservative Party of the day vote against the Bill? No, it did not.

Mr. Nunziata: Who was the Prime Minister?

Mr. Dingwall: I believe the Prime Minister at that time was the Right Hon. Pierre Elliott Trudeau, if my memory serves me well, one of the greats, as my hon. friend from New Brunswick across the way acknowledges. Perhaps he is the greatest the Hon. Member says. I would agree with that, he is the greatest. The Conservative Party did not vote against the Bill at that time. Surely, it must have examined and decided at that point in time that that piece of legislation would not contravene any international legislation. Members opposite would lead one to believe that the present legislation, with the amendments of the Liberal Party, would somehow be in contravention of international convention.

A gentleman by the name of Roy Davidson, who was educated at the Universities of Alberta and Toronto, and who for many years was a senior administrator of the bureau of competition policy, and who for some time was the senior economic advisor in the Department of Consumer and Corporate Affairs, said the following. I think his words are worth noting, particularly in view of what the Government has been saying. He stated: "Compulsory licensing provisions of the Patent Act are not in contravention of the International Patent Convention of 1904". So when we hear the present Minister, whose title was changed as of 20 minutes ago to the Minister of corporate affairs, say that Canada is not in sync with what is happening internationally, he is wrong.

I asked the Minister in committee where the documented evidence is that says that we are in contravention of international law. There is no evidence, none whatsoever. It is an argument put forward by a weak Government which is bent on serving its political masters, namely, the multinational corporate sector that exists in Canada and throughout the world, and not the Canadian consumers.

After I heard the present Minister of corporate affairs say in the House that we are in contravention of the Bill of Rights I went to my law books. You know, Mr. Speaker, perhaps as Canada's most distinguished legal body—and I think that ought to be underlined in *Hansard*—that with regard to that argument, the Federal Court has said that Canada is not contravening international conventions with its compulsory licensing, not the Patent Act or the Bill of Rights. Let us not have any more of these falsehoods. Let us not have any more of these inaccurate, grandiose, 30-second clips by the Minister of corporate affairs, because that is not true at all.

That is the first point I want to make with regard to intellectual property rights. Let there be no mistake about it, Canada is not in breach of the International Patent Convention of 1904. Nor is it in breach of the Bill of Rights. As I found out from legal counsel in committee after questioning them extensively, it is not in contravention of GATT, not one iota. There is good law on the books now. I know that my colleagues to the left, the real left, would want me to make this point on their behalf. It is a spurious, fake, false argument to try to perpetrate against the Canadian people with regard to the law with which we are now dealing.

I was in Washington and spoke with legal counsel for Mr. Waxman who chairs that subcommittee. I spoke with Republican staffers as well as to Senators and Congressman. I was struck by the high cost of prescription drugs in the United States. They are phenomenal, absolutely phenomenal.

• (1250)

The law put forward in 1969 by a Liberal administration, and supported by the New Democratic Party, and the Conservative Party, has been working reasonably well for Canadians. It struck me even more I listened to the consumer advocate groups in the United States ask why the Canadian Government is now changing its laws to something similar to those in the United States? Does the Government not realize that consumers in the United States are paying phenomenal drug costs? Is that what the Government wants to do in Canada? I wanted to give an answer which would have supported my Government. But I believe that the evidence available, which has been submitted to committee, allows each reasonable individual to come to the conclusion that we will pay higher drug prices in Canada as a result of the Conservatives pushing through this Bill amending the Patent Act regarding the pharmaceuticals.

Canadians do not want any part of that. When the Minister suggests that 85 per cent of Canadians are on drug plans, he

fails to mention that over 1 million Canadians do not have a drug plan. He fails to mention that it is the taxpayer who pays through the nose for the pharmacare program in his or her province.

I went to law school with an individual who has developed a great legal mind; I will not mention his name. He is now working for the Canadian auto workers union—a great guy. When he appeared before committee and the Members were questioning him he became somewhat insulted with the statement made earlier, and reiterated on that day, that union people should not be worried about C-22, as it does not affect them. He brought an important point to the attention of all Members, and I had hoped—perhaps hoping is too much—that Members opposite would have conceded the point, that when a union is negotiating a package of fringe benefits, whether it is salary, pharmacare, medicare, or whatever, there is only a certain size of pie. If companies have to spend much more money for pharmacare programs, it means there will be less money for the other things that are important to the rank and file union members.

Let me remind all Members that it is union members, through their hard-working constant toil as average working Canadians, who make the biggest contribution to this society. To say to them that they have to pay more for their drugs because the Government wants to see multinational corporations get fatter in profit is, to say the least, a bit unfair.

Why did the government Members on that committee not challenge that witness? Because he was right, that is why they did not challenge him. Now the Government would lead us to believe that it will not affect any Canadian. Although 85 per cent of Canadians are on drug plans paid for by taxpayers' money, over 1 million Canadians do not have a drug plan. Who will pay for them? The rank and file union card-carrying member will have to give up more in terms of bargaining with their employer, if they wish to maintain their pharmacare program with that particular company. Perhaps the Minister of corporate affairs and corporate interests does not refuse, but maybe he does not wish to share that with Members of the House, or indeed the Canadian people.

When we discuss intellectual property rights, let us be cognizant of prices. The Tory Government of Alberta believes there will be higher prices. The Governments of Manitoba, Nova Scotia, Newfoundland, and Ontario believe there will be higher prices. But the Minister states that they are wrong, they do not know anything. They are paying for a pharmaceutical program in their provinces. They come before our committee, and the second Chamber and give evidence. They say that drug prices will rise, but the Minister says, "No, you are wrong. I am right". The Minister of corporate affairs then turns around and says, "But just in case prices do go up, I am going to put $100 million in a sock over here. As the prices go up, you will receive a little compensation". That is pretty nifty. A constituent said to me, that is pretty sleazy.

The difference between the pharmaceutical business and when the Government was attempting to deindex the pensions of senior citizens is that then it was taking it directly. Canadians saw first hand what a grab bag this Government was, how tough it was, and how it was going to fight the President of the United States. It was going to take money from 70-year-old people. The Mulroney Government is real tough. The Minister of Finance (Mr. Wilson) is real tough. But in regard to the the pharmaceutical business it decided to learn from its mistakes and be sleazier, by sucking it in from the provinces. Nova Scotia, Newfoundland, New Brunswick, P.E.I, Alberta, and other provinces will have to pay. That is the tough Brian Mulroney, the Right Hon. Prime Minister of Canada. That is the tough Canadian Government acting on behalf of our interests. I say that it ought to be ashamed. It now understands why the bottom has fallen out of its popularity since 1984. Its on a roller coaster which is going down, down, down, and down.

Some Hon. Members: Once more!

Mr. Dingwall: Mr. Speaker, it is nice to hear the seals on the opposite side flapping. It is good to hear them because they know that what I say is the truth.

An Hon. Member: Oh, come on! How is your Leader doing?

An Hon. Member: Down, down, down, and down.

Mr. Dingwall: Is that a question, Mr. Speaker?

• (1300)

You see, Mr. Speaker, that is the Tory agenda, to be tough, real tough, just like the Member opposite. I say to the Conservatives Members of Parliament and the Right Hon. Prime Minister (Mr. Mulroney) that they and their Government will pay the ultimate price when they have the intestinal fortitude to go to the people. I suggest that they should go to the people now. Let us have a vote to see what the people think of the actions and behaviour of the Conservative Party.

That would be the true test, but we know that they are trying to finesse this. They are trying to slide it through, to get it by. The Minister said, "Well, you know, we had 87 hours of debate. That has been very long". Why should it not be long, Mr. Speaker? If it is in the best interest of the Canadian people, why not debate the substance of the Bill thoroughly? That is what we are here for.

The Minister of corporate affairs—

Mr. Edwards: Consumer and Corporate Affairs.

Mr. Dingwall: Corporate affairs. The Member did not hear that we passed an Order in Council changing the name of the Minister's portfolio. He is now the Minister of corporate affairs. The Minister has said that there is a big saving grace out there called the Prices Review Board that will protect all

Canadians. Well, there is another eight-letter, two-word phrase that one could use. That is absolute and utter nonsense.

The Minister has before him a legal opinion from the Department of Justice saying that it is unconstitutional, but he will not table it because he knows that this is what it says. I challenged the Minister in committee saying that it was unconstitutional. A distinguished legal authority submitted a paper saying it was unconstitutional.

Let us keep in mind that profitable multinational corporations operating in this country since 1969 with employment at about 29 per cent as opposed to 4 per cent in manufacturing will now be given a 10-year period of exclusivity and the monitoring of a Prices Review Board. The first time anyone takes an action against them the multinationals will get a writ from the court to prevent that review board from operating. It will be in the court for a month or two months or two or three years. That is what the Right Hon. Prime Minister and the Conservative Government are doing. Are they not wonderful in trying to protect consumer interest?

The other thing about this Prices Review Board, Mr. Speaker, which you would appreciate enormously as a legal scholar—

Mr. Kempling: You're not a legal scholar.

Mr. Dingwall: I object to the Member not agreeing that the Speaker is a distinguished legal scholar. I object very strongly.

Mr. Kempling: You are not a legal scholar.

Mr. Dingwall: It should be noted very clearly that this board has no authority at all to act, none whatsoever. The only authority it has is to react after the fact. Once you get socked by the multinational corporations half a dozen times and report it to the Minister of corporate affairs someone may review what has happened.

Mr. Nunziata: That is shameful.

Mr. Dingwall: Is that not a beautiful, *carte blanche* power to print money? It is just unbelievable. The board has no authority. It can take one drug off the market if God comes down and sits on the rock and says to the people, "Tomorrow it will be sunny". The Government and the Cabinet are not concerned about the Canadian consumer. This is a Bill written for the multinational corporations.

Mr. Nunziata: Why?

Mr. Dingwall: In a few moments we will get to the question in a few moments of why they would write a Bill that way. Prices are going up and there is no mechanism to control them. The Government is doing away with the compulsory licensing system put in place in 1969. I must point out something that is probably more fundamentally disturbing and shocking about the Government. In July of 1984 the Right Hon. Prime Minister was walking down the aisle telling everyone that they were going to get rid of the regulatory bodies which unfairly fetter Canadians. Today the Prime Minister, like the Minister of corporate affairs, has swallowed himself again. He is putting in place a regulatory board, the Prices Review Board, something he said he was going to do away with in July of 1984. I have never seen such hypocrisy. However, Canadians have come to expect hypocrisy from the Right Hon. Prime Minister and the Government.

The Prime Minister has swallowed himself again and again. The Government cannot be trusted. The Government attacks rather than supports the Canadian consumer. It hurts the Canadian consumer who will pay dearly as a result of this legislation. I wanted to bring those facts to the attention of Members of this House, some of whom are concerned with what is taking place in that particular sector of our economy.

There is much more to be said with regard to the structure of the law as it now affects Canadians under Bill C-22. When we began this debate, the Minister of corporate affairs indicated that we wanted to distribute economic benefit, research and development and jobs throughout the country. In the dying days of this week, the Minister no longer alluded to that. Somehow, there will be nothing for people in Brandon, Manitoba. There will be nothing in this Bill for people in Fort McMurray, Alberta. There will be very little if anything for the people of British Columbia. What about the people in Moncton, New Brunswick, or Corner Brook, Newfoundland? Nothing for them.

• (1310)

Mr. Kempling: How about Tuktoyaktuk?

Mr. Dingwall: Or the Yukon. So you see, Mr. Speaker, the argument that there would be a distribution of economic benefits throughout this country was falsely put.

That is not to suggest that the Government should be condemned for having a national policy which puts benefits in only one or two areas of the country. However, the Government should be condemned for promising during the election campaign and for repeatedly telling us in the House of Commons that that was one of the purposes of this particular Bill.

I am not confident that the benefits the Government says may go, and I underline the word "may", to Montreal or the Province of Quebec will ever materialize. There is no guarantee of those jobs. There is no guarantee that research and development will take place in the Province of Quebec.

We heard from witnesses who suggested different ways and means of achieving that particular objective. The Science Council of Canada said that the Minister supports the Bill wholeheartedly. That in itself is a bit misleading because the Science Council, when asked if it would support amendments to ensure research and development jobs, said that of course it did. That is its clear objective.

It is very clear that there are no guarantees whatsoever for research and development taking place and jobs being created

anywhere in Canada. Unfortunate as it is, the Government is giving away much of the taxpayers' money in the hope, with the prayer and on the whim that maybe somebody out there will put research and development dollars into Canada.

If there was evidence before us which indicated unequivocally that the Government's behaviour would ensure research and development, perhaps one would want to look at the legislation in a more favourable light. However, there is no such evidence. There are no guarantees. In fact, the evidence is to the contrary.

Only some months ago, American multinationals were brought before a U.S. House subcommittee because of their failure to live up to their research and development obligations. I feel strongly that we are making a fundamental mistake in public policy.

The amendments I sought from the Government are ones which would ensure jobs, research and development and the protection of the Canadian consumer. After all, is that not what Canadian parliamentarians are supposed to do? Are we not supposed to take care of the interests of Canadians but not enhance through legislation the interests of only one segment of the economy, namely, the multinational corporations? I think it is wrong to do that. I have said so before and I say it again.

We have tried on numerous occasions to seek from the Government information about how this whole issue interacts internationally. It should be noted that when I was in Washington some months ago meeting with individuals in the industry, I met on the record with the Canadian Ambassador, a distinguished career diplomat. He shared with me the information that the pressure from the United States to amend our patent law was pretty substantial. In fact, if memory serves me correctly, there were a number of individuals who attended a meeting with the Canadian Ambassador in Washington where it was stated very clearly that this was a priority of the United States administration and that the United States administration wanted this passed and passed very quickly.

The President of the United States wrote a letter to the Hon. Bob Packwood of the United States Senate. I believe that Senator Packwood chairs the Finance Committee of the United States Senate. I would like to read from that letter to substantiate my thesis that much of this push to amend the Patent Act so it would be like that of the United States is in fact coming from multinational corporations in the United States. The President of the United States wrote the following to Senator Bob Packwood:

> Thank you for your outstanding leadership and assistance in gaining fast track implementing authority from the Senate Finance Committee yesterday.
>
> I am extremely grateful for the role you played throughout the process so that the necessary votes could be obtained. Although you are well aware of the significance I attach to this issue and the upcoming negotiations, I want to reiterate my concerns—
>
> I share many of the concerns expressed in the Senate Finance Committee over the past few days. Clearly, in the forthcoming negotiations—

Let us stop there. When talking about the forthcoming negotiations, the President is talking about the free trade negotiations with Canada. The President of the United States has this to say about them:

> Clearly, in the forthcoming negotiations we will want to make sure that the outcome provides for comparable treatment for American and Canadian investment and intellectual property rights in both countries. We will also want to eliminate or reduce tariffs imposed on our exports and to gain increased access to the government procurement opportunities in the Canadian market.

It seems pretty obvious to me that the United States administration has entered a process of negotiations with Canada in order to consummate a comprehensive free trade agreement, as we have been told by the Prime Minister. As an obvious precondition to that, Canada is now being asked by the United States administration to pass certain amendments to the Patent Act in order to keep it in line with the situation in the United States. I do not find that tactic to be in Canada's best interests. It is not in Canada's best interests to even contemplate amending the Patent Act while in the midst of the negotiations.

Will we continue giving away, as we have in the last number of months and years, things to the United States in the hope that we as a nation will be able to secure something concrete from the United States? I think that is a pretty fundamental flaw in Canadian government policy.

• (1320)

Let us keep in mind that we are dealing with a president in his second term who is often referred to by many journalists as a lame duck president. He has been totally taken up with the Iran-Contra affair. Yet Canada wants to give up, as a precondition to the negotiations with that President, millions and millions of dollars through increased prices of pharmaceutical products which will affect Canadian consumers. I think that is the wrong way to operate foreign policy.

While we are talking about foreign policy, it does not make sense in my view for Canada to try to operate foreign policy on the whim, if you will, of the President and the Prime Minister. It is all well and good to have good, close, personal relations, but that is not the be all and end all of foreign policy. That is not how it is done. You have to do it from a basic position of strength and with good, solid arguments. It seems to me in this particular case that Canada has fallen down badly on the issue of free trade. I had hoped the Government would change its ways but as we see over and over and over again, it is embarking upon this long lonely road to the detriment of Canadians.

The Minister has said in this House that a number of groups support the legislation. That is a fair statement. There are groups who support Bill C-22 without amendments. Yet again he refused or neglected to tell the House that a good number of groups who initially expressed approval also agreed that amendments ought to be made in order to improve the Bill and give it the strength it needs respecting research and development as well as guarantees over jobs. The Minister did not

mention that six provincial Governments wanted the Upper House to make amendments to Bill C-22. Newfoundland, New Brunswick, Prince Edward Island, Ontario, Manitoba and Alberta want changes, but the Minister, and the Prime Minister who is allegedly concerned about reconciliation with the provinces, are refusing the request of those provinces.

Then we have the Consumers' Association of Canada. They have a major role to play in this process and they appeared before the committee with a very good written brief. They are not in favour of Bill C-22 at all. The Canadian Hospital Association is concerned with the health of Canadians and they, too, are against Bill C-22. The National Anti-Poverty Organization, a group whose major responsibility is to assist those people who live below the poverty line, is against Bill C-22. The Federal Superannuates Association, a national body, is against Bill C-22 for fear, as evidenced in committee, that pharmaceutical prices are going to rise. The National Pensioners & Senior Citizens Federation, Green Shield Prepaid Services, and the Canadian Labour Congress are opposed to the Bill. The Canadian Nurses Association is opposed.

As you see, a great number of Canadians do not share the enthusiasm of the Government when it says this legislation will protect consumers, prices will not rise, and we will have more research and development and jobs. In fact, the majority of Canadians disagree whole-heartedly with the Government. The Canadian Drug Manufacturers' Association and the Canada Council on Social Development are opposed to Bill C-22. Yet the Minister says everything is wonderful. He says the academic community is so enthused and enthralled by this Bill that they are supporting it. That is not true. We had a distinguished professor from Dalhousie University make a submission to the committee. Professor Antoft said he was not in support of Bill C-22. Yet the Minister would lead you to believe that this is not true.

I think we have to be a little bit more accurate. I am sure the Minister could find one or two individuals in these different groups who may be in favour of some aspects of the Bill. However, there are other groups of ordinary Canadians who are opposed to Bill C-22. Yet, for whatever reasons, the Government has chosen to ignore their sentiments. I find that pretty disheartening.

Members of Parliament do not have to speak for the banks because the banks have sophisticated lobbyists. We do not have to speak for the multinational corporations because they have sophisticated legal counsel to do that. We do not have to speak for some national organizations because their sole objective is to get across their point of view regarding government policy. However, we do have to speak out on behalf of those ordinary Canadians who do not have a lobbying organization to do it for them.

Members of the Royal Canadian Legion made a submission opposed to Bill C-22. I have received many resolutions from different branches of the Legion which say how unfair and improper it would be for the Government to proceed as it is proceeding today with this Bill. They also fear the tremendous impact of drug prices. They do not see any guarantee for research and development and jobs for Canadians who wish to become involved in that sector of our economy.

• (1330)

We even received briefs from the United Church of Canada and many church organizations across the country. But I guess they are all wrong as well. Are they wrong because they are ordinary people? Is it because they belong to organizations that perhaps do not have the wealth or the number of lobbyists such as the PMAC organization in Canada?

I find it rather disturbing that Members of Parliament would choose to ignore the cry from thousands upon thousands of Canadians about this Bill while, on the other hand, they have acted with due haste to appease their counterparts in the United States by passing Bill C-22 prior to a free trade agreement.

Consumers wanted a Minister who would speak and act for them. Instead, they have a Minister of corporate affairs who chooses not to speak for them and chooses to act against them.

Other evidence has been made available. It is from an internationally acclaimed American whom we hoped to have come to the committee. However, due to procedural and secret motions by the Government, if you will, we were prevented from having him appear. I am talking of Ralph Nader.

Many people may ask why we would refer to an American and want to involve him in a debate on a Canadian subject. During our committee hearings we heard a very forceful presentation from PMAC, which is the group organized to service and lobby on behalf of the Pharmaceutical Manufacturing Association in Canada. The individual who made that presentation was an American citizen residing in Canada.

When we attempted to get others before the committee who may have come from the United States, we were told that we would not be able to do so. The Government did not want to hear from Bill Haddad or from Congressman Henry Waxman who heads the subcommittee on the high price of pharmaceuticals in the United States. Yet, at the same time, the Minister tells us that the procedure we will be using in Canada when Bill C-22 is adopted is more in line with what is taking place in the United States. It would only seem right and just that we would want to at least hear from individuals, consumers, senior citizens, consumer advocate groups and even multinational corporations in the United States if we were moving toward a system similar to that in the United States. However, we were not allowed to do so and only heard from one group, represented by an American citizen.

I want to quote Ralph Nader because I think what he said is significant. In an open letter to the Right Hon. Prime Minister (Mr. Mulroney), he said: "The Canadian Government is close to making a very serious mistake by choosing corporate wealth over the Canadian public's health".

This person has been concerned with issues affecting consumers. We have seen Mr. Nader's very able work and presentations concerning the automobile industry in this country. I suggest to those Members who do not wish to hear anything about consumer groups in the United States that he had a very major impact on increasing the safety of our automobiles in Canada.

He stated in his open letter to the Prime Minister and on national television that we had a pretty good system and that the Government was giving up large sums of money to the multinational corporations in return for a whim or promise that they will provide new jobs and research and development.

Canada looks quite stupid and naive in the eyes of many countries. We are on our knees to the United States, from a foreign policy perspective, in order to consummate a free trade agreement. While we are on our knees, we dip into our pockets and say, "Take it all" as it relates to pharmaceuticals and the high cost of prescription drugs. While we are giving the money away, the multinational corporations are getting much larger profits. Not only are they getting much larger profits, they are being given a ten-year period of exclusivity in return for a promise to do certain things in the next ten years.

Canadian foreign policy with respect to trade and trade irritants is a joke among many countries. It is not hard to understand why. It is one thing to negotiate, but the Government is giving up a system about which Bill Haddad of the United States generic industry said: "You are the envy of the western world".

I do not distrust multinational corporations. It is a matter of accepting one's role as a legislator and one who is concerned about public policy. It is only fair, reasonable and objective. The Government of Canada should get off its knees, put its hands back in its pockets, and say to the United States: "There will be no changes to the Patent Act as you have requested, but we will change it to what we believe is in the best interests of the Canadian pharmaceutical industry".

• (1340)

I find the activities of the Government, our Prime Minister and those who have surrounded him in this process, to be very un-Canadian and completely unfair to Canadian interests. Ministers of the Crown come into this House and refer to the generic industry as scavengers. That is not only insulting but downright rude and ugly. Generic pharmaceutical companies employ people. They have deadlines to meet and debts to pay, and, yes, they have to pay a royalty, a fee, to the inventor of a particular product.

Profit is not a dirty word, but protecting consumers ought not to be a dirty word either. Guaranteeing research and development ought not to be a dirty word. But it seems, from the evidence produced by the Minister of corporate affairs and by the Prime Minister, that their one motive, their one principle of operation, is to assist multinational corporations in gaining larger and larger profits. We give away. We get nothing in return. In the interim we sock it to the Canadian people through the backdoor of provincial Governments which have to pay higher drug costs.

I do not want to have a major confrontation with the United States. I do not think it is necessary. But as a sovereign nation, as a country, we have to be counted. We should not be tough on our senior citizens. What a joke this Government is. It wanted to deindex the pension of my grandmother and all grandmothers. It wanted to deindex people on fixed incomes. That takes a lot of intestinal fortitude. It failed because the Canadian people rose up in arms against the Government. But now the toughness of the Right Hon. Prime Minister is seen once more. He is saying to widows, to people on fixed income, to people whose particular job is not protected, that they will have to pay a higher price for drugs. He is saying to labour and to union people that they must pay higher premiums for the benefits they wish to receive from their collective agreements. Perhaps someone should have sat on the President's knee and whispered: "No, no, no", instead of: "Yes, yes, yes, Ronnie, Sir". It is terrible that Canadian parliamentarians have to say these things in this Chamber. But the issues are fundamental. They are substantive. They go to the core, in my view, of Canadian sovereignty and what this country is all about.

I do not want Canada to start breaking international agreements. I do not want Canada to be out of sync with other nations. But the Minister of corporate affairs has refused to acknowledge, or display to the House, that there are countries throughout the world who have a different policy in relation to the pharmaceutical industry, such as Japan, for instance. One cannot walk into Japan as a multinational corporation and operate overnight. They have to co-venture with someone in that country. India has different patent laws than most countries. The period they give, I think, is six years to seven years of exclusivity. But Canada goes on its knees, money in hand, and says: "Here, take it all".

Mr. Daubney: That is unbelievable.

Mr. Dingwall: The Hon. Member opposite says it is hard to believe. I know it is hard to believe.

Mr. Daubney: Your misrepresentations are hard to believe.

Mr. Dingwall: But the Hon. Member is pretty tough. He, like his Leader, can sit in this great Chamber with its beautiful furniture and be very tough. But I will bet you, Mr. Speaker, that when he has to knock on doors he will say: "It really was not me in favour of that Bill. It was the Prime Minister. It was not me. I was there behind the curtain but I was there". It will be a different story then. So I tell every Member opposite not to try, as Members of the Government, to perpetrate in the next election—

Mr. Nunziata: A fraud.

Mr. Dingwall: I would not say a "fraud". The fact is that they never stood up to be counted for Canadian interests. They are sitting on their hands doing nothing.

Mr. Daubney: I am in favour of it. It is good for Canada.

Mr Dingwall: The Hon. Member from Ottawa does not want to accept the fact that, like the Right Hon. Prime Minister of Canada, they speak with a forked tongue. They say one thing when they are on the hustings and do another thing when they are in the boardrooms of this country.

Mr. Nunziata: That is the Conservative way.

Mr. Dingwall: That is the Tory way. Aid and abet at any cost the multinational corporations.

The Acting Speaker (Mr. Kempling): Order. I regret to interrupt the Hon. Member but I would ask him to withdraw the remark he made about the Prime Minister.

Mr. Dingwall: Sure. It is withdrawn. Thank you, Mr. Speaker, generous soul that you are.

This situation created by Members opposite is very obvious. They want to sit in this Chamber and talk about helping consumers, as do many Hon. Members, but when it comes to the facts or to the point where legislation is on the table which could assist and help Canadian consumers, they hide behind the fear of a breach of the international convention, which has never happened. It is a fear that we are not in sync with what is taking place in the United States. I have never seen such belly-flappers. I have never seen such seals who would flap to the tune of the Right Hon. Prime Minister. I have never seen a Government that goes on its knees as much as this Government does. Every Member opposite will have to answer for this.

• (1350)

Canadians wanted a Government that would represent their best interests and not go abroad to embarrass Canada. This Government has embarrassed Canada and Canadians. I guess the proof is in Decima or Gallup whose poll results show undeniably that Members opposite are on a roller-coaster going down, down, down. Members opposite had an opportunity, and they still have it, to do what is right, to vote against Bill C-22. I for one would stand in my place to applaud them if they were to do that. They still have an opportunity to do what is right.

Mr. Nunziata: But do they have the courage?

Mr. Dingwall: As my distinguished colleague asks: "Do they have the courage?" Do they have the courage to represent Canadian interests? Do they have the courage to represent their constituents? Or will they continue to accept the directives given to them by the President of the United States? Some of them probably cherish the idea that Canada might become the fifty-first state of the United States. I do not. I think their behaviour is somewhat despicable.

Ralph Nader made some comments which the Minister has yet to address—

Mr. Daubney: I thought we weren't supposed to listen to Americans. Be consistent!

Mr. Dingwall: The Hon. Member says: "Be consistent". He ought to be consistent. It was his Party, approved and affirmed by the Canadian Ambassador in Washington, who accepted pressure from multinational corporations to change the Canadian law and to make it in tune with the American law. All we have asked for on this side of the House is for some degree of discussion and dialogue with those individuals in the United States who are familiar with that legislation. That request has been refused. Why has it been refused? What are they afraid of? It is obvious what Members opposite are afraid of. It will be confirmed that we in Canada will pay higher drug prices, that our provincial Governments will have to pay more.

Some Hon. Members: Oh, oh!

Mr. Dingwall: Hon. Members opposite can shake their heads all they want. The fact of the matter is that a Tory Government in the Province of Nova Scotia has said that Nova Scotians will pay $25 million more as a result of Bill C-22. Those are the facts.

Some Hon. Members can be hoodwinked by the multinational corporations and by senior members of the Cabinet as to what this Bill does. The fact of the matter is that ordinary, average Canadians will have to pay the price in terms of higher drug prices in Canada. What will they get in return? They get a promise that there may be economic development and jobs. How many jobs will be created in Calgary; Fort McMurray; Brandon, Manitoba; Moncton, New Brunswick; Summerside, Prince Edward Island; Bathurst, New Brunswick? Not one. Members opposite have the unmitigated gall to suggest that we are only hearing one side of the argument. Yes, we are only hearing one side of the argument, and that is the multinational side.

Mr. Redway: Sit down!

Mr. Dingwall: Perhaps the Hon. Member would like to participate in the debate?

Mr. Redway: Sure I would. Another filibuster by the Hon. Member.

Mr. Dingwall: It is not a filibuster. The Hon. Member should know that the Minister of corporate affairs took a full hour to explain how his Government wants to enhance, aid and abet the multinational corporations. That is what he did. I think I should get reasonable time to stand in my place and to speak on behalf of consumers of the country who are not being protected or enhanced by the Government of the day. They are being raped by the Government of the day. Money is being

taken out of their pockets as a result of the actions that this Government will put in place. That is what will happen, Mr. Speaker.

Mr. Brisco: Mr. Speaker, I rise on a point of order. Perhaps I could be helpful to my colleague who is speaking on Bill C-22 and invite him to turn the page. He is repeating what he started out to stay at the beginning of his speech. He may need to go on to the next page.

Mr. Deputy Speaker: The Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) has the floor for the next three minutes for today.

Mr. Dingwall: Thank you, Mr. Speaker. I would have thought that Members opposite would have wanted to stand in their places and say: "Yes. We have finally seen the light. We now agree that Bill C-22 ought to be defeated". I thought the Hon. Member from British Columbia would have done that. But knowing the brainwashing, the arm-twisting that has gone on, knowing that government consultants have been working day and night, knowing that PMAC has been around to all the various Members, particularly members of the committee, and knowing that the pressure that the Prime Minister has placed on caucus members, I can understand—

Mr. Dick: Mr. Speaker, I rise on a point of order. Is the Hon. Member aware that the only speech given in the House in the last 15 years which was longer than his was one given by the Hon. Member for Nickel Belt (Mr. Rodriguez)? He was defeated in the election that followed his speech. We hope that the same thing will happen to the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall). I encourage him to continue.

Mr. Dingwall: Mr. Speaker, I want to thank the Hon. Member for his observation. I suggest this to him. Perhaps he would avail me of the opportunity and we could have in my constituency, since he seems to be so concerned, a public forum and a debate with regard to the provisions of Bill C-22. Would the Hon. Member consent to that? I hope that he will.

• (1400)

In conclusion, this Government has abdicated its responsibilities to Canadian consumers. It has gone on its knees to the United States. It has refused to accept the fact that Canadian consumers are being hosed by multinational corporations as a result of Bill C-22.

I call it two o'clock, Mr. Speaker.

[*Translation*]

Mr. Deputy Speaker: Order. It being two o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PRIVATE BILLS

[*English*]

NUCLEAR LIABILITY ACT

MEASURE TO AMEND

Mr. Jim Fulton (Skeena) moved that Bill C-215, an Act to amend the Nuclear Liability Act (limitation period), be read the second time and referred to a legislative committee.

He said: Bill C-215, an Act to amend the Nuclear Liability Act, deals specifically with Section 13 of the legislation that passed through this place in 1970, and was proclaimed in 1976. It is a reasonably easy Bill for Members of the House to understand, and it removes 21 words of the section which states:

> and in no case shall any such action be brought after ten years from the date the cause of action arose.

My Bill eliminates those words, which refer to the statutory limitation and which I think I will be able to demonstrate over the next 20 minutes are not in the interest of workers in the nuclear industry or of the Canadian public.

I began work on this Bill six years ago with the Canadian Environmental Law Association. Even though it took six years to reach the floor, I am pleased that it is finally here. I hope that members of the Liberal Party and whichever member of the Government speaks, will allow sufficient time for a vote to be taken on this, so it can go to committee and come back to the House to become law.

Currently there are 22 nuclear reactors operating or under construction in Canada in Ontario, Quebec, and New Brunswick. Bill C-215 is designed for the protection of workers in the nuclear industry, and those who might be advertently or inadvertently exposed to radiation. It is also for the protection of the rights of those who could be exposed should there be an accident at some point in relation to one of our nuclear facilities, or the waste that is stored at various sites in the country.

The legal liability question is an enormous one facing the country. It is presently set at $75 million, which as anybody in the House will know is completely insufficient to deal with even a very small amount of litigation. The 10-year statute of limitation on actions from the date of the cause of action, precludes the overwhelming majority of workers who would be exposed to a long period of low body loadings of radiation, or those who may be exposed to higher doses at some point from taking any action. As we have learned from a variety of studies I will be referring to, most cancers related to the nuclear industry appear more than 10 years after the date of exposure.

Earlier this year the U.S. Congress took this issue very seriously. They voted almost unanimously to raise the liability in relation to U.S. reactors from $705 million U.S. to $7 billion U.S. A recent study commissioned by the U.S. Government and conducted by Sandia National Laboratories found

that the possible damage from a nuclear accident in most areas of the United States would likely run in the neighbourhood of $420 billion.

According to the Porter Royal Commission, the risk of a reactor accident in Canada is 100 times higher than the official industry estimates. The likelihood of a Candu accident in our country now runs to about one in every 500 years.

There has been growing concern and focus on this issue. There have been a number of lawsuits that I will be referring to later.

Earlier this year Dr. Harry Griffiths, Chief of Radiology at Toronto General Hospital, swore an affidavit before the Supreme Court of Ontario concluding that radiation from reactors can cause cancer as well as genetic mutation and birth defects.

The benefits of lifting the 10-year statutory limitation are for all Canadians, particularly in providing greater safety for the workers and those who could be exposed as a result of closer scrutiny both by inspectors and other agencies such as the insurance agency.

It would have been great, Mr. Speaker, if there had been no Chernobyl or Three Mile Island. But they have occurred, and it is time for Canada to start conducting the type of scrutiny that has long been required.

One of the documents that I will be referring to is the catalogue of medical effects from Hiroshima and Nagasaki. Although these studies are still incomplete, it is probably the most thorough medical study that has been done in the history of the nuclear age. It catalogues studies of intrauterine effects on children who were born with severe mental retardation, small head size, and so on, beginning at exposures as low as 50 rads. Growth retardation and cataracts have been tracked now for more than 40 years. Cancer and leukemia became noticeable and measurable by about 1950 in relation to those who were being tracked by medical experts. And by 1960, thyroid cancer started to be tracked. A number of other cancers have been tracked and catalogued during the 1960s, 1970s, and 1980s. It is quite clear from the long-term medical studies that have been done that many types of cancers related to radiation do not appear for 20, 30, or 40 years.

This experience led to an article in the August, 1985 Bulletin of the Atomic Scientists. It is a short quotation but it sums up the medical information from Hiroshima and Nagasaki. It reads:

> The experience of the atomic bomb survivors presents the most significant possibility that the exact relation between radiation dose and cancer incidence can be derived from human data.

A great deal of work has been done in this country recently in articles and other activities by David Poch, a lawyer who works for Energy Probe in Toronto. Mr. Poch made some important observations that were run in *The Vancouver Sun* on January 20, 1987, and I quote:

> Union Carbide, CP Rail, and other industrial giants involved in risky business face the sobering reality that if they harm a community or its inhabitants they're on the hook for the damage caused.
>
> That is to be expected. Canadian law—quite sensibly—makes industries liable for their negligence.
>
> But courtesy of our federal government, there is one glaring exception to the rule—the nuclear industry.
>
> Members of this fraternity can lie, cheat, steal, fabricate safety documents and engineering specifications, and knowingly sell faulty products to unsuspecting utilities without facing any civil liability—
>
> To compound the public's protection problems, Canadian insurance companies protect their solvency by excluding coverage for nuclear accidents in every homeowner insurance policy—
>
> An inevitable side effect of the act—
>
> That being the Nuclear Liability Act, Mr. Speaker,
>
> —because it lets the risk makers off the hook—is to remove important incentives to accident prevention. Not only do GE and Westinghouse have less incentive to be careful, but the insurance industry is less likely to scrutinize nuclear companies or to suggest safety improvements, as it does in other sectors.

Mr. Poch has hit the nail on the head as to the problems that are created by having a lack of scrutiny in the industry. The liability limits and the statute of limitations place all of the risks on the communities at large, the workers at large, and the Canadian taxpayers.

The possibility of willful deception is something that has to be addressed. Every other industry in Canada must face the reality that if it damages property and injures or kills Canadians, it is on the hook for the damage caused.

Some excellent studies have been done in relation to various recent nuclear disasters. Of course, the most recent on this continent was the Three Mile Island. Work has been done by a person by the name of Molholt in the United States. There is an excellent quote here in relation to studies that were done by a limited number of people where attempts were made by the nuclear industry and certain state agencies to discredit, but they are now recognized as being accurate. I would like to quote again from an article by David Poch that was published in Harrowsmith. It says:

> Molholt's work confirms a doubled infant mortality rate and a tripled neonatal hypothyroid rate in areas downwind. "We took 17 incidents of the metallic taste, burning skin and so on and plotted them against the wind rose—the chart of where the winds were blowing during the worst emissions," Molholt says. "Sixteen of the 17 cases correlated precisely to radiation releases from Three Mile Island. In the long run, it seems, people are the most reliable dosimeters."
>
> Marjorie Aamodt says, "The state held our study a year, doubled our statistical base, did all the manipulating they could and still came up with a cancer rate of almost 2 1/2 times normal."

It is clear that in the United States, the U.S. Congress has at least recognized the need for greater liability coverage. In this country, we have failed to recognize the need for a massive extension of the period within which lawsuits can be brought against an agency responsible for an accident because of the long latency period of cancers. The liability level in the United States was at $75 million. It is now at $7 billion U.S. per reactor. That is certainly an interesting distinction among the

responses of respective legislatures to the rights of our respective citizens.

• (1410)

Surely industry must be held responsible for the risks that they create for the workers and for the public. Present financial and time limitations are more than just inadequate, they are counter-productive. Risk assessments should be done, for example, by the insurance industry and by federally appointed and hired inspectors who have a much broader and more significant mandate.

The consequences of a nuclear accident are no longer conjecture. As a result of the Chernobyl accident there are 31 dead and medical estimates of 10,000 serious genetic abnormalities and so on.

On May 9 of this year a federal judge in the State of Utah ruled on the U.S. Government's negligence in relation to open air tests of weapons done from 1951 to 1962. The judge, Bruce Jenkins, said the following:

> Employees of the Atomic Energy Commission (AEC), working in the 1950's at the Nevada test site, failed to warn the nearby populace adequately about the dangers of fallout exposure. They subsequently failed to monitor the fallout exposure adequately. They also failed to inform the populace adequately about "well-known and inexpensive methods" to minimize the damage once fallout exposure had occurred. "As a direct and proximate result of such negligent failures—(the government) unreasonably placed plaintiffs or their predecessors at risk of injury," the judge said. Only one of the ten cancer victims survived.

On April 27 of this year, precisely one year to the day after the Chernobyl accident, Energy Probe and 11 others filed an application in the Supreme Court of Ontario asking the court to strike down the Nuclear Liability Act for many of the reasons that I have put on the record today. I would like to quote the remarks of Norman Rubin on the day of the filing of that suit. He said:

> We believe that by reducing or eliminating the nuclear industry's civil liability for accidents, this law removes an important incentive for the industry to reduce the risk of a Canadian Chernobyl. The industry keeps telling us 'It can't happen here,' but they insist on financial protection just in case. We want them to put their money where their mouth is.

Energy Probe alleges that the Nuclear Liability Act reduces security of the person and denies victims of a nuclear accident equality before the law. Joining with Energy Probe in the effort are George Martin from the Nuclear Insurance Association of Canada, Dr. Douglas Alton, staff radiologist from Toronto, Dr. Rosalie Bertell, Dr. Ursula Franklin, Dr. Harry Griffiths, Dr. John Hepburn, Dr. Dermot McLoughlin, Dr. Stan Segel, Dr. Hari Sharma, Dr. David Suzuki and Dr. Lynn Trainor, all of whom have backgrounds in one way or another with chemistry, physics, radiology or genetics. They join in challenging the propriety and appropriateness of the Nuclear Liability Act as it now stands.

The lawyer representing the case is Clayton Ruby, certainly one of Canada's most brilliant and best known barristers. His remarks are worth having on the record as well. I quote:

> This law has created one set of rules for the nuclear industry and a different set for everyone else. It allows GE or Westinghouse to supply nuclear plants with defective parts without any financial liability whatsoever should those parts fail and cause an accident. Every other industry is forced to stand behind its products. But in the case of the nuclear industry, where an accident could kill thousands of people and cause billions in property damage, the public has been stripped of its right to its day in court.

In Mr. Ruby's view, this loss of fundamental justice is contrary to Canada's Constitution and should be struck down. Once that happens it is anyone's guess whether the industry will want to stay in operation.

Mr. Ruby continued:

> The industry has always claimed the public was irrational to fear reactor accidents, and it may decide to show the world that there's nothing to fear by putting its own money on the line. Or, as I think more likely, the nuclear industry will conclude that a serious accident is too likely to bankrupt the industry, and turn its formidable skills to more productive uses.

Even as recently as yesterday we saw what kind of response the nuclear industry makes to concerns raised, even by its own watchdog agency. Earlier this year, in a document drafted by Atomic Energy of Canada, federal regulators made a number of recommendations which are now being pooh-poohed by the nuclear industry as being unnecessary.

However, allow me to point out the following recommendations that were made. The document shows that concerns about the safety of Candu reactors were raised by the Atomic Energy Control Board, the agency charged with watching over Canada's nuclear industry. The document, titled *Current Safety and Licensing Issues* and presented to a meeting earlier this year, recommended that the Canadian nuclear industry make 13 changes, including additional complex research into reactor behaviour, installation of extra safety equipment, making minor but significant changes to reactor designs, and changing some operating procedures.

For example, the federal regulators are proposing the installation of new equipment to prevent the build-up of hydrogen that they say could cause a fire at the Gentilly-2 reactor operated by Hydro-Quebec and the Point Lepreau reactor operated by New Brunswick Power Corporation.

However, the nuclear industry, through Roger Humphries, an official with Atomic Energy's Candu designed headquarters responds as follows:

> If we're going to survive as a commercial entity, we have to be careful not to increase the cost of our product without increasing the safety.

When it comes to the issue of safety, if the regulatory body is making recommendations that it feels are necessary for the safety of the workers in the facility or for the communities nearby, then surely there is an incumbent responsibility on those in charge of the Candu reactor sites to ensure that those changes are promptly and properly implemented, not set aside.

The stall on this rather simple amendment to remove the statute of limitations of 10 years is ludicrous. The workers at those sites are provided with all kinds of protective equipment and the body dose loadings which they get are generally very low and over a very long period of time. The evidence with

regard to the latency period of cancers now demonstrates that the kinds of cancers which those workers might get would appear over a very long period of time. That existing clause precludes them from ever having a day in court or any right to financial compensation to assist them or their families in the future.

In terms of accidents it is very clear that that clause should be removed because it would be almost impossible for those exposed at the time of an accident to have their case properly heard before a court. In fact, I agree with the arguments of Mr. Ruby and Energy Probe that the Nuclear Liability Act is contrary to the intent of our Charter.

This matter has been dealt with in a variety of ways, perhaps most energetically by the Canadian Environmental Law Association. However, it has been allowed to lag seriously. I have a letter of September of 1981 from Marc Lalonde, the then Minister of Energy, Mines and Resources, who wrote to Ms. G. Patterson of the Canadian Environmental Law Association advising CELA that he, as Minister of Energy, Mines and Resources, supported the proposed change that I am introducing here today, but said the following:

> Dear Ms. Patterson:
>
> Thank you for your letter of July 22, 1981 on the subject of revisions to the Nuclear Liability Act. I can assure you that we have not been neglecting this subject and in fact have come to the conclusion that we agree with the intent of your proposed amendment.
>
> However, our experience of operating with this Act for the past five years has shown up other areas where amendment is equally desirable. Discussions have been initiated by the AECB with other affected federal departments aimed at pulling together a complete package of these proposed amendments.
>
> As for the time at which these would be introduced to the House of Commons it would be misleading to be very optimistic when I consider the history of the original Act and the extensive legislation program already ahead of us.

That was six years ago that the Minister of Energy, Mines and Resources and his Department agreed that the step about which we are talking today was necessary. If it was necessary six years ago, it is even more necessary today. I think the epidemiological evidence which I have put very briefly before the House, the studies of the effects of Hiroshima, Nagasaki, Chernobyl, Three Mile Island, and the problems that this entire Act faces in being contrary to the Canadian Charter of Rights and Freedoms, do not leave too many arguments, I would hope, to be dispelled either by the Government or the Liberal Members who might speak.

• (1420)

I hope that during this hour, we will have an opportunity to vote and send this Bill to committee so that something good can be done for Canadians. I hope we will be able to take something out of a piece of legislation passed by this House in order to make the country safer for the workers and the public generally.

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, thank you for recognizing me to speak on Private Member's Bill C-215 standing in the name of the Hon. Member for Skeena (Mr. Fulton), an Act to amend the Nuclear Liability Act (limitation period).

Those in the House, in my constituency and in the media who know me will be astounded to realize that I have become an instant fresh-frozen expert on nuclear energy. However, that seems to be a lot better than becoming an instantly fresh-fried victim of a nuclear accident.

The survivors of Chernobyl and Three Mile Island know that. Those Canadians, including myself, who are almost frantic about nuclear energy or who have heard and read about its frightening powers, those of us living and of future generations, can well sympathize with the thrust of the Hon. Member's Bill.

As an example of this, the fear of radiation in any form scares the hell out of my own family. Only this past week, I convinced my wife that a microwave oven was safe. As a result, the cubic-foot monster will enter our home later this afternoon.

If my 15-year-old son Liam were standing in my place right now, I am sure he would urge the banning of the entire Atomic Energy Control Board and would shield himself from everyone who comes in contact with the Canadian nuclear industry. I hasten to add that that will not be necessary. I hope to assure my son and others that they should not over-react.

I can understand why Canadians might wish to over-react concerning the safety of nuclear energy, but we have come to know both the benefits and the risks of nuclear energy. The benefits of economical, reliable, convenient nuclear-generated electricity must be utilized in cognizance of the related risks, as we have been reminded by the Chernobyl incident. We as legislators must ensure that Canadians enjoy a very favourable risk-benefit balance by providing effective legislation to both ensure the safety and security of nuclear energy and to provide for emergency planning and liability compensation should that ever be required. That is always a concern and a worry.

The Atomic Energy Control Act constitutes and empowers the Atomic Energy Control Board to ensure that nuclear energy is exploited with careful and thorough consideration of the health, safety and security interests of all Canadians. In this respect, the record of the Atomic Energy Control Board and of the regulated Canadian nuclear industry is exemplary. In the unlikely event—and I would urge the Hon. Member for Skeena to listen to that word "unlikely"—that anything should occur in Canada, the Nuclear Liability Act provides the means of compensating Canadians and neighbouring Americans in the case of claims resulting from personal injury and property damage. As the Hon. Member will be aware, since its implementation in 1976, there has not been a single claim made under the Nuclear Liability Act.

The Nuclear Liability Act, as are similar Acts in other nuclear nations, is based on the concept of absolute liability of the nuclear plant operator. The operator is absolutely liable for damages no matter what the cause of the incident giving rise

to the damages. Such an approach avoids long delays in the addressing of claims as may result from legal proceedings to determine responsibility and liability for the incident giving rise to the damages. This absolute liability extends up to a limit of $75 million for each designated nuclear installation and extends certain time limits with respect to the bringing of claims under the Act.

Such dollar and time limitations are necessary to define clearly the boundaries of the operator's absolute liability. Claims in excess of $75 million give rise to the establishment of a nuclear damage claims commission which addresses such claims and which may recommend their compensation from the Consolidated Revenue Fund. How much more justice could there be for Canadians than that? The absolute liability of the operator and time limitations to that absolute liability were designated to create a liability structure which fairly and effectively serves the interests of both the potential claimant and the nuclear plant operator.

The Nuclear Liability Act provides for several time limitations on the bringing of actions. No person may bring an action for injury or property damage more than three years after the earliest date upon which the person had knowledge or ought reasonably to have had knowledge of the injury or damage. In the case of a claim for loss of life, it may not be brought more than three years after the death of the person. Where conclusive evidence of the death of the person is not available, the claim may not be brought more than three years after a court order is made presuming the person to be dead. However, in no case may a claim be made more than 10 years from the date the cause of action arose.

In summary, there is an absolute limit of 10 years from the time that the damage or injury occurred and a limit of three years from the time a person knew or ought to have known of the injury or damage for the initiation of a claim under the Act. It is the 10-year limitation from the time the damage or injury occurred which is the subject of the Bill we are debating this afternoon.

At issue is the proposition that a 10-year limitation period is not adequate for the manifestation and identification of longer-term radiation-induced injuries such as cancer. Indeed, it is generally accepted and medical experience confirms that a long period of time may elapse between a serious radiation exposure and the manifestation of a radiation-induced injury such as cancer. This period of time may be as long as 30 years or more and is quite likely to exceed the 10-year limitation period currently defined by Section 13 of the Nuclear Liability Act. Consequently, persons who may be injured by radiation exposure resulting from a nuclear incident may be excluded from the bringing of claims by the latency period of the radiation-induced injury such as cancer.

The Hon. Member's Bill proposes not that the 10-year limitation period be extended but rather that it be abolished completely. As such, the proposal overlooks the fact that there must be a fair and just balance struck between the interests of the injured claimant and those of the absolutely liable nuclear plant operator. Although abolishing the 10-year limitation period would be very much to the advantage of potential claimants, it may significantly and unfairly extend the absolute liability of the nuclear plant operator and leave him in an open-ended situation against which he may not be able to indemnify himself.

In the interests of balance, fairness and justice to the potential claimant and the nuclear plant operator, I believe that the period of limitation should be finite and should be set at 30 years. In view of the current medical knowledge and experience in the field of radiation-induced injury, this would permit injured parties to lay claims in most cases. Should any potential claims be identified after the 30-year period, they would be expected to be very few in number and could be dealt with through the normal court process. Such a 30-year limitation period has already been adopted in several other nuclear liability jurisdictions including West Germany, Austria, Belgium and Denmark. In addition, the U.S. has already increased its absolute liability period from 10 to 20 years and this is expected to increase further in the future to the international norm of 30 years.

• (1430)

I believe we should defeat this motion. I believe a fair, balanced and effective approach would be to extend the current 10-year limitation period to 30 years. It would well serve the interests of both the potential claimant and the nuclear plant operator and would make our legislation consistent with the developing international norm.

Furthermore, and in conclusion, I believe such an amendment would be made as part of an over-all review of the Nuclear Liability Act currently being completed by the interdepartmental working group referred to earlier. Such an approach will ensure that the review and amendment of the Nuclear Liability Act is done in a comprehensive and consistent manner so that the effectiveness of this very important piece of legislation will be enhanced to the greatest possible degree.

I thank the Hon. Member for Skeena for his earlier comments and I thank you, Mr. Speaker.

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, it is my pleasure today to speak on behalf of the amendment suggested by my colleague, the Hon. Member for Skeena (Mr. Fulton), and to support it completely.

I welcome the statement made by the government Member who said that the Government favours a 30-year liability period. If the Government is of that mind, then why not send this Bill to committee? If a modification has to be made, I am sure the Hon. Member for Skeena would at least consider it. Anything suggested by the Hon. Member for Hamilton—Wentworth (Mr. Scott) would be preferable to the situation that exists with the Nuclear Liability Act as it presently stands.

No one argues with the fact that we have not had a claim under this Act and we all consider ourselves fortunate. However, that is no reason for delaying the protection of Canadians in the future. After all, we have not had a nuclear war yet, but we still have billions of dollars being spent on deterrent forces.

We have to be careful that we do not become blasé about the potential danger of a nuclear disaster originating at one of our nuclear stations. Our protection under this Act is woefully inadequate as it presently stands. As the Hon. Member for Skeena said, the maximum liability is $75 million. This is not enough by any stretch of the imagination to protect the safety of Canadians. No one will be able to be compensated adequately if they are injured in any way in a nuclear accident. Surely they are entitled to more protection than the Act presently gives them.

The Hon. Member's motion proposes:

> —and in no case shall any such action be brought after ten years from the date the cause of action arose.

I want to speak to that from two points of view. First, the 10-year period is woefully inadequate, as the Hon. Member said. He acknowledged that the Government is considering extending it. In the U.K., for instance, there is a 30-year period. The U.S. has increased it to 20 years or three years from the time the injury became apparent, whichever occurs first. There is now legislation before Congress to remove the 20-year limitation and make it three years from the time the injury became apparent. That is a very significant point. As has been said here today, it may be years before an injury resulting from a nuclear accident becomes apparent. It could be as long as 30 to 40 years according to the testimony of experts in this field. I would say that it is compulsory that we consider this point today and send this Bill to committee.

What is our position in Canada? Not only do we have an inadequate period of time, 10 years, but it is 10 years from the date the cause of action arose. We know it could be 30 or 40 years after the accident before a problem showed itself. Obviously the way it is now is inadequate because people will not have the opportunity to make a claim after they become aware of the injury. Certainly the Government is studying this question, but how long do we have to wait? On May 12 I asked Mr. Robert Blackburn, Director of Planning and Administration Branch of the Atomic Energy Control Board about this and he said:

> The Act provides a 10-year limitation period as Mr. MacLellan refers to. This is one of the issues currently being addressed . . . It is a generally accepted fact that the latency period for radiation-induced cancer can be considerably longer than 10 years. It could be 30 years in some cases. The interdepartmental working group is very much aware of that. We are making use of the medical information. That is one of the key issues being reviewed and we hope to make a recommendation.

When I asked when we could expect such a recommendation he said:

> We expect to have a report which would include that recommendation before the Atomic Energy Control Board, the five-member board, at its next meeting on June 17.

We are now past that date by over two months and the matter remains unresolved. We cannot continue to have this stalling on this very important matter. We have to come to grips with it. This Bill must go to committee and I support the Hon. Member completely.

There are others who have said, "Well, we have limitation periods for all injuries". The statute of limitations says six years. That is for personal injuries which arise through the normal course of events, through unforeseen situations. Here we have a government-sponsored energy creating device which has been put in place in the interests of the Canadian people. This is not a hit or miss situation. This is an organized program. As such, the people of Canada have the right to be completely protected from any ill effects which may arise therefrom.

It is not sufficient, as the Hon. Member for Hamilton—Wentworth said, to say we need a definitive amount so the producers of nuclear power can be assured of a maximum amount for which they would be liable. All nuclear stations in this country are run by Governments. Governments have no right to put a price tag on the safety of Canadians. Governments have an obligation to protect Canadians as much as they possibly can. If something goes amiss, the health of Canadians is put at risk or in fact damaged, then Government has an obligation to compensate these people as much as it possibly can. It is not right to place a maximum of $75 million on that compensation.

We have talked recently about the defects of the Candu system as detected by the Atomic Energy Control Board. We have talked about the fact that AECL has been reluctant to make changes that would fix these defects. In this day and age it is incredible that we would be even having a dialogue about this. They say we have to make changes to correct the defects and we are saying we do not think these changes are necessary. This is all in the spirit of negotiation. It is in the spirit of risking the safety of Canadians, that is what it is. This seems to be the thrust right through the whole piece. The safety of Canadians is not important. Money is more important. Yet money will never compensate Canadians for a nuclear accident.

We have to be cognizant of the fact that such a situation can occur. Not only do Canadians deserve reasonable compensation but it is important that the Government recognize its obligation. Only through doing so with a reasonable liability period and a reasonable maximum liability will the Government take as seriously as it should its obligation to make the nuclear system in Canada as safe as it can possibly be.

• (1440)

Mr. Bob Brisco (Kootenay West): Mr. Speaker, I listened to the speech by the Hon. Member for Skeena (Mr. Fulton) as well as that given by my colleague. The Hon. Member for

Skeena quoted a letter by Mr. Ruby of Energy Probe, and quoted another letter in which it is alleged that the suppliers of material for nuclear reactors in Canada and, I assume, in the United States, are lying and deceitful, that the merchandise they are selling is faulty. I think those allegations, which were not made by the Member for Skeena, but which he read into the record, are most serious. If he believes that that information and those allegations are correct, then I, as a Member from British Columbia which has a well known stance on nuclear reactors, would urge him to bring that information to the attention of the Minister responsible and, indeed, to all his colleagues in the House. If such an allegation is correct, it means that we are playing with the lives of Canadians and we must either prove or put to rest those allegations once and for all.

The intent of the Bill is to expand the time frame of liability with respect to exposure to radiation. That is not an unusual request. The evidence introduced by the Member for Skeena would suggest that there is a very good read out on that disastrous occurrence at Hiroshima.

I suggest, however, that there is a difference between the radiation impact of that nuclear explosion and the events of Chernobyl or what might flow from a minor but nevertheless deadly leak at some other reactor.

When considering the time factor of 30 or 40 years, we must also consider a number of other factors, including the protective clothing that is worn today. For instance, in the field of radiology in the medical profession, no longer do we see those who use fluoroscopy not wearing protective gloves. The loss of the tips of fingers was not unusual. I had a professor in Toronto who had lost the tips of all his fingers from fluoroscopy.

The blush of blood vessels in the face is another example of what happened to physicians who were not fully aware of the hazards of radiation. The protective apparel worn by physicians and technicians in radiology today has yet to prove whether it is serving its full purpose.

On the other hand, how does one demonstrate that a CA of the lungs or CA of the prostate is due to radiation or due to an aging process, taking into account the age of the patient? We have to understand when that 30-year period will begin, in terms of the age of the patient.

I agree with my colleague that a 30-year limitation is a consideration we should study. I understand that the Government is in fact in the process of discussing that very matter.

Increasingly in Canada, we have come to know both the benefits and risks of nuclear energy. The benefits of economical, reliable, convenient, nuclear-generated electricity must be utilized in cognizance of the related risks. We have been reminded of that by the recent incident at Chernobyl. We as legislators must ensure that Canadians enjoy a very favourable risk-benefit balance by providing effective legislation to both ensure the safety and security of nuclear energy and to provide for emergency planning and liability compensation should that ever be required.

British Columbia is blessed with an abundance of hydro-electric power and the capacity to generate hydro-electric power by virtue of our massive lakes, rivers, streams and mountains. I believe we are also blessed by the fact that almost unanimously, the people of British Columbia have rejected the nuclear power source.

Of course, that is not always possible in reality. Therefore, we have seen the need for a CANDU reactor in areas of Canada where no other option is available other than thermal generation through coal, which we know produces acid rain.

The Atomic Energy Control Act empowers the Atomic Energy Control Board to ensure that nuclear energy is exploited with careful and thorough consideration of the health, safety and security interests of all Canadians. It is in that respect that I am particularly concerned about the opening remarks of the Hon. Member for Skeena with respect to equipment, parts and parts replacement. In the unlikely event that a major nuclear accident should occur in Canada, the Nuclear Liability Act provides the means of compensating Canadians and neighbouring Americans in the case of claims resulting from personal injury and property damage. Since its implementation in 1976, there has not been a single claim made under the Nuclear Liability Act. One has to be concerned about the limit of $75 million when one considers the possible impact upon the United States. We saw the impact of a combination of bad judgment and ignorance which resulted in that terrible incident at Chernobyl. It displays the possibility that such an accident could have a spill-over effect to another country.

The Hon. Member's Bill proposes not that the 10-year limitation period be extended, but rather that it be abolished completely. As such, the proposal overlooks the fact that there must be a fair and just balance struck between the interests of the injured claimant and those of the absolutely liable nuclear plant operator. Although abolishing the 10-year limitation period would be very much to the advantage of potential claimants, it may significantly and unfairly extend the absolute liability of the nuclear plant operator and leave him in an open-ended situation against which he may not be able to indemnify himself. That is why I made reference to the age of the person when exposure might occur.

I recognize that the Hon. Member's suggestion is a possibility, but a balance must be struck. A possible fair, balanced and effective approach may be to extend the current 10-year limitation period to 30 years. This would well serve the interests of both the potential claimant and the nuclear plant operator and would make our Canadian nuclear liability legislation consistent with the developing international norm. Further, I believe that such an amendment should be made as part of the over-all review of the Nuclear Liability Act currently being completed by the interdepartmental working group, which was referred to earlier. It would be useful for the

House to examine carefully the results of that report. Such an approach will ensure that review and amendment of the Nuclear Liability Act is done in a comprehensive and consistent manner so that the effectiveness of this very important piece of legislation will be enhanced to the greatest possible degree.

I thank the Hon. Member for Skeena for drawing this matter to our attention. I am confident that the committee will handle this in the most appropriate way.

[*Translation*]

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, as you know, I welcome this opportunity to discuss Bill C-215, an Act to amend the Nuclear Liability Act. However, since in fact, several Members examined the Bill and have prepared their comments, I would like to ask your permission to yield to the Hon. Member for Edmonton South (Mr. Edwards), who also worked on this Bill. I will only comment, for the time being, that I do not think it would be appropriate to adopt this legislation, first of all because the impact may be significant within a period of more than ten and not more than thirty years. I do not think it is particularly urgent to adopt this Bill today. I know a committee of experts is now working on recommendations for the Government. I would now suggest that the Hon. Member for Edmonton South be allowed to present his own comments.

Mr. Jim Edwards (Edmonton South): Mr. Speaker, I thank my colleague from Lévis (Mr. Fontaine) for his kindness.

I am very pleased to have this opportunity to debate the Bill of my honourable friend and so-called cousin. The Government acknowledges that a few of the existing provisions of the Nuclear Liability Act are of some concern to various parties. Many Members know that a federal Government interministerial task force is examining some aspects of the legislation. That being so, it would be premature to endorse Bill C-215 at this time.

The Nuclear Liability Act, adopted in 1970 and proclaimed in 1976, provides for funds to offer financial compensation to citizens for injury or damage resulting from an incident in a nuclear plant, a very unlikely occurrence.

• (1450)

[*English*]

The Act alters the normal burden of proof for a claimant by establishing that a duty is owed by the operator, thus eliminating the claimant's need to prove negligence to claim for damages. A claimant need prove only that the injury or damage was caused by the nuclear incident for which the operator is liable, thereby avoiding much unnecessary litigation.

As you know, Mr. Speaker, part of the intent of the Act is to ensure that funds are available to provide financial compensation to third parties for injuries or damages suffered as a result of a "nuclear incident". At the same time, the Act provides protection to the operators by limiting their related liability. It limits the total amount payable by the operator in respect of damages arising from a particular nuclear incident to $75 million. Larger amounts may be authorized by Parliament.

[*Translation*]

In addition, the Nuclear Liability Act protects persons other than operators. For instance, it protects the suppliers of fuel and parts used in nuclear reactors by restricting to the operator any liability due to a nuclear incident and by preventing the operator from taking legal action against these other people with respect to such liability.

When the Governor in Council is of the opinion that it would be in the public interest to provide special measures for compensation following a nuclear incident, Part II of the Act becomes operative and a Nuclear Damage Claims Commission is established. The commission is empowered to examine and settle claims resulting from a nuclear incident and which are transmitted by the Governor in Council.

[*English*]

The Atomic energy Control Board administers the Act. The board designates the nuclear installations that are subject to the Act, determines who is the operator of the nuclear installation by issuing a licence pursuant to the Atomic Energy Control Act, and determines the amount of basic insurance fixed with the approval of the Treasury Board.

At the time it was proclaimed in 1976, the suggestion was made that the Act be reviewed after five years to determine if any changes would be desirable in light of experience in its administration. In 1982, such a review was begun, even though there had not been a claim under the Act.

An interdepartmental working group, as we are aware, consisting of representatives from Justice, Finance, Treasury Board, insurance, Energy, Mines and Resources and the Atomic Energy Control Board first developed a broad-ranging series of questions concerning the Act and then formulated replies to the questions. These replies were not necessarily the final opinion of the working group. However, they were designed to stimulate public response. The resulting consultative document was issued for public comment, and a number of replies were received. None raised questions or issues not already considered by the working group.

As a result of the public input, the working group is currently reconsidering the original series of answers to its questions with a view to making recommendations to the President of the Atomic Energy Control Board later this year.

In its final report, it is likely that the working group will conclude that the Nuclear Liability Act is conceptionally sound and that its purpose and scope are generally still appropriate. However, a number of contentious questions will still have to be addressed, including whether the $75 million limit on the amount of prescribed insurance is still appropriate, and should the limitation period for claims be extended from 10 years to 30 years in order to include cases of delayed

cancer, many of which will not appear for 10 years. Should the Act continue to cover normal emissions or should it be confined to nuclear accidents? Should self insurance be allowed under the Act? These are fundamental questions which I am sure my hon. colleague, the Hon. Member for Skeena, is most interested to know the answers to.

[*Translation*]

In their final report the task force will probably conclude that the Nuclear Liability Act was properly drafted and that its purpose and scope generally remain relevant. However a number of contentious questions will have to be answered, for instance:

-Is the $75-million insurance coverage provided under the legislation still adequate?

-Should the 10-year time limit for filing claims be raised to 30 years to take into account latent cancer cases, many of which do not become discernible during the first ten years?

[*English*]

Mr. Edwards: I am sure that Hon. Members of the House will agree that since the matter of extending the current limitation period for claims set out in the Nuclear Liability Act is already under examination, I say with great regret that it would seem inappropriate to support Bill C-215 at this point in time.

The Minister, I am told, awaits with interest the recommendations of the Atomic Energy Control Board. While it is acknowledged that subsequent recommendations by the board to the Government for amendments to the Act may present concerns to some parties, you can be assured, Mr. Speaker, that the interests and safety of the Canadian public will be of paramount importance throughout this entire process.

Mr. Deputy Speaker: The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

[*Translation*]

It being 3 o'clock, this House stands adjourned until next Monday at 11 a.m., pursuant to standing Order 3(1).

The House adjourned at 3 p.m.

HOUSE OF COMMONS

Monday, August 24, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

COMMUNICATIONS AND CULTURE

PRESENTATION OF EIGHTH REPORT OF STANDING COMMITTEE

Mr. Jim Edwards (Edmonton South): Mr. Speaker, the Standing Committee on Communications and Culture has the honour of tabling its Eighth Report.

[*English*]

Your committee has considered the Order in Council nominations of Louis R. Sherman to the post of full-time member and vice-chairman of the Canadian Radio-Television and Telecommunications Commission and Beverley J. Oda to the post of full-time member of the Canadian Radio-Television and Telecommunications Commission. They were referred to the committee on June 26, 1987 and August 13, 1987, respectively.

Your committee has examined the qualifications of these persons and finds them to be competent to perform the duties of their posts.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, today it is again my duty to present a petition concerning the Government's plan to tax food, and I am delighted to hear that the Conservative Caucus also objects to this tax on food and has joined us in trying to persuade the Minister of Finance (Mr. Wilson) to change his mind and drop this regressive concept. The petition reads as follows:

Whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food;

And whereas food constitutes a vital element of day-to-day life and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low income taxpayers, youths and students;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

[*English*]

OPPOSITION TO NEW SYSTEM OF TAXATION OF NORTHERN BENEFITS

Mr. Rod Murphy (Churchill): Mr. Speaker, I have the honour to present two petitions signed by residents of northern Manitoba. In their petition, the undersigned citizens of Canada avail themselves of their ancient and undoubted right to present a petition. In the opinion of the petitioners the new system of tax deductions for northern residents has been unfairly applied leaving out many northern communities such as Thompson and Mabowden, and that the taxing of northern benefits is heavy-handed and complicated, taxing away benefits intended to compensate employees for loss of other amenities.

The petitioners call upon the House of Commons to direct the Minister of Finance (Mr. Wilson) to reconsider the system of tax measures when studying tax reform as promised in the Budget.

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have two petitions. The first petition deals with the Post Office and indicates that the federal Government's proposal to seek financial self-sufficiency by 1988 for Canada Post Corporation will result in cut-backs, deterioration of service of the Post Office and consequently will be at the expense of service to Canadians. It goes on to outline this in more detail.

• (1110)

The petitioners humbly pray and call upon Parliament to instruct the Government to make improved service the highest priority of the Canada Post Corporation and to abandon its policy of closing rural post offices and cancelling rural postal routes.

I have petitions which measure approximately two inches in height, petitions which are printed on legal-sized paper. I wish to make note of the fact that we have received at least 15,000 petitions from the Province of British Columbia, as well as

other petitions from the rest of Canada. The petitions are still coming in. I hope that the Government is listening.

CANADA POST—TWICE DAILY DELIVERY IN DOWNTOWN WINNIPEG

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the second petition deals with a more local matter. It is from Winnipeg. It indicates that Canada Post Corporation plans to cut delivery of mail to businesses in downtown Winnipeg to once a day instead of maintaining the present practice of twice daily delivery. The volume of mail delivered to these businesses is on the increase. Twice daily mail delivery is needed to ensure efficient operation of the businesses in downtown Winnipeg. It is unacceptable that postal service be reduced at a time when postal rates have been increased.

The petitioners humbly pray and call upon Parliament to instruct the Government to insist that Canada Post Corporation continue to provide twice daily mail delivery to businesses in downtown Winnipeg.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Speaker: Shall all the questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed consideration from Friday, August 21, consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, on Friday the Minister intervened with remarks regarding the amendments put forward by the Upper Chamber. I want to take a few moments today to share with you, Mr. Speaker, some of my thoughts with regard to the Minister's expressed statements, as well as his sentiments, with regard to the acceptance or lack of acceptance by Canadians concerning the formulation of Bill C-22.

It is somewhat ironic that the Minister's statements on that particular day for whatever reasons, intentional or otherwise, did not focus on the fact that six provincial Legislatures were against Bill C-22 and in favour of the amendments put forward by the Upper House. The Minister went on at length to explain that in his view countless Canadians from coast to coast were in support of Bill C-22. What the Minister failed to

do was to give a great deal of specifics to that point, and I make one example. He made reference to the fact that Dalhousie University is in support of Bill C-22. Contrary to what the Minister has told the House, we had a very reputable and distinguished Canadian from that university appear before our committee who clearly spelled out his objections to the Bill. I believe it is on the record of the committee. He made some very sincere recommendations on how to improve the Bill, how it ought to be changed. Nevertheless, the distinct impression was left by the Minister of corporate affairs that that particular university was in complete harmony with Bill C-22.

Early on in the debate, particularly at committee stage, Canadians were told by the present Minister of corporate interests that the benefits to Canadians with regard to research and development would be overwhelming, indeed. I am trying to paraphrase the words the Minister used but I think the gist of his thesis at that time was that all provinces and territories would benefit substantially from the promises—and I would like to underline the word "promises"—from the multinational corporations as they relate to research and development. Unfortunately, if one were to accept in a hypothetical sense their promises as being guarantees and then look at the abstract as to where the moneys would go or not go, I think Hon. Members would readily agree that the economic benefits, if those were to occur, would certainly not be spread in an equal way across the country.

I was waiting for the Minister to stand in his place as the Minister of corporate interests and tell us the number of new jobs and the amount of research that would take place in the Province of Newfoundland. I thought he might have a comment or two with regard to how those alleged economic benefits would help the community of Corner Brook, Newfoundland. I thought he might stand in his place and talk about the number of new jobs that would be created in Stephenville, Newfoundland. I thought that perhaps he might have been a little bit more explicit in telling us the plans that his friends in the multinational corporations have for erecting new companies in Goose Bay, Labrador, or in St. John's, Newfoundland. But, for whatever reasons, whether it be with respect to time or his refusal to acknowledge that no benefits, or very few, will accrue to that province, the Minister of corporate interests decided not to share with us where those benefits would go in the Province of Newfoundland.

Even better, I was hoping that the Minister, who has said many, many times that economic benefits would accrue across the country, would tell the good people of Lunenburg County, Cumberland Country, Cape Breton County, Guysborough, Halifax and Pictou Counties in Nova Scotia about those benefits and the new jobs, and how many would be created in their province. When we consider New Brunswick I was waiting with bated breath to hear about the number of jobs that would be created in that province. We know that because of the day of reckoning—election day—which is so imminent in the Province of New Brunswick, the Minister would want to do something for his colleagues in that province and tell us where the research and development dollars will go, the amount of dollars and the number of jobs that will be created.

We were wondering how many jobs would be created in Westmorland—Kent and in Moncton, how many would be created around that very distinguished and prestigious university, Mount Allison University, and how many would be created in Saint John, New Brunswick and other communities throughout the province. But, again, the Minister of corporate interests was not able, or shall we say not willing, to share with the House where this new grandiose sum of money would be invested in the Province of New Brunswick.

With three elected Members of Parliament in Prince Edward Island out of a total of four we were hoping that the Minister would avail himself of the opportunity to say to the people of Atlantic Canada that there might not be much in New Brunswick or Nova Scotia, but perhaps there would be a tremendous number of economic benefits in Prince Edward Island. I checked the press releases that had gone out and I did not find that the Hon. Member from Charlottetown, or the Hon. Member for Malpèque (Mr. Gass), or the other Member of Parliament from P.E.I., had made any announcements to their constituents in terms of the benefits of research and development, jobs, and economic spin-off. Perhaps some will yet come. The Minister has previously changed his mind on certain benefits of Bill C-22, perhaps he will change it again. The Minister will not guarantee, but he will promise that perhaps something may occur.

• (1120)

I thought that the Minister would have availed himself of the opportunity to spell out to the people of British Columbia, Saskatchewan, Alberta, and Manitoba where the benefits would accrue in those provinces.

There is a great university in Brandon, Manitoba. Mr. Stanley Knowles, is the Chancellor of that university, a distinguished honourary Member of the House, and former member of the New Democratic Party. I thought that the Government would have spelled out the opportunities for their colleagues and friends in Manitoba and where the benefits would accrue in that province. There are very few, if any, benefits if one assumes that the promises would be realized, or that the promises would eventually become guarantees.

We have heard a great deal in terms of new jobs in Ontario and Quebec. I do not think that any Member begrudges those two provinces the new jobs, new wealth, and economic spin-offs that may accrue. What is disturbing is that it is a mere promise, there are no guarantees. There are no guarantees on the level of expenditure for research and development, with regard to the number of jobs or with regard to the types of jobs that may be created. We are asking the Government to put in some guarantees to legitimize some of its more grandiose sentiments, and to convince the Canadian public that what it is

doing for the multinational corporations will bring some economic benefits to Canadians.

The Government is giving one element of the pharmaceutical industry an extended monopoly provision for approximately 10 years. The fact is that from 1969 to 1983 the pharmaceutical industry in Canada was the most profitable of any manufacturing sector in our economy. During that period the growth in employment of the manufacturing sector was approximately 4 per cent. In the pharmaceutical industry it was 29 per cent. The pharmaceutical sector in Canada had astronomical profits in the 300 to 400 percentage range. That was operating under the old law. Now the Government wants to give the pharmaceutical sector a further 10-year period of monopoly.

There is something wrong when all that is given away, and in return Canadians only get promises of additional research and development, additional jobs, and that prices will not rise. We also get a promise from the Minister that benefits will be distributed equitably throughout the country. We also get a promise from the Minister that as a result there will be more research and development in Canada. But where are the guarantees? Are Canadians to give up a good system in return for mere promises? Surely the Minister must realize, notwithstanding his desire, tenacity, and enthusiasm to satisfy the interests of his friends in the multinational corporations, that he has a further, if not greater obligation to consumers and the public that he must have a better deal, a better package for Canadians.

This morning I raised my concern about the fact that six provincial governments are opposing and want further changes to Bill C-22. I had hoped that the Minister would have taken their concerns very seriously. The Minister has made repeated reference to the Province of Quebec. The Minister states that there is a resolution from the Quebec Legislature which asks that we pass Bill C-22 quickly, because it believes much research and development, and jobs will be created in that province. I have no desire to enter into a confrontation with my colleagues from Quebec, regardless of what side of the House they are on. But I say to them, through you, Sir, and to members of the Government, that we on this side of the House want to see research and development, and jobs in the Province of Quebec, but we also want to see guarantees and undertakings by those corporations that things will be done as promised, and that Canadians will not have to pay higher drug prices in return for that mere promise. That is our substantive argument with regard to Bill C-22 and how it affects the Province of Quebec.

Surely as Canadian politicians and legislators we want to ensure that Canada has the best public policy affecting pharmaceuticals. Perhaps I am wrong and there are some Members who do not want that. Perhaps Members from British Columbia do not want to have research and development in their province; perhaps they do not want to have more jobs. I do not know, but I do not think that. The fact remains that all of us have to be concerned with the entire national picture. I would hope that our colleagues in Ontario would not expect the Province of Newfoundland, and the taxpayers of that province to pay higher drug prices for their families, their children, their senior citizens, and a variety of citizens on the mere promise and whim that at some future time in the 10-year period there may be more research and development, and jobs created elsewhere.

• (1130)

I think it is evident that as it now stands, the Conservative Government's public policy is shady and does not serve the best interests of Canadians. When we examine the statements of the Prime Minister (Mr. Mulroney) about reconciliation and better federal-provincial relations, what better judge of the success of those goals than having six provincial Governments saying that the Government's public policy does not serve the best interests of Canadians? We must consider those representations by the provinces seriously.

Furthermore, we should consider what we heard from the Province of Saskatchewan. Initially, Saskatchewan was publicly opposed to Bill C-22. There followed a provincial election and the awarding of $1 billion for agriculture programs to that province. Then mystically, Saskatchewan came onside to support Bill C-22. I do not know what brought about that change and I am not saying that $1 billion from the federal treasury convinced Saskatchewan to support Bill C-22. Others have suggested precisely that, but I am not. However, we witnessed a totally different phenomenon at the committee hearings when we were greeted by a senior deputy minister from the Province of Saskatchewan who placed so many qualifications on Bill C-22 for it to be improved in various ways that any logical person could see that Saskatchewan was reverting back to its original position of opposing Bill C-22. Quite rightly, of course, the astute deputy minister had to announce that government policy was to support Bill C-22 but with some 11 pre-conditions in terms of changing the legislation.

Let us consider Nova Scotia. I do not use that province as one of those opposing the Bill but let us consider what happened in that case. The Minister of Health for the province stated that it would cost Nova Scotians some additional $25 million.

Mr. Robichaud: It is not supposed to cost anything.

Mr. Dingwall: The Member is absolutely right. The Minister of corporate interests told us the other day that it would not cost Canadians anything. But that is not what we were told by the Tory province in Nova Scotia.

However, at approximately the same time there was talk about funding for Sysco modernization. Let me make it perfectly clear that it is not my suggestion but that of some others in Nova Scotia who say that once the Sysco modernization funds were announced there seemed to be a change of heart in the Nova Scotia Government with respect to Bill C-

22. The media had a difficult time finding people to substantiate their claim of an additional cost of $25 million. As well, the Minister of corporate interests vowed to stay away from any comments about the situation in Nova Scotia. At the same time, there was a litany of announcements ranging from money for Pictou industries to funding for a variety of programs in Halifax. I suggest it is quite obvious to most Canadians that a major power play was underway.

It is my belief that the new Government in British Columbia, being interested in jobs and more money for research and development, would have seen through the major omissions in Bill C-22 as did six other provinces, and perhaps Nova Scotia and Saskatchewan. I thought it would want to correct those omissions in order to reap some of the benefits for its province. However, there were only a few opposition MPs, including the House Leader for the New Democratic Party, who repeatedly raised the major omissions in this Bill. Government Members of Parliament from that province sat on their hands and agreed that the most profitable sector in pharmaceutical manufacturing needed another 10-year period of monopoly.

The Minister stands in his place to talk about the overwhelming support for the Bill. If he were here in the chamber I would tell him to be more candid and specify the areas of support and the rationale for that support. I think it is clearly evident that provincial Governments definitely do not support higher drug prices.

What did the Minister do? The Minister stated from the outset, through the committee stage and during the discussions in the Upper Chamber, that the Government would provide $100 million to lessen the impact if, in fact, there were higher drug prices. Either the price of drugs will rise or they will not, but the Minister tells us that he will provide $100 million. When I asked the Minister how he arrived at that figure of $100 million, he did not have any substantive answer but simply said that it is a cushion that the Government will provide to assist the provinces if prices increase. The Minister stated that consistently from January through to the early part of August. Now the Minister of corporate interests tells us a different story. The Government will no loner provide $100 million to assist provinces *vis-a-vis* price increases.

The Minister echoed the words of the Right Hon. Prime Minister who condemned the Upper Chamber as a bunch of political unelected hacks. I take strong exception to that statement. Lowell Murray happens to come from my constituency in Nova Scotia and I do not think he is a political hack. I am at odds with the Right Hon. Prime Minister when he calls a native Nova Scotian like Findlay MacDonald a unelected political hack. I think it is pretty degrading for the Right Hon. Prime Minister to say that about individuals in the Upper Chamber, particularly when he does not have the intestinal fortitude to do something about this unelected Chamber other than to talk rhetoric with some of his followers during his political gatherings across the country. He does not have the intestinal fortitude to change a situation that can only be changed by a Prime Minister.

• (1140)

Do you know what the Minister of corporate interests did, Mr. Speaker? Imagine this. He accepted recommendations made by a bunch of unelected political hacks in the Upper Chamber. After saying that they were so terrible, he has now accepted some of those recommendations.

Is he going to give $100 million to the provinces for the purposes of increasing the prices of pharmaceutical drugs? No, he is not going to do that. The Minister is so confident that the multinational corporations will do research and development that he will give $100 million to the provinces, not for the purpose of price increases but for the purpose of providing additional research and development. If there has ever been hypocrisy practised in the House of Commons by any Minister of the Crown, it has been by the Minister of corporate interests whose total concerns are escalating and enhancing the profits of multinational corporations at the expense of every-day Canadians.

It is one thing to say to the provinces, "The hell with you". That is what Bill C-22 is saying. It is another thing to say to Parliament, "We believe prices will rise, therefore we will give the provinces some money," and then turn around and do the exact opposite with that money. It is another thing to refer to the Upper Chamber, as the Prime Minister and the Minister of corporate interests have, as a bunch of political hacks but to do nothing but denounce it on national television and at every political gathering they can muster. They have said to Canadians from coast to coast that they will accept no amendments, no changes, they are in it to the end, but the Minister of corporate interests came into the House and swallowed himself completely by accepting amendments. I find that behaviour to be absolutely against the best interests of generating good public policy in Canada.

How can we believe the Minister when he says now that the multinational corporations will give x millions of dollars when in the space of six months, the Minister flip-flopped not once but twice on two major, substantive issues concerning Bill C-22 and the Upper Chamber. I am absolutely astounded that the Minister could walk into the House and still feel that he could assume his responsibilities as Minister protecting Canadian consumers. It is absolutely unbelievable.

The provinces, by and large, are against this Bill. Some are against it for different reasons, but they are against it. The Minister of corporate interests has changed the legislation substantively and is hoping that Canadians will now believe him. I do not think they will.

If there is any indication that Canadians do not believe the Minister of corporate interests, we should go back to the polls for a moment since it was the Minister, not I or my colleagues to the left, who brought up the polls. This is unfortunate because I do not think that national political Parties should be

overly concerned with what the polls are saying on a day-to-day basis. However, it was the Minister of corporate interests who brought them up. He ought to look at what Decima is telling him about the trust in both his Leader and his Party. He should find out where Gallup says that particular Party is when it comes to general acceptance by the population. Of course, other pollsters have said the same thing.

It was the Minister of corporate interests who raised the issue of polls. Canadians from coast to coast know that this Government is not a Government to be trusted, particularly with regard to Bill C-22 and how changes to the Bill will affect consumers.

Since I have already talked about the provinces, let me talk for a few moments if I may about the organizations other than Dalhousie University to which the Minister alluded as being in support of Bill C-22. The Minister said that these organizations are supportive of Bill C-22. In part, the Minister of corporate interests is correct. However, when I or my colleagues to the left asked questions of these organizations at committee stage, it became very clear to many observers that amendments ought to be sought in order to strengthen the Bill and achieve the objectives about which all three political Parties were talking, namely, jobs, research and development and protection for Canadian consumers.

I remember a distinguished group of representatives from western Canada who had indicated to the committee that they were supportive of Bill C-22. When it was brought to their attention that the Bill did not contain a definition of research, they were quite surprised. I asked them, "Did you read the Bill?" They said, "Well, yes, you know, we are not lawyers but we have examined the contents of the Bill and we think it is okay". I said, "Did you see any provisions in that Bill to guarantee that research and development by those multinational firms will take place?" They said, "No, we didn't, it wasn't there". I said, "That's right, there are no guarantees". I said, "Did you see any guarantees about the number of jobs that will be created?" They said, "No, we didn't see any of those either". I said, "What guarantees did you see in the Bill for protecting consumers and the prices they will have to pay?" They said, "Well, we really don't know what its powers are, but there is such a thing as the Patent Medicines Review Board. Is that not supposed to keep prices down?"

Many groups came before the committee with good intentions, accepting the word of the Minister of corporate interests, not consumer interests, that these objectives were contained in the Bill. Those objectives were jobs, research and development expenditures, and a pricing mechanism. Once they became aware of the major omissions, they wrote to the Minister of corporate interests saying they agree its objectives are laudable but he has an obligation to put something in the Act to guarantee Canadians that this will be done. That has never taken place.

• (1150)

In 1984 the Tories said they were going to do away with some boards and regulations. Now they are adding another board and putting more regulations into play. Say one thing and do the opposite. We have come to accept that sort of conduct by the governing Party.

At best the constitutionality of the price review board is in serious question. It would be interesting to send a copy of that Bill to the Canadian Bar Association meeting at the Congress Centre this week. I am sure they would come to the same conclusion I have, that it is unconstitutional. I challenged the Minister. I said if he believed it to be just and appropriate, table the legal opinion to verify it. He will not do it. You would think if someone had a strong case he would want the Canadian people and, in particular, opposition Members to see what judicial interpretation the Department of Justice and his Department are giving to that legislation.

As I said to the Minister and his legal counsel in committee, at the first opportune moment, when this board attempts to exercise its authority against the multinational corporation, it will end up in Federal Court where it will remain for months and months if not a year or two before the court renders a decision nullifying any effect this board might have.

First, it is unconstitutional. Second, the board is not in a position to act, it can only react. You know, Mr. Speaker, because you are a distinguished parliamentarian, that there is quite a distinction between acting and reacting. This board can only react after it has received complaints, or provincial Governments interfere, and then it has the responsibility to investigate. What can it investigate? It is not allowed to go outside the boarders of Canada to obtain information or evidence regarding a particular company. If your corporate head offices are in New Jersey or Switzerland all you have to do is mail your file there and the Canadian Government cannot investigate whether you are transfer pricing or whether you have given the appropriate information regarding the initial cost of a particular drug. It is an absolute and utter joke. We are not looking at days, weeks or even months, we could be looking at years in dealing with a price problem.

What has happened here is very sad. The Minister has said no to committee members; he has said no to countless witnesses; he has said no to consumer advocate groups; he has said no to provincial Governments, and he has said no to legal experts—no changes will be made. Let there be no mistake about it. He is the Minister of corporate interests. He is going to embellish and enhance multinational corporations. That is what his portfolio is all about. He told the committee one thing, to which my friend from Windsor—Walkerville will probably refer, but he tells the House something different. I want it to be known through you, sir, that I am not suggesting for one moment that he is intentionally misleading the House. What I am suggesting is that in the Minister's pronouncements he has conveniently forgotten certain specifics.

I should say at this point that a number of groups who are against Bill C-22 have also said they could live with it if certain amendments were made. I want to make it perfectly clear that the amendments put forward in committee, on the floor of this House, and in the Upper Chamber have been consistent. Given the economic framework within which the multinationals operate, we do not believe Bill C-22 as put forward by the Government should pass. We cannot support the Bill with a 10-year price protection without guarantees for research and development and quality jobs across this country.

• (1200)

In conclusion, Mr. Speaker, this has been an exhausting and, at times, acrimonious debate on Bill C-22. Upon reflection, perhaps I have contributed to that acrimony. However, in all good conscience I make no apologies. Someone somewhere has to stand up for those Canadians who cannot now afford the cost of prescription drugs.

In his own testimony before the committee and in his speech in introducing this legislation the Minister said that 85 per cent of Canadians are covered by drug programs. He failed to say that those drug programs are paid for by the Canadian taxpayer. He also failed to say that over one million Canadians have no drug plan whatsoever.

Notwithstanding the tenacity of Members opposite who tried to intimidate a number of witnesses in committee, we heard a number of witnesses who came before the committee say that they are welfare recipients and that some of their drugs are paid for by the municipality which pays their welfare, but that there are a good number of drugs for which they must pay themselves.

Someone must stand up for those individuals. Someone must stand up for Canadians who do not have lobbyists, as do the banks and pharmaceutical companies. Someone must say that this law is unjust. It flies in the face of providing good public policy for Canadians, whether for the senior citizen in Nova Scotia, the person on compensation in New Brunswick or Newfoundland, or the widow or welfare recipient in Prince Edward Island, Ontario or Quebec. Regardless of who those individuals are, the Government is doing a major injustice to them all.

The Government is telling the Government of Alberta and the Government of Manitoba that it does not care, that it does not give a damn what they say, that it is going to go ahead with its plan for higher drug prices with no guarantees of research and development jobs. It is responding to the conditional approval which the Government of Saskatchewan has given to this Bill by saying that it is not going to accommodate the request of the Government of Saskatchewan. It is saying to the people of British Columbia, Ontario and Quebec that there are no guarantees of jobs or research and development, that it will go on a whim and prayer that sometime in the next ten years there will be some new jobs in research and development.

Therefore, Mr. Speaker, I do not apologize for standing up for those people. They are just as important as the lawyers, doctors, and other organizations which have paid lobbyists to act on their behalf. I want to thank you, Sir, for your co-operation and the courtesy that you have displayed to me while you have been in the Chair. I think you know deep down that I feel very strongly about the substance of this Bill. I believe very strongly that the Government of Canada has abdicated its responsibilities to the people of Canada. More important, Mr. Speaker, I believe that on judgment day, which is not all that far away, the Canadian people will give the Government its due, and I can assure you that it will not be a vote of confidence, but will be a vote in opposition to the governing party and particularly the Right Hon. Prime Minister and the Minister of corporate interests.

The Acting Speaker (Mr. Paproski): Is the House ready for the question? Under Standing Order 55(1) the Hon. Member for Cape Breton—East Richmond had unlimited time with no provision for questions or comments. Speeches from now on will be limited to a maximum of 20 minutes with provision for a question and comment period.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I realize that I have only 20 minutes during which to express my Party's opposition to Bill C-22. It is perhaps appropriate that we allow the Official Opposition unlimited time to develop its thoughts. It is quite evident that such a length of time is required. The previous speaker is somewhat like Beethoven attempting to finish a symphony. We never know when it is going to end.

The New Democratic Party has not found it necessary to engage in the verbal athletics, as has the Official Opposition, in order to express and manifest its support for those in the country who oppose this legislation. As you well know, Mr. Speaker, Members of the New Democratic Party tabled petition after petition from the people of this country in opposition to Bill C-22. Therefore, we do not need two days in which to indicate to the Canadian people our opposition to this legislation and the reason for our opposition to it.

Quite basically we are opposed to this legislation because it is wrong. We are opposed to it because it is unnecessary. We are opposed to it because it does not recognize the various needs which must be addressed, not only those of the multinationals but those of the old, the poor, the taxpayer, and the health system of the country.

This Bill proposes to change an arrangement which originated in 1969 and introduced compulsory licensing. At that time brand name drugs had to face competition from generic drugs which have the same pharmaceutical properties. That change in Canadian patent regime resulted in considerable savings to Canadians. Let us remind ourselves that at that time Canada had among the highest drug prices in the world. Several commissions studied the matter and reached the conclusion that the only appropriate way of dealing with the problem was

the compulsory licensing arrangement which we have had since then.

Let us also remind ourselves that since that time the multinational drug companies operating in this country have had the highest profits of any manufacturing sector in the country. During that time employment in the pharmaceutical industry increased by 29 per cent more than employment in that sector in the United States where there was complete patent protection. During all of that time and before 1969, in spite of obscene profits, the multinational pharmaceutical manufacturers did not a whit of basic research in this country. We are expected to believe that by returning to the pre-1969 situation, and by virtue of a promise, they are going to keep prices down, do research in this country, and create jobs. Anyone who believes that believes in the tooth fairy. Much more, such a one probably believes that the promises of the Prime Minister (Mr. Mulroney) will be kept. We know that that would be a peculiar set of beliefs.

• (1210)

I listened with great interest to the Minister of Consumer and Corporate Affairs (Mr. Andre) who talked at great length about what a significant impact this legislation will have on scientific research. We heard him say as well that all scientists would back this legislation because it will produce increased research opportunities and innovations. Let me tell you, Mr. Speaker, that as a practising scientist up until the day I was elected to this place, I have never heard such an nonsensical view of the real situation in this country with respect to science.

It is certainly true that government after government—and this Government is no exception—has refused to make the kind of commitment to basic research that is necessary for this country to thrive. To suggest that Bill C-22 will change that situation indicates nothing but a complete misapprehension of the real world or a deliberate attempt to mislead. The Government is trying to defend the indefensible to a country in which the vast majority of people who have addressed themselves to the issue of Bill C-22 have spoken in opposition to it.

The Minister recited a long list of those who are supposed to be unequivocally in support of Bill C-22. Let us just take a couple of examples of those the Government purports are in favour of Bill C-22. The Minister tells us that Dr. Stuart Smith of the Science Council supports the Bill, and that must be interpreted to mean that Bill C-22 is seen by Dr. Smith as the only possible approach to securing research investment in the pharmaceutical industry. But what in fact did Dr. Smith say? He said, "To summarize, Science Council members agree some research is better than none". That is a clear reference to the fact that these companies, who have given the Minister their promise, have not been doing research to any significant degree and any improvement in that situation by whatever mechanism, whether the Eastman mechanism or the Bill C-22 mechanism, would be welcome in that context.

Dr. Smith goes on to say, "We commend the Government that intellectual property will be better protected". But there are any number of approaches to improving the protection afforded to intellectual property. One way of protecting intellectual property is to see that the originator is paid royalties. The issue then becomes, how much in royalties? One could also protect to an appropriate degree—that is, in balance to all the other demands which have to be met on behalf of the people—by affording four years of exclusivity as well as some other regime of royalty payments, as Dr. Eastman has suggested.

As Dr. Smith observes, there are some deficiencies with respect to this Bill in social costs. He states:

> We have some concerns about social costs. Mostly we worry that Bill C-22 does not by itself, or with any other policy, really bring about a change and improvement in Canada's pharmaceutical industry or its international balance of payments.

Does that sound like an unequivocal endorsation of Bill C-22, Mr. Speaker? Of course, it does not. It was not Dr. Smith's intention that the Minister stand here and say that the head of the Science Council is four-square in favour of Bill C-22.

The Minister also said that the University of Manitoba supports this Bill. My colleague telephoned the University of Manitoba and, as one might expect, because there should be common sense involved in the notion that a university would support this legislation, that university did not endorse this legislation.

We could go through the entire list of those associations the Minister says support this legislation and we would find the same degree of equivocation among most of them, with the exception of the Pharmaceutical Association of Canada. Of course, it supports anything that would get these people, that is the multinational pharmaceutical industry, mostly American owned, to put more money into this country for research.

Having made reference to the long list of so-called supporters referred to by the Minister, I have to say that the Minister has said a great deal about the inappropriateness of the Senate's attempt to significantly amend this legislation. The position of my Party is clear. It has always been clear. The Senate, as it is presently constituted, deserves abolition. If the Government feels that the Senate should be abolished, the Prime Minister has the support of my Leader and, presumable, if they can work it out, the support of the Liberal Party. So let us get on with that. But let us not call into question what is obviously true. There is a constitutional power of the Senate to deal with this issue.

Having referred so constantly to the undemocratic nature of the other place, it has to be said that the other place accorded more opportunity for those who are opposed to this Bill to speak than did the Government. It was a shameful performance on the part of the majority members of the committee who held hearings on this legislation that witnesses who expressed themselves in opposition were badgered. Their time was limited. The Hon. Member from Burlington, in his

remarks to those who expressed themselves in opposition to this Bill, could only be regarded as a poor reflection on this House, and manifestly undemocratic in his behaviour with respect to the process. Therefore, in my opinion, we have the silly situation that we, who regard this House as the place where democracy has a voice, are in the position that it is the Senate which provides those in opposition to the bill the greatest opportunity to express themselves.

What came about was a recommendation by the Senate to amend this Bill along the lines of those recommended by the Eastman Commission. The Eastman Commission carried out the most thorough study of drug legislation in the history of this country. It is a study which is respected around the world. The Eastman Commission said there should be some change in the present arrangements, that there should be four years of exclusivity, not 10 years, and there should be a specific mechanism for ensuring that research would be done, not a namby-pamby promise on the part of an industry which, in making the promise, knows that it has joined with the Government in misleading the Canadian people about what really is afoot.

• (1220)

When we consider tax concessions for research, the new arrangements for matching funds between industry and NSRC for funding university research, the increasing average age of the population and therefore the increased demand for pharmaceuticals, and when we look at the projections of the increases in rates of expenditures for research over the last five or ten years, what we must conclude is that by 1995 there will be an additional $1.3 billion more spent on research, so-called, in any case, whether or not this legislation is passed. In addition to that sum there would be something in the order of $2 billion spent on additional capital expenditures. This translates into an empty promise in the sense that that promise was based on a set of facts that would have existed whether or not Bill C-22 is passed.

Let us consider the type of research that will be done. Is this investment of the kind that will establish the concerted centres of excellence in the country that will pursue basic research? My colleague, the Minister, talks a great deal about basic research. He knows nothing about basic research if he thinks that what the drug companies will do is basic research. If he wants basic research, then he should put some more money into the universities to keep the promise made by the Prime Minister that the rate of investment in research would reach 2.5 per cent of the GNP. That is how basic research is increased. There are very few companies, certainly not American, Swiss, British or German ones, with their centres in their home countries which will disperse their research efforts in Canada. It is an unreasonable proposition to make. Thus we have a mixture of complete misunderstanding of what basic research is all about, and an attempt to use what was already there as justification for what should not be.

I talked about the role of the Senate in at least allowing the Canadian people to speak. I omitted to mention that the Government was far more anxious to listen to those from outside the country than to those within it. We had the President of the United States, the Vice-President of the United States, who is a former Chairman of Pfizer, we had Pratt, the Chairman of the President's Advisory Committee on Trade, who is also a big wheel in a drug company, we had American after American come up here and say, "Look, better pass this Bill or there will be no free trade deal". In short, it was one of those concessions that one might have made, I suppose, during the course of bargaining to gain something from the Americans. But we gave it away.

As I said before, the President said, "Look, you will have to do something about drug prices up there in Canada. You will have to stop providing cheap drugs to sick people." The Prime Minister said, "Yes, sir". But when Bill Haddad wanted an opportunity to express the point of view of the generics from the United States, his input was rejected. When Ralph Nader said, "Look, my God, don't allow to happen in Canada what has happened in the United States," that was rejected. When Henry Waxman, a distinguished Congressman, made a similar warning it was also ignored.

This is a Government with selective ears. It is a Government that refuses to listen. It is a Government that could have had a well thought out proposition for protecting consumers, for stimulating a measure of research, not on the basis of a promise, but on the basis of a mechanism that would make that promise come true. But, no, it wanted to play a fast one on the Canadian people.

This is a Government that is characterized by the vast majority of Canadians as being fundamentally dishonest, lacking in credibility, in a hurry to do but slow to listen, a Government that has sold its credibility because of its own failings. It has an opportunity through a reconsideration of Bill C-22 to bring what it does into closer agreement with the will of the people.

While we in the New Democratic Party would have preferred that there be no legislation before the House at all, it is surely an inherent part of the democratic process that a government be willing to listen to all sides and to achieve through that traditional mechanism of politics and reasonable compromise a piece of legislation that would be far less offensive to Canadians and our own national welfare. But I guess that is not possible for a Government that takes its orders from Washington.

[*Translation*]

Mrs. Bourgault: Mr. Speaker, sitting in my office, this morning, I could not believe the kind of paranoia in which the Hon. Member was indulging. I couldn't believe he was saying he is against creating 1,700 jobs in Montreal. Where is his colleague, the Hon. Member for Terrebonne (Mr. Toupin)? He should be sitting next to him to give him advice. Where are his colleagues? How will they dare show their faces in

Montreal at the next election? How will they be able to justify rising in the House of Commons to say they were against 1,700 jobs? How can anyone be against that? Mr. Speaker, I think it is obvious that the Socialist Party . . . I think they are more than socialist, they are almost communist. We have now reached the point that if we listen to what the Hon. Member is saying, obviously everyone is going to leave. They are going to go to the United States or somewhere else, because it will no longer pay to invest in Canada.

Does anyone realize what it costs to send a young person to university to study pure science? We have young graduates coming out of university and they want to do research. Is there any room for them in Canada, in Montreal or Toronto? No, Mr. Speaker, there is not. They go off to the United States. The Hon. Member is being paranoid when he says we are adopting this Bill because of the Americans. No, Mr. Speaker, it is not because of the Americans, it is because this Government believes the private sector is in the best position to create jobs. This Government believes that jobs must be made available, and that we need research and development to discover new drugs.

I would like to ask him a question. Is this a kind of tactic on the part of socialists with communist leanings, to ensure, there will be no more companies in the pharmaceutical industry doing any research in Canada so that in the long term, we will have to go communist?

[*English*]

Mr. McCurdy: Mr. Speaker, it really is amazing that this Hon. Member of the "PCP" Party would stand before the House and again utter the accusation that has already been such a terrible embarrassment to the Conservatives. The Hon. Member would declare that because the New Democratic Party stands for the average Canadian, and because it has a reputation among the vast majority of Canadians for fighting for justice for the ordinary Canadian, and seeing justice for everyone, that that is communistic. I saw a smile come to your face, Mr. Speaker, when those words were uttered.

• (1230)

Mr. Andre: He always smiles.

Mr. McCurdy: I am afraid that he has plenty to laugh about from that side of the House.

Let me address the substance of some of the other things stated by the Hon. Member. It is astounding that ignorance could be so well organized in a grammatical sense. I wish to advise the Hon. Member that I understand well the situation of students in science in the universities of this country. I spent 25 years struggling to get enough research funds in order to make it possible for Canadian students to do research that was first class. In the same manner as this Government has failed, previous governments failed to address the issue of funding basic research. Basic research is not done by the corporations.

Let me give the Hon. Member a quick kindergarten lesson in science. The genetic code was not discovered in the laboratories of Pfizer. Transduction was not discovered in the laboratories of Sandoz. The structure of the ribosome was not discovered in a corporate boardroom. All of those discoveries were made in universities. When companies finally patent a medicine or a pharmaceutical it is based on the fundamental discoveries that are carried out in the laboratory by scientists who will never earn as much as Tim Raines. When the Minister suggests that this legislation will make a professional baseball player out of a scientist in terms of how much money he receives for research, that argument reduces the whole subject to the level of the ridiculous, in the same manner as did this Hon. Member.

[*Translation*]

Mr. Ferland: Mr. Speaker, I see that the Hon. Member for the New Democratic Party is very aware of the need for research and of the future of our young people. I quite agree that in some universities, some extraordinary discoveries have been made.

However, perhaps we should explain to Canadians and recall how research services and science centres work in our universities. We have many young people studying with excellent professors. Of course, these young people take part in certain discoveries and some kinds of research. But why are these students in our Canadian universities so active? Because they hope that one day, when they come out of university, they will be able to find jobs in the private sector so they can earn a decent living to support their families.

Mr. Speaker, the Hon. Member's unconscionable opposition to this Bill will take away every hope these young people ever had of being able to work in their own country, to help their country and to become world leaders. Unfortunately, the Hon. Member would rather take the narrow view and thus make our young people go to other countries so they can develop their talents and make their contribution to mankind.

[*English*]

Mr. McCurdy: Again, I am afraid that we see the typical politician's ignorance of what motivates a scientist. A scientist does not become a scientist, that is, the type of scientist that does basic and fundamental research, the type of scientist that lays the foundation for the discoveries that occur in drug companies, or elsewhere, motivated by contract levels such as those found in baseball or hockey. Scientists are motivated by curiosity, a love of learning, being the first to discover something, and being part of an enterprise that has as its goal the understanding of the universe. If we think that something needs to be done to encourage scientists, then give them an opportunity to do research.

Do not be misled by the notion that the universities in this country are collectively first rate. They are not. In those criteria applied to judge the level of scientific enterprise, we rank eighth, ninth, and tenth among western industrialized nations. If we wish to create opportunity for our young people,

we had better make sure that our scope is wider than some nonsensical promise from the pharmaceutical manufacturers of Canada. We should make sure that the Prime Minister keeps his promises to create more investment in scientific research, and raise scientific expenditure to the level of 2.5 per cent of GNP by 1990. Keep those promises, and we will keep our students here.

Miss MacDonald: And where will they go to work?

Mr. Orlikow: I wish to direct a question to my hon. friend. Does he agree with me that the reason why the Hon. Member equated our Party with Communism is because of the desperation of the government Members when they realize how far down they are in the polls, particularly in Quebec?

Mr. Lewis: Looking at you gives us all hope.

Mr. Orlikow: Obviously that Hon. Member across the way did not see the poll results that appeared in *The Montreal Gazette* which showed that the NDP has more support in Quebec than anywhere else. The people of Quebec approve of our proposals for a fair tax policy. They approve of our proposals that the rich are paying too little and the poor are paying too much, and they approve our proposals for universal child care. They reject the proposals of the Government. It is not Communism that they are worried about, it is the Conservative Government and its failure to keep its promises.

The Acting Speaker (Mr. Paproski): Although the Hon. Member's time has expired, I will allow a short rebuttal.

Mr. McCurdy: My colleague raised the delicate matter of the necessity soon to arise of that Hon. Member requiring another job. Having this opportunity to rise once more in reference to that Member's previous intervention, let me address the issue of research jobs in Montreal. It is absolutely incomprehensible to me that anyone who is serious and knows the facts, or who has any knowledge whatsoever of the record of multinational corporations in keeping promises would put her bets on a promise when there is a possibility of having a mechanism such as suggested by the Eastman Commission that would ensure that research would be done in this country. That mechanism is far more likely to lead to something other than broken promises and jobs in Montreal than Bill C-22. I would suggest that the Hon. Member break her habit and read the report of the Eastman Commission.

• (1240)

[*Translation*]

Mrs. Gabrielle Bertrand (Parliamentary Secretary to Minister of Consumer and Corporate Affairs): Mr. Speaker, the new policy concerning patents happens to be one of our Government's policies which may very well prove to be one of the most beneficial to this country.

This policy has several objectives.

One is to turn Canada's pharmaceutical industry into a leading innovating sector through significant increases in research and development investments.

The percentage of sales invested in Canada by research and development firms has been rather low in the past, particularly when compared with that of such countries as the United Kingdom, Switzerland or the Federal Republic of Germany. In addition, prospective research investors do not particularly favour Canada because the drug industry has no guarantee with respect to the protection period it can expect to have for its patented products, something we want to rectify through this legislative measure.

Drug industry growth and competitiveness rest entirely on the discovery and development of new products, and on improving existing treatments. This is why it is imperative that it be allowed to benefit from its own research or make others benefit from it.

Low investments in Canada are a serious problem, especially when we consider that a country's economic expansion is geared to research and development. It is indeed one of the basic components of sustained economic expansion, and Hon. Members would know that industrial expansion is the cornerstone of this Government's economic recovery strategy.

The amendments to the Patent Act will change the present situation. The new policy represents a true research encouragement by widening patent protection. Bill C-22 will ensure that the pharmaceutical industry will enjoy for the medecine it has discovered an exclusivity period which is long enough to allow it to recover its research investments. The prospect of making profitable investments will certainly encourage researchers to develop new and efficient drugs which will benefit all Canadians.

Mr. Speaker, the innovative firms have promised to double their investments. This commitment means that research and development over the next ten years will increase from the current 4.9 percent of sales to 10 percent. This represents an additional $1.4 billion. This will bring to $3 billion the total amount which the industry will spend in research and development activities in Canada, not only in clinical research, but also in basic research.

Employmentwise, this increased research activity will create 3,000 new jobs in Canada for our high technology graduates. Our universities, hospitals, private research establishments everywhere in Canada, not only in Quebec and in Ontario, as was suggested these past few days, but everywhere in Canada, will benefit from this increased research. It is foreseen that up to 30 percent of the amounts provided for will go to these establishments and still more significant amounts will go to regions other than Quebec and Ontario.

On the medical level, one could not overemphasize the benefits from increased research. From the beginning of this debate, highly reputable people in all spheres and especially that of science have voiced their support. Through their

representations, Mr. Speaker, these medical authorities are not seeking monetary benefits. They are concerned, through their research, with discovering new drugs to improve the quality of life for Canadians. In the January 13 issue of the *Le Devoir* newspaper, Dr. Morin, a famous Quebec cardiologist, was reported as saying:

> Beyond the principle of protecting intellectual property rights, the 1969 ordinance caused irreparable damage. Twenty years ago, Montreal was one of the major medical centres of the pharmaceutical industry. We have tried the utmost to chase it away.

When he appeared before the Legislative Committee, Dr. Michel Chrétien stated, and I quote:

> One of the major openings for these students entering the field of biomedical research is the pharmaceutical industry. However, this industry has had to limit its research staff, again because of the 1969 legislation. Young people have every reason to be concerned and reluctant . . .

to enter this field of study.

Dr. Chrétien pointed out that, of the hundred or so who have graduated of the Montreal Clinical Research Institute since 1967, none now works in the Canadian pharmaceutical industry. Four of them hold important positions in France, in Switzerland and in Germany, but not here. Dr. Chrétien closed by saying that, as a biomedical scientist, he is in favour of amending the Patent Act to provide new stimulus to pharmaceutical research and make our industry internationally competitive.

Then, Mr. Gagné, from the University of Montreal, pointed out that opponents of the bill have never mentioned the months of hospitalization which could be avoided thanks to better drugs.

Mr. Speaker, the health of all Canadians will be improved, and this means that the costs incurred by our health system will be significantly reduced. The more we delay passage of this Bill, the more the benefits from this piece of legislation will be long in coming. Canadians will be the ones to suffer, particularly because the development of new and more effective treatment will be delayed.

Many reservations have been expressed about whether or not the innovative industry will respect its commitments for research and development. I can assure the House that this policy will result in an unprecedented increase of research expenditures.

The innovative industry has already provided concrete evidence of its good faith. Several companies have already announced publicly, even before passage of this Bill, investments amounting to over $700 million. Yet, Mr. Speaker, we must not forget that the promised amounts will be invested only after the bill is adopted.

The expenditures involved will affect fundamental research as well as clinical research and facility development. Here are three examples:

—$132.9 million will be spent over the next ten years in Alberta research centres, universities and hospitals;

—the Terry Fox Foundation and the Wellcome Foundation Ltd. will finance a biotechnical research centre at a cost of $40 million;

—the Upjohn Company in Toronto will provide $30 million for biotechnical research over the next five years and spend $22 million on capital projects.

I want to emphasize that innovative firms have no incentive whatsoever not to honour those commitments. They have everything to lose, starting with their reputations. Once their reputations are tarnished, it would be almost impossible to regain the public's and the Government's confidence.

In conclusion, I would like to say a few words on the mechanisms chosen by this Government to ensure that innovative firms honour their commitments. First, there is the Patented Medicine Prices Review Board which must submit to Parliament a yearly report including the percentage of research and development expenditures versus sales figures, not only for the overall innovative industry but also for each of its member firms. This is a most powerful tool which will inform us regularly on the performance of individual, innovative firms.

The legislation also provides for two formal reviews of the policy, to ensure that it serves the interests of Canadians. The first review will be made by Cabinet at any time after the expiration of four years after the Act comes into force. Parliament will make the second review, after the expiration of nine years after the Act has come into force. On those two occasions the Government will therefore be in a position to reduce or abolish the protection period if innovative firms have not met their commitments.

Finally, Mr. Speaker, I would like to say that I do not understand the position taken by the Opposition on the Bill. On the one hand, the New Democratic Party is trying to sow fear and concern among seniors and the ill, when we know that group is completely covered by health-care programs. During their awareness campaigns directed to those people, they took this opportunity to fill their Party's coffers. On the other hand, strangely enough, they did not try to do the same thing in Quebec, because in Quebec the Senior Citizen's Federation along with a number of other agencies—and that Federation has over 200,000 members—support the Bill. As far as the Official Opposition is concerned, there is really nothing to understand. After repeated pressures at the time from the pharmaceutical industry—that was after 1969 and until 1980—the then Minister of Consumer and Corporate Affairs, Hon. André Ouellet, launched a process to review the act. The Liberal Party, if it were consistent with itself and its ideology, should support Bill C-22. If they do not support the legislation, they will show once more they do not know what they are doing and on many issues have no set policies.

Mr. Caccia: Mr. Speaker, I should like to direct a question to the Parliamentary Secretary who has referred to the old, the sick and the general public who need protection. I should like to call her attention on clause 41 of the Bill which deals with

the establishment of the Patented Medicine Prices Review Board. I should like her to tell us exactly what powers this Board will have to control and, if necessary, roll back the prices of medicine, according to this Bill which she supports.

Mrs. Bertrand: Mr. Speaker, there has never been in this country a board of this type to try and monitor price increases. For the first time in this country, such a board will be—

Mr. Caccia: In 1977.

Mrs. Bertrand: Moreover, Professor Eastman, who may be the force behind the whole review of this problem in Canada, has accepted to chair this Board and stated before the committees that he did so because he believes in this Bill and trust that Canadians will be properly protected against price increases.

Mr. Caccia: Mr. Speaker, the Parliamentary Secretary has failed to answer my question and made a statement which is not historically correct. I should like to call her attention on the fact that there was a price control board in Canada in 1977. I should like the Parliamentary Secretary to tell me what powers this Board will have to control and monitor prices under Bill C-22. What are its control powers.

Mrs. Bertrand: As I said earlier in my remarks, the Board will have every year an opportunity to review what is going on, the progression in the pharmaceutical industry. Also, every five years, the Government will have an opportunity to reconsider this policy, while every ten years, Parliament may review this Bill to see whether innovative companies have met their commitments in the area of investments, their research investment level and, finally, determine whether the prices paid by Canadians for their drugs is reasonable.

• (1250)

[*English*]

Mr. Harris: Mr. Speaker, I noticed that the Parliamentary Secretary, in listing the benefits of this Bill, indicated that the Terry Fox Foundation was about to expend certain moneys assisting in research. I wonder if the Parliamentary Secretary knows that the Terry Fox Foundation is engaging in research presumably funded by donations from across the country. Is she putting it forth that that is one of the benefits of this Bill?

[*Translation*]

Mrs. Bertrand: Mr. Speaker, if I understood correctly the Hon. Member's question, no, I do not think that at any time I ever questioned the incomparable contribution of Canadians, what the Canadian people contributed to the Terry Fox Foundation. What we know is that the Foundation is preparing—or rather the pharmaceutical industry is preparing to support that Foundation, as Canadians did.

[*English*]

Mr. Riis: Mr. Speaker, I listened with great interest to the Hon. Member's presentation. I assume from her comments that she is in support of proceeding with the legislation without the proposed amendments. She is also interested in the research that the multinational drug companies will do as alleged by the Minister of Consumer and Corporate Affairs (Mr. Andre).

I wonder if the Hon. Member plans to support the Government's position of taking the multinationals at their word that they will do research and development. Would she not think it appropriate that we should have something a little stronger than simply the word of some of the principals of the companies involved?

We expect that Canadian consumers who require prescription drugs will pay higher prices in the future. I do not think there is any question that existing drug prices will increase and I think that even the Government's own research would indicate that, because of a total lack of competition for many years, certain drug companies could literally charge whatever price the market will bear. Of course, that price would be in excess of what it would normally be if there were competition.

I would ask the Hon. Member, believing in her integrity, if she does not find it somewhat disconcerting that she is being asked to support legislation that promises research but in fact requires no commitment to do research other than some vague references to the fact that research will take place? Of course, when I say research, I am referring to something far beyond market research, something far beyond determining what kind of a bottle or package would sell more prescription drugs than others. I am referring to real research. Would she not like to see a commitment in the legislation that a certain percentage of the revenues raised by drug companies because of this exclusivity be spent on research here in Canada?

[*Translation*]

Mrs. Bertrand: Mr. Speaker, on a few occasions, together with the Minister of Consumer and Corporate Affairs, I attended press conferences held by a number of pharmaceutical corporations and in fact, looking at the commitment, the confidence of those people, the seriousness of their comments—and had I known I would have to answer that question I would have quoted them . . . Those people had left Montreal, those companies had left Canada and they are now coming back and are so happy to see finally that the legislation will come to pass, that we cannot help trusting them.

I think that from the minute the Bill is implemented, the next day those millions and billions of dollars will be announced. So I do not see why we would not trust an industry that used to be prosperous in Canada, that was chased away because of the 1969 Act and that is now preparing to announce a $1-billion investment effort, and above all the creation of so many new jobs for our young scientists and researchers.

The Acting Speaker (Mr. Paproski): The period of questions and comments has now ended.

[*English*]

It being one o'clock, I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

INDIAN AFFAIRS

STUDENTS' ENTITLEMENT TO POST-SECONDARY EDUCATION ASSISTANCE

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, hundreds of native Indian students acquired Indian status under Bill C-31, passed by this House two years ago. Those students are entitled to post-secondary education assistance from the Department of Indian Affairs. However, they have been told they may not be able to go to school next month after all. There is no more funding for them at this time, although they are being told efforts are under way to obtain the necessary funds. They are being told to wait until Ottawa makes a decision. In the meantime they are in limbo.

They cannot leave their home communities to look for apartments because they do not know if they will receive funding. They risk losing their places in the courses in which they have enrolled. They cannot wait any longer.

They must know now whether they can go to school and they need the answer immediately. Therefore I urge the Minister of Indian Affairs and Northern Development (Mr. McKnight) to end this uncertainty and waiting. Give the students the assurance today that they will be able to go to school and not be let down. I ask, sir, that these students be encouraged rather than discouraged.

* * *

SCIENCE COUNCIL OF CANADA

TRIBUTE TO OUTGOING CHAIRMAN

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, Dr. Stuart Smith steps down at the end of August as Chairman of the Science Council. He has been an eloquent spokesman for science and fully understood the linkage between research and the market-place, the need to develop a knowledge intensive society, and he had an enormous capability for communicating to the general public the importance of science.

Last week he cited some of the accomplishments which he had encouraged and shaped: the creation of a Standing Committee on Research, Science and Technology in the House of Commons; the creation of a basic framework for a national science and technology policy; the creation of a new Department of Industry, Science and Technology; establishment of a space agency as announced in the Speech from the Throne; and encouraging more science in the high schools and more young women in science.

Dr. Smith, the former Leader of the Liberal Party in Ontario, believes that science and technology have risen substantively on the list of government priorities, and he is reported as saying the present Conservative Government in the last 18 months has listened to him far more than the previous Liberal regime. I ask all those in this House to join me in thanking Dr. Smith for his enormous contribution to Canada and we wish him well in his new endeavours.

* * *

IMMIGRATION

POSITION OF EVANGELICAL FELLOWSHIP OF CANADA ON PROPOSED LEGISLATION

Mr. Dan Heap (Spadina): Mr. Speaker, last week we heard from the Canadian Council of Churches, through its inter-church committee on refugees, the stand of the major Canadian denominations, Roman Catholic and Protestant, against Bill C-84 as it presently stands. We heard from them before on Bill C-55.

Now we hear from the Evangelical Fellowship of Canada. I have this telegram which says:

> World Relief Canada, which serves as the refugee re-settlement arm of the Evangelical Fellowship of Canada, an association of 23 evangelical protestant denominations, strongly urges our Government not to pass Bills C-55 and C-84 as originally proposed. While we agree that abuses of our national largesse need to be prosecuted, we request that Parliament carefully consider amendments to the Bills which will strengthen fair treatment of bon fide refugees, and protect Canadians who helped them out of compassion and conscience.
>
> R. E. Reimer
> World Relief Canada

* * *

[*Translation*]

PHARMACEUTICAL INDUSTRY

IMPORTANCE OF BILL C-22 TO QUEBECERS

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, last week, the mayor of Montreal officially gave his support to the patent legislation. The Montreal Chamber of Commerce has also made very positive representations. All Quebecers, and

particularly Montrealers, understand that this legislation means 1,300 jobs and $700 million in investments.

As for the eventual users, the chronically ill, senior citizens and, the injured, they know how important it is to have effective medication. This is why we need research and development and the amendments proposed in the patent legislation.

The Leader of the Liberal Party (Mr. Turner) is too weak to put pressure on the Senate. As for the Hon. Member for Laval-des-Rapides (Mr. Garneau), what is he doing to defend the 1,300 jobs in Montreal and the $700 million in investments? If he is leader of his caucus for Quebec, he should clarify his position and put pressure on the Senate.

The same goes for the Leader of the socialist party (Mr. Broadbent). He and his party, who have always been against the Senate—you Socialists are too quick to applaud—suddenly decided to support it last week. Now, the socialist Leader prefers the Senate to the health, the jobs and the industries of Quebecers.

Canadians will remember this, Mr. Speaker.

* * *

TAX REFORM

PRESSURE TO REJECT TAX ON FOOD

Mr. Marcel Prud'homme (Saint-Denis): Mr. Speaker, first, I would like to point out to the Hon. Member for Lévis (Mr. Fontaine) that the debate on Bill C-22 is not over. However, I am rising today to ask Canadians and Quebecers to continue to sign the petition which is now going around Canada to ensure that the Minister of Finance (Mr. Wilson) will not impose a tax on food in his tax reform.

Mr. Speaker, we are having so much success with this petition throughout Canada that, very belatedly last week-end, the Quebec Conservative caucus asked this same Minister to impose a sales tax throughout Canada, but to make sure, as the Federal Liberals have been asking for months, that this tax will not apply to food products. I thank these new supporters of our campaign. I am certain, Mr. Speaker, that, since we are now in agreement, our campaign will continue because we cannot affort to relax with this Government as we know that it acts only under pressure. We shall therefore keep up the our pressure, Mr. Speaker.

S. O. 21

• (1405)

[*English*]

SPECIAL CANADIAN GRAINS PROGRAM

EXCLUSION OF HAY PRODUCERS—IRRIGATED LANDS ISSUE

Mr. Gordon Taylor (Bow River): Mr. Speaker, the Special Canadian Grains Program helped to correct partially the intolerable situation created by the subsidy war between the EEC and the U.S. Farm Bill and will undoubtedly save hundreds of our farms, but it also hurt many farmers.

For example, many Canadian hay producers are on the verge of bankruptcy because the subsidies paid under the Grains Program enabled barley and green feed producers to sell at a reduced price to the feeders.

Second, the first payment failed to recognize the difference in yields of grains grown on stubble, on summer fallow, and on irrigated lands. This was partially corrected in the second payment when payment was made for the increased yields on irrigated lands providing the water was supplied by an irrigation district. The program refused to pay for the increased yields on lands that were irrigated by farmers who irrigated their lands through a co-op, an association, or privately, even though they grew the same crops and had similar yields and the same input costs. This is absolutely unfair and is infuriating hundreds of farmers.

Fairness is the essence of this Government's program and these unfair decisions should be corrected immediately.

* * *

FINANCIAL INSTITUTIONS

PLIGHT OF UNINSURED DEPOSITORS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, one of government's most vital functions is to maintain the integrity of our financial systems. Confidence in financial institutions underpins the operation of the capital markets and payment systems and confirms the credibility necessary to support the value of our currency. It is also important that Governments ensure that depositors are made clearly aware of the security of their deposits and the risks attached thereto.

With regard to the collapse of the Principal Group empire, many of the depositors have alleged that they were misled into believing that their deposits were 100 per cent safe and secure. We now know that such was not the case.

I urge the Minister of Finance (Mr. Wilson) to consider the proposal recently put forth by the Consumers' Association of Canada that, when depositors make an uninsured investment, they sign a waiver indicating that they are well aware that it is not covered by insurance.

While Governments cannot insulate consumers from shoddy or shady practices by financial institutions, they can reduce opportunities for such activities and minimize the financial damage caused by unscrupulous investment counsellors.

* * *

LABOUR RELATIONS

CALL FOR LEGISLATION TO END RAIL STRIKE

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the rail strike will cause incalculable damage to the nation, particularly to the economy of western Canada which relies so heavily on the bulk shipment of commodities such as grain, coal and potash.

Prairie farmers could ill afford the Thunder Bay and Vancouver closures and they certainly cannot afford this latest episode. Canada simply cannot afford to fritter away all the good economic progress achieved over the past three years—solid progress evidenced by the fact that 865,000 more Canadians are working today than three short years ago.

Strikes and lockouts are primitive, archaic weapons whereby the few can visit untold misery on the backs of all Canadians. Surely the time has come to find a better way to resolve labour-management disputes in essential services without these stoppages which hurt all Canadians.

I urge the establishment of a parliamentary committee to study alternatives and make the appropriate recommendations. In the meantime, I urge legislation putting an early end to this sorry, unnecessary, and yet all too common situation.

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ENVIRONMENTAL AFFAIRS

FUNDS NEEDED TO ESTABLISH TOXICOLOGY CENTRE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the long and sad saga of the Guelph-Toronto Toxicology centre goes on. The funds for this centre were cut from Environment Canada's budget in November, 1984, as you may recall. All of a sudden, in August, 1987, $12 million is found by the Minister of Agriculture (Mr. Wise), not for a toxicology study centre but for a pest-control research facility in London, Ontario, to study biological and other pest-control programs aimed at reducing the reliance of farmers on pesticides in the long run.

• (1410)

This is good, but one wonders why the Minister of the Environment (Mr. McMillan) cannot find the funds necessary for the development of the long overdue Guelph-Toronto toxicology centre. Toxic chemical contamination is becoming a fact of life, particularly in the Great Lakes Basin, which affects the population living around it. What we badly need is a centre to study the effects of toxic chemicals on human health.

Canadians are wondering why the Minister of the Environment and the Minister of National Health and Welfare (Mr. Epp) cannot find funds to launch the Guelph-Toronto toxicology centre. Can it be attributed to ineptness?

* * *

MEMBERS OF PARLIAMENT

COMMENTS AFFECTING PRIVATE INDIVIDUALS

Mr. Gerry St. Germain (Mission—Port Moody): Mr. Speaker, I rise in this House today to draw to the attention of the Canadian public a situation which I feel is totally and unequivocally unacceptable. What I am referring to are the actions of some specific Members of this House who blatantly and repeatedly abuse their parliamentary privileges. They take advantage of the immunity granted to them by this House to viciously malign private citizens who have absolutely no means to defend themselves.

These character assassinations destroy the lives of not only the individuals but also their families and children. In many cases apologies are required after the fact, but this will never undo the damage.

I am referring directly to two recent incidents involving the defaming of two Petro-Canada employees and two members of CSIS, where I know this to be the case. On behalf of these people I would like to send a simple message to the fair-minded and honest citizens of our great country. When you hear degrading comments and slanderous remarks, do not take them at face value but consider the source.

Finally, I would like to apologize to the individuals who have fallen prey to the likes of those who use such cowardly and underhanded means. I refer to the Hon. Member for Burnaby (Mr. Robinson) and the Hon. Member for Hamilton East (Ms. Copps).

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Speaker: Hon. Members will know that while there is a lot of latitude used in Statements by Members and, in general, something that is a complaint can, of course, be mentioned, but it is not appropriate to identify a particular Member.

FISHERIES

ESTABLISHMENT OF WATERSHED MANAGEMENT-BOARDS URGED

Mr. Jim Fulton (Skeena): Mr. Speaker, the Department of Fisheries and Oceans has been on the chopping block since the 1984 election. No other Department has lost so much of its budget. The slashing of staff, budgets and research is leading to chaos in our commercial, sport and food fisheries.

There is an urgent need for watershed management boards involving all user groups, especially on the Skeena River. The pressure on some wild stocks of salmon and steelhead has reached the breaking point. Many runs, in fact entire races of these anadromous species are becoming extinct.

The Minister of Finance (Mr. Wilson) does not blink at giving the Reichman brothers a $1 billion tax holiday with the "little Egypt bump" on Gulf Oil, $1 billion to bail out the Northland and Canadian Commercial Banks and a $1 billion tax holiday to the big banks for their mismanagement of loans outside Canada. What about our fisheries? How about a break for those who derive their livelihood, their sports activity and food from the seas and rivers?

Time and again the Minister has been asked to establish a process to bring all fishing sectors together in the spirit of avoiding resource conflicts and possible confrontation. No initiative has been shown. While the Minister holidays and negotiates lower flows on our rivers, steelhead and salmon runs disappear. Once again what western Canadians prize in our fisheries this Conservative Government neglects and destroys. How about a "blink" for our fish?

* * *

PHARMACEUTICAL INDUSTRY

BILL C-22—CANADIAN MEDICAL ASSOCIATION'S SUPPORT

Mr. Brian White (Dauphin—Swan River): Mr. Speaker, most of the opposition to Bill C-22, the patent drug legislation, has been based on the falsehood that consumers will be adversely affected. The Liberals and New Democrats have been practising political opportunism of the most despicable kind. They are preying on the fears of seniors and the ill. However, it is important to note that there is a lot of support for the Bill as passed by the House of Commons in May.

This morning, in Charlottetown, the General Council of the Canadian Medical Association, which represents 43,000 Canadian doctors, passed the following resolution unanimously:

> That the Canadian Medical Association declares its support in principle for Bill C-22 as a measure which in the long term is likely to benefit the health of Canadians.

As you can see, Mr. Speaker, those who work in the health care field, and can offer an objective opinion, support Bill C-22.

* * *

• (1415)

LABOUR RELATIONS

RAIL STRIKE—EFFECT ON NORTHERN ONTARIO

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, Canadians woke up this morning to the very unwelcome news that the national railways were shut down due to striking unions.

This is bad news for the people of northern Ontario, as it is for others across the country. The resource based industries of the North depend greatly on the rail service. In the riding of Timiskaming the iron ore mine of Adams-Sherman, which has 800 workers, ships pellets to Hamilton. Lumber mills across the North and the Ontario Northland Railway, which is a regional railroad, are also heavily dependent on rail service.

I trust that the Government will act to ensure a speedy resolution of this labour dispute. We would like to see all Canadians back on track.

* * *

CANADA POST CORPORATION

COMMEMORATE STAMP—REFUSAL OF ANGLICAN CHURCH'S APPLICATION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a short statement to make with regard to the Post Office and to its commemorative stamps program.

Most Canadians would have been shocked, as I was, to read that the Anglican Church was denied a commemorative stamp, an historic stamp. I cannot for the life of me figure out why. Other major churches and institutions have been accorded such stamps. The Post Office has given these stamps for many different purposes, so why could it not add one more stamp to the historic stamps it will issue this year? Why is it at least appearing to discriminate against the Anglican Church? I find this difficult to understand.

I hope that the Government will take the Post Office president by the collar, shake him up a bit and say: "Pay a little attention to the people of Canada and stop being deaf when people bring their concerns to you and ask you for a small action that could reflect the historic events of our country".

ORAL QUESTION PERIOD

[*English*]

LABOUR RELATIONS

RAIL STRIKE—POSSIBILITY OF SETTLEMENT—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, last week when I asked what the Government intended to do to avoid a rail strike here is what the Minister of Transport had to say as reported in *Hansard* at page 8167:

> —the Government has no intention of intervening unless that becomes absolutely necessary on behalf of the public interest—

Now that the Government has allowed the situation to deteriorate into a full-scale national strike, now that commuters have to scurry around in the morning trying to find alternative ways to get to work, now that grain, coal, sulphur and other commodities are piling up in warehouses instead of moving, and now that tourists are stranded across the country, may I ask the Minister if he does not think that it is time to act decisively "on behalf of the public interest", to quote the Minister again?

What does the Government intend to do to try to get an early negotiated settlement of this strike? For example, does the Government intend to modify or to extend the mandate of the mediator? What else does the Government plan to do to settle this matter?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I do not want to comment on the entire litany of my colleague opposite. I can inform the House that, considering the framework of the recommendations contained in Commissioner Stanley's report, and the assistance of mediator Carson, I am deeply concerned and disappointed at the parties' abdication of their responsibility to come to a settlement. Notwithstanding that, earlier today I summoned the negotiating teams of the parties to Ottawa to start negotiating again with the help of mediator Carson and my Associate Deputy Minister Bill Kelly in a final attempt at mediation.

Some Hon. Members: Hear, hear!

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I am certainly not encouraged to see that it is the Minister of Labour who is in charge of settling this strike. We all remember his record on the postal strike.

• (1420)

DEREGULATION OF TRANSPORT INDUSTRY—WORKER LAY-OFFS

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, the transportation deregulation program of the Government has already resulted in lost jobs without adequate provision of measures to have the workers adapt. The Government does not appear to realize that this has caused grave concerns with the workers and has embittered labour relations. This is making a settlement of the strike very difficult.

I would like to ask the Government, or perhaps the Minister of Transport, whether they think it is high time that the Government thought in terms of reviewing its deregulation program in order to bring a more humane approach to lay-offs of employees, as this is making the settlement of the strike very difficult. I would like to see it settled with a negotiated settlement before it takes its toll on the Canadian economy.

Some Hon. Members: Hear, hear!

Hon. Pierre H. Cadieux (Minister of Labour): Because of the fact that my hon. colleague does not seem to know exactly which question to ask, he asks about 10.

With respect to my record, I would like to ask the Hon. Member if he is against negotiated settlements as occurred in the Post Office?

[*Translation*]

RAIL STRIKE—MEASURES GOVERNMENT INTENDS TO TAKE

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, last week we were told that the Government has no intention of doing anything about the rail strike until it becomes absolutely imperative to do so. Now that we are in a strike situation, now that people have to seek alternate means of transport to get to work in the morning, now that such basic commodities as wheat, coal and others are being stockpiled in warehouses instead of being delivered, I would ask the Government what it is going to do since the time to consider public interest—as the Minister said last week—has come indeed. Does the Minister, who spoke to the mediator this morning, intend to change and extend his mandate? What measures will the Government take to prevent the rail strike from dragging on and doing irrepairable harm to the Canadian economy?

Hon. Pierre Cadieux (Minister of Labour): Mr. Speaker, perhaps I should send my colleague a copy of the Canada Labour Code just so he will know exactly how the collective bargaining process works. From the outset, even when the Canada Post issue was making headlines, he has been urging the Government to intervene. The Government intervenes when and as provided under the Canada Labour Code, and I already asked my colleague whether he was against the collective bargaining process. To be more specific, I should like to quote the last sentence of the telegram I sent to both parties, and I quote:

[*English*]

> I urge you take advantage of Mr. Kelly's expertise in the railway industry, as well as his mediation skills, and discharge your responsibility to terminate this dispute through collective bargaining.

CANADIAN NATIONAL'S CORPORATE PLAN—PROPOSED REDUCTION OF WORKFORCE

Hon. André Ouellet (Papineau): My question is directed to the Minister of Transport. In looking at CN's corporate plan we see a massive reduction of 25 per cent of its workforce over the next five years.

How can the Minister expect the union leaders to agree to sign a collective agreement that does not give the workers job security?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, it is the obligation of the management of Canadian National, as it is of the management of CP, to manage the company in the best manner they can, given all the circumstances that they have to face.

It is well known in the railway industry that there has been a reduction in the number of people who work in the railway industries in Canada, the United States, and other countries as the nature of the transportation system has changed. Trucking has become more competitive, shipping has become more competitive, therefore management has had to deal with that regrettable situation.

CN has indicated that in the future it will have to be very careful with respect to how many people it employs, and attempt to increase productivity. All of this helps the shippers of Canada, helps to make Canada competitive, and helps to make Canadian products competitive. It helps to sell grain abroad at a competitive price. The hon. gentleman knows this.

As to security under the contract, there were provisions in the contract that are still in effect that deal with that question. It is now a matter for negotiation between the parties, and I don't think I should say anything further.

[*Translation*]

OPPORTUNITY TO ESTABLISH PROGRAM TO ASSIST EARLY RETIREES

Hon. André Ouellet (Papineau): Mr. Speaker, the Minister has just taken the Pontius Pilate way out, and I think it is unacceptable that he should shift the entire responsibility for the loss of 12,000 jobs on to CN.

Would the Minister be prepared to provide immediately an early retirement program for railway employees who will be directly affected by the massive deregulation imposed by the Conservative Government? This early retirement program has already been tried previously and successfully by the former Government in the case of textile and footwear industry employees, who were laid off because of changing conditions.

Could the Minister accept his responsibility and do something for the railway employees?

• (1425)

[*English*]

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, my responsibility, as I conceive it, is to see that the parties are left to negotiate in good faith, to reach a settlement as quickly as possible with respect to this collective bargaining dispute. That is the system of law that was left to us by the previous Government, and with which we agree.

The Minister of Labour has described the efforts he is now making to call upon additional mediation, which I heartily support. It is not my duty and responsibility to intervene for cheap political reasons, to make it appear that we are taking some action that might be very damaging to a long lasting and permanent settlement to this dispute.

JOB SECURITY ISSUE—EFFECT OF LAY-OFFS ON OLDER WORKERS

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the Minister of Transport. In recent labour disputes, whether it was Air Canada, CBC, Canada Post, or right now with CN, job security has been the issue. I do not believe it is a cheap political shot to ask the Minister where people who have worked for CN for 25 to 30 years and are now fifty or sixty years old will get work.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I think the House and anyone who is fair minded will recognize that CN is one of the leaders in the area of job security in Canada, and when it has been put in the unfortunate situation of having to lay off or terminate employees for various reasons, it has been among the most generous employers in Canada. There is a system in effect now by which certain provisions go into effect if one has, I believe, eight years service and is laid off. CN has nothing to apologize for. I know it will want to improve that system as time permits and its economic position permits. It has already indicated that. That is a matter that is now subject to mediation and collective bargaining.

GOVERNMENT POSITION

Mr. Rod Murphy (Churchill): Mr. Speaker, my supplementary question is directed to the Prime Minister. Considering that the Crown corporations I mentioned in my first question have been negotiating against job security, what is the Government's position with regard to what those Crown corporations should be doing in terms of negotiating job security? I am sure most Canadians want an answer to that question.

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, our position is to encourage CN to be as generous as possible with respect to employees who have to be given notice that they can no longer continue to work for the company for various reasons. That was demonstrated in the Moncton case, for example, but frustrated by certain parties that did not co-operate to settle that issue. We will continue to encourage CN to do that. I am sure it will do its best to see that there is a fair solution.

Oral Questions

TRADE

IMPOSITION OF UNITED STATES TARIFF ON CANADIAN POTASH IMPORTS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in the absence of the Minister for International Trade I will direct my question to the Prime Minister. The Prime Minister is fully aware that on Friday the United States announced the imposition of up to a devastating 85 per cent tariff on potash exports to that country, which will have an effect upon $350 million worth of exports and affect up to 4,000 jobs in New Brunswick, Saskatchewan and other provinces.

The Minister for International Trade said the reaction of the Canadian Government was only one of disappointment. Does that mean the Canadian Government is in effect agreeing with the United States' determination of this matter, or does it intend to fight through every possible avenue and recourse, and not cave in like it did in the softwood lumber case in which it imposed a tax on ourselves and set a precedent that has resulted in this kind of further action being imposed on Canadian producers?

• (1430)

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, certainly the Government is very disappointed and is reviewing the case very carefully. I think the Hon. Member is aware that this is one step in a very complicated quasi-judicial process, but I think it is fair to point out that all this leads to the fact that we do need a comprehensive trading arrangement.

This decision is a product of the current trading relationship we have with the United States and we are trying to confront this issue in the broadest possible sense by working out a solution which would be encompassed in a framework that would provide a comprehensive trading relationship between our two countries with an adequate dispute resolving mechanism. The Hon. Member should be supporting that initiative rather than picking holes in it.

Mr. Axworthy: Mr. Speaker, I only want to point out to the Deputy Prime Minister that it appears that the more we negotiate, the more we get hit by American trade actions which are having an incredibly damaging effect on all parts of the Canadian economy. So much for the negotiations when all we do is pay the price and they get the benefits.

SUPPORT FOR PRODUCERS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to ask the Minister if the Government intends to provide any form of contingency protection for the potash producers in order to ensure that they stay in business and continue their operations, or is in fact any support that might be provided prohibited under the proposed free trade negotiations in which the Government is presently engaged?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, as the Minister for International Trade has pointed out, she and officials will be working very closely with the Government of Saskatchewan, the potash companies and all those involved to try to work together toward presenting the best possible case.

There is simply no question about the fact that there is a strong protectionist sentiment in the United States, and I know my hon. friend across the way shares some of those political views with his colleagues south of the border. What we in this country need more than anything, and it is becoming clearer every day, is a comprehensive trade arrangement with a dispute resolving mechanism that can see these kinds of issues resolved once and for all.

GOVERNMENT ACTION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, what the people of Canada need is a Government that will just for once stand up for their interests in trade with the United States. Apropos of that, I would like to ask the Minister a specific question. Since this is damaging to an industry that exports about $500 million worth of products each year and affects the people of New Brunswick as well as the people of Saskatchewan, what is the Government of Canada planning to do concretely on a bilateral basis with the United States to get it to reverse this totally unjustified whack at another Canadian export industry that happens to be doing very well in fair competition?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I think it should be pointed out that this was not an initiative taken by the U.S. Government, it was an initiative taken by the industry. It is the first step in a long series of steps through a very complicated quasi- judicial process. As I indicated to the previous questioner, the Government of Canada stands very solidly in support of the Canadian industry, the Government of Saskatchewan and individuals in trying to put the best case forward on behalf of Canada and the potash producers of Canada.

GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, as the Deputy Prime Minister knows very well, this follows a long series of unfortunate and unfair decisions on shakes and shingles, tubular steel, softwood, pork and a whole range of products. The last time a major decision was made against us was on the softwood issue. The Government then said it would protest the American decision at GATT. Instead of doing that, it caved in and, in a masochistic way, imposed a self-inflicted punishment on Canadians in order to mesh with the American decision.

Since the Government promised it would take the earlier unfair decision to GATT and it did not, will we get a concrete promise now about what the Canadian Government will do to

protect potash producers? Will the Government deliver on that promise?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, it is rather interesting that the Hon. Leader of the New Democratic Party would have rather seen the $600 million flow to the United States than stay in Canada. That is certainly contrary to the views of this Government and the views of most Canadian Premiers.

While the Hon. Member seems to take great satisfaction in bearing bad news, may I just point out that the Canada West Foundation which has just done a study on the trade negotiations has indicated that in the Province of Saskatchewan, about which the Hon. Leader of the NDP seems to be concerned, a comprehensive trade arrangement with the United States would produce about 55,000 new jobs. It also points out that failure to secure an agreement would cost the Canadian economy some 350,000 jobs. Why does the Hon. Leader of the NDP, not get on with it and support the protection of Canadian jobs and the Government's initiatives? I think the workers of Canada would laud him for his efforts.

GOVERNMENT PLANS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, this Party favours an approach that has worked quite well, and that is to deal with the United States on a multilateral, multinational basis in order to get fair trade all around the world and not just a special deal with the United States that is bound to work to our disadvantage.

Since the Deputy Prime Minister has expressed concern for the impact on the workers of Saskatchewan and New Brunswick who will potentially be affected by this, and I have no doubt that he is quite genuine about it, what plans is the Government considering putting in place if worse comes to worst and there are significant lay-offs in this sector of those two provinces as a result of this unfair American decision?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the Hon. Leader is a lecturer in a classroom yet he does not understand a few lessons from an ordinary layman like myself. I have tried to point out that the Canada West Foundation has indicated that a free trade arrangement would save some 350,000 jobs in Canada and produce some 55,000 new jobs—

Mr. Broadbent: I will give you federal studies that show the opposite.

Mr. Mazankowski: The Chamber of Commerce, the Economic Council of Canada and other organizations like that share the same view. I am not trying to argue that black is white, but obviously the Leader of the NDP is.

I would like to point out that in connection with the reference to GATT, the Minister has indicated in a press release that we will be reviewing the Commerce decision, particularly with a view to ensuring that it is consistent with the United States' obligations under GATT. I think that should respond to the earlier question raised by the Hon. Member.

CANADA-UNITED STATES NEGOTIATIONS—POSTPONEMENT OF MEETING WITH PROVINCIAL PREMIERS

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Prime Minister. Speaking of studies, the Government's own study from its Department of Regional Industrial Expansion shows that a lot more industries and a lot more jobs would be hurt than would be helped by the Government's free trade initiative.

If the Prime Minister is so convinced that the provincial Premiers support what he is doing, why has he unilaterally and without consulting with the provincial Premiers postponed a meeting with them to consider a draft text of a free trade agreement from an agreed on date of September 8 to September 14? If the Prime Minister has made such a postponement, could it be that deep in his own heart he realizes that giving the Premiers enough time to study any draft text of a free trade agreement would show that it is not a good deal for Canada and should not be proceeded with?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I suppose my hon. friend would want to square the comments he has made with those made recently by Premier Bourassa, the Liberal Premier of Quebec, who said that the absence of a free trade arrangement would mean the irreversible decline of Quebec in Canada economically. When the free trade initiative is supported by the Premiers as it is, I think my hon. friend would do well to listen to their voices and to the objective studies.

My hon. friend referred to the Economic Council of Canada which predicted a net increase of some 350,000 new jobs in Canada and a decline in unemployment, particularly in our far-flung regions. This is why we are seeking so actively a free trade initiative. It means jobs and prosperity for Canadians, particularly in those areas that have not had the kinds of low unemployment rates we have been able to bring to southern Ontario, for example. I know my hon. friend would want fairness to prevail in employment.

Regarding the time, we are seeking an occasion on which the First Ministers can review carefully, in all the time required, any trade arrangement, if indeed we conclude one. We are looking for a mutually acceptable date.

• (1440)

STUDY BY PREMIERS OF DRAFT AGREEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, is it not true that if the meeting the Prime Minister is going to have with the Premiers to look at what could be a draft of a free trade agreement does not take place until September 14 it will leave only some three weeks, or about fourteen working days, for the Premiers to consider a matter very vital to Canada

because the deadline for presenting such an agreement to Congress is October 5? How can the Premiers be expected to give such an important matter adequate study?

Is this not another example of how the Prime Minister and his Government are trying to ram through an issue vital to Canada without permitting full and proper discussion by the Premiers and the Canadian people?

Some Hon. Members: Hear, hear!

An Hon. Member: Thunderous applause.

Right Hon. Brian Mulroney (Prime Minister): It is hard to hear me over that applause.

Mr. Ouellet: We can do it again if you want.

Mr. Mulroney: Mr. Speaker, I find the concern about what might be in a free trade briefing to be a little ironic coming from my friend inasmuch as he and his Party turned down the opportunity to receive a full confidential briefing from Ambassador Reisman. For someone to say he is interested in getting the facts, and then does that, means that he is trying to be on both sides of the issue, as his Party invariably seeks to be.

He asks whether three weeks are ample time to consider a proposed free trade arrangement. My hon. friend seems to think this will be the first time the First Ministers have seen the document.

Mr. Axworthy: That is true.

Mr. Mulroney: Our last meeting lasted seven or seven and a half hours. Meetings before that lasted hours. There have been dozens of ministerial meetings and I understand many dozens of meetings between officials. Various Premiers, including Premier Peckford and Premier Getty, have commented on the fullness of the information and the celerity with which it is transmitted to the provinces. The Premiers are fully informed of what is going on and I can assure my hon. friend that at the next meeting, and any other meetings required, they will have full access to all information and lots of time to make up their minds on its value to Canada.

[*Translation*]

REQUEST FOR CLARIFICATION OF REPORTED CORRESPONDENCE ON CANADIAN POLICY WITH RESPECT TO AUTO TRADE

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the Prime Minister. I have here copies of correspondence between the Office of the U.S. Representative for External Trade and Congressman John Dingwall. This correspondence, although it is a year old, is proof of a concerted attack on key elements of Canada's policy on the automobile industry as reflected in the Auto Pact.

Could the Minister confirm that is indeed the case?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I am not sure, is the Hon. Member referring to a report, which is about a year old, raised by the CBC? If so, that is a bit of an old news item and there is really nothing new to add. This had to do with an exchange of correspondence between the U.S. trade representative and a Michigan Congressman concerning duty remission arising out of the Canadian Auto Pact. This matter was debated to some extent a year ago and nothing has changed.

The position of the Canadian Government is the same. We have not raised the Auto Pact. Neither has the U.S., I am advised. If issues surrounding the Auto Pact are raised which would improve Canada's position, of course we would be prepared to sit down and talk about it.

DUTY REMISSION SCHEME

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, let me make clear that the reference was to the calling into question of the Canadian duty remission scheme. Will the Canadian Government, during the free trade negotiations, accept the American position that in order to have such a pact the duty remission scheme must be cancelled? That scheme was intended to produce and has produced Canadian jobs.

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I repeat, this issue was raised about a year ago. Nothing has changed since that time. The position of the Canadian Government is quite clear. We have not raised the Auto Pact. I am told the U.S. has not raised the issue. If proposals are made that would enhance the arrangement and be in Canada's interest, certainly that would be the case.

The Hon. Member's Party was invited to sit in on a confidential briefing requested by the Hon. Member for Yorkton—Melville. His Party refused. I think it is really inappropriate to try to hammer out a very complex arrangement on the floor of the House of Commons.

* * *

[*Translation*]

TAX REFORM

IMPOSITION OF TAX ON FOOD—GOVERNMENT POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question was meant for the Minister of Finance, but in his absence I will direct it to the Minister of State (Finance).

Inspired by the initiative of the Leader of the Opposition, the Rt. Hon. John Turner, thousands of Canadian men and women have signed petitions this summer urging the

Government to withdraw its proposed sales tax on food. Over the weekend the Quebec Conservative caucus finally saw the light and came out against this food tax.

Better still, the Minister of Energy, Mines and Resources said, and I quote: "When we live in a democracy we must take the wishes of the people into account, otherwise we would not be acting democratically but quite stupidly." Can the Minister of State (Finance) tell me whether the Conservative Government has shelved its plan to tax food, or has it decided to act stupidly, as the Minister of Energy, Mines and Resources said?

Mr. Prud'homme: Poor Marcel, he has put his foot in it again—

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, we never maintained that we were going to tax food, never! I deplore the fact that the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), for example, should renew his scare tactics campaign. What we want is an honest debate on the tax reform.

Mr. Gauthier: Mr. Speaker, nor did they ever say they would not tax food, and that is the point.

[*English*]

Conservative times are hypocrisy times. You must beware of that.

MINISTER'S POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, the Minister cannot fool Canadians all the time.

Mr. de Cotret: You certainly tried.

Mr. Gauthier: I want a straightforward answer. Canadians in general do not want a hidden consumer tax. They do not want a tax on food. We have been tabling petitions to the Government asking that food not be taxed. Will the Minister get up and categorically deny that the Government intends to put a tax on food?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, the Minister of Finance has made it clear on a number of occasions that this Government has not confirmed in any way that it is going to tax food. What it has confirmed is that the federal sales tax system is in disrepair, as it has been for decades, and we are going to change it for the better.

[*Translation*]

TAX ON FOOD—GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my question dealing with the same matter is directed to the Prime Minister.

Considering that the Quebec Progressive Conservative caucus has endorsed the position of my caucus and has stated its opposition to a sales tax on food, is the Prime Minister aware of the fact that 93 per cent of all Canadians are opposed to a food tax and can he assure them that the government will not introduce a sales tax on food?

Mr. Prud'homme: The Hon. Member is somewhat late in asking such a question.

The Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member for Saint-Denis is asking me to point out to the Hon. Member that he is late. It is done.

The Minister has already answered the question. The Conservative caucus has taken a stand on the matter during the weekend as any political organization is entitled and indeed has an obligation to do so. It would perhaps be interesting to know where does the NDP caucus from Quebec stand on Bill C-22. There are 1 300 jobs in Montreal waiting for the answer of the New Democrats on a vital project for Quebec and Canada.

• (1450)

[*English*]

REQUEST FOR GOVERNMENT ASSURANCE

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, my supplementary question is directed to the Prime Minister. Despite the comments of the Minister of State for Finance the Government is considering a sales tax on food which will add $400 a year to the cost of living of the average Canadian family.

In view of the opposition of 93 per cent of Canadians and that of his own caucus in Quebec, will the Prime Minister now assure that his Government will not impose a sales tax on food? That is the question Canadians want answered.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Hon. Member has just, no doubt inadvertently, misled the House with the direct statement that the Government is considering a sales tax on food. That is false.

The Government put out, as it ought to in a democracy, a White Paper dealing with a very complex issue. We set out some options for consideration and debate by parliamentarians and all Canadians. They are to be addressed, but not to be distorted and deformed as my hon. friend has just done.

* * *

[*Translation*]

THE CONSTITUTION

MEECH LAKE ACCORD—SUPREME COURT'S OPINION—GOVERNMENT POSITION

Hon. Bob Kaplan (York-Centre): Mr. Speaker, my question is also directed to the Prime Minister. So far, recognized groups have proposed amendments to the Meech Lake Accord but all have been rejected by the Government. Today, the

Supreme Court of Canada has revealed its opinion—the same as that of the Official Opposition—that the Meech Lake Accord should be amended to allow the Territories to submit lists of candidates, including judges and lawyers, for the Supreme Court of Canada. Does the Prime Minister also reject the opinion of the Supreme Court of Canada?

[*English*]

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, the Hon. Member should put his question in the proper context. I do not agree with the premise of the question. Not having seen the total report and having read only the press reports on the report of the Canadian Bar Association, I would not draw the same conclusions.

The reality is that the recommendation of the Canadian Bar Association had to do with eligibility of members of the Bars of the Northwest Territory and Yukon. Our position has been clear. We consider them eligible for appointment. That, purely and simply, is the situation which faces us with this report. If the Supreme Court judges agree with us, I am very grateful.

NOMINATIONS TO SUPREME COURT

Hon. Bob Kaplan (York Centre): Mr. Speaker, I hope the Minister will look into precisely what has been recommended. As I understand it, it has indeed been expressed as the opinion of the Supreme Court of Canada that the territories should be able to submit lists directly.

Is the Government prepared to accept that very sensible suggestion so that, like the provinces, the territories can suggest names to be considered by the federal Government for appointment?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, as Hon. Members will know, this is the subject of litigation at the present time. The position of the territories is before the courts, initiated by them. I think it is highly improper for us to be commenting on issues before the courts.

I have indicated our position which has been set forth by counsel on behalf of the federal Government which sustains the position I have articulated. I think we should now leave the matter to the courts to resolve the exact legal position.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—SOFTWOOD LUMBER TARIFF

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Prime Minister and is with regard to the 15 per cent export tax on softwood lumber bound for the U.S. This is the largest self-imposed fiscal penalty in world trade history and costs our largest industry and largest source of balance of trade $600 million a year in penalty.

Is the Prime Minister suggesting to Canadians that, following the signing of a free trade agreement with the United States, he will lift this self-imposed penalty against our softwood lumber?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend refers to a self-inflicted penalty. Under one proposal this $600 million a year was going to go into the coffers of the United States. Under the proposal worked out by the Government in co-operation with the provinces the $600 million remains in Canada very much under provincial control and, in large measure, to improve the situation of our forests and our competitiveness. Surely as a British Columbian my hon. friend knows that and would agree with the thrust of that action.

In larger terms, objective studies indicate that a free trade arrangement with the United States of America, while not perfect, would bring 300,000 or 400,000 new jobs to Canada. I think that is highly desirable. In addition to that, if we are successful, it would normalize a situation and would allow the resolution of disputes such as the one my hon. friend has mentioned which, in the normal course of a better trading arrangement, would not arise.

We are pursuing this with such vigour, first, because we believe that the prosperity of Canada and the creation of jobs for young Canadians depend very much upon this kind of initiative. Second, it would eliminate the kind of capricious action taken in the past. However, I think a wise Government has managed to keep the proceeds of that here for reinvestment in Canadian forests.

REQUEST THAT TARIFF BE REMOVED

Mr. Jim Fulton (Skeena): Mr. Speaker, my supplementary question is also directed to the Prime Minister. It is a very simple question. Up until January 1 of this year we always had unrestricted free trade in softwood lumber with the United States. If the Government of Canada and the Government of the United States reach and sign a free trade agreement, will the Prime Minister then lift this 15 per cent self-imposed tariff off Canadian softwood lumber bound for the United States?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend can correct me if I am mistaken. He seems to speak disapprovingly of what was done with regard to the softwood lumber issue. My understanding is that that was very much endorsed by the IWA in British Columbia and the provincial members of the New Democratic Party in his province. It was endorsed as well by all of the Premiers and the Government of Canada. It clearly met national objectives which were, at that time, to resolve a very strong irritant and to keep the money here in Canada for reinvestment in our forest area.

Can the matter be resolved in the future? Obviously the object of concluding a comprehensive trade arrangement with the United States is to eliminate irritants and the kinds of capricious actions which we have seen in the past which continue to debilitate our relationship and preclude the possibility of further trade arrangements. If we are successful, as a necessary follow-up we would want to try to deal with each one of these irritants to make the situation even better than it can be under a trade arrangement.

* * *

ADMINISTRATION OF JUSTICE

LENGTH OF PRISON SENTENCES—GRANTING OF PAROLE

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is for the Minister of Justice. At 1.40 a.m. on June 30 Members of this House made a most difficult decision regarding capital punishment. The reinstatement of it was rejected.

I have a question for the Minister of Justice about the concerns of Canadians with regard to the lengths of sentences of a number of prisoners. Many people feel the sentences are too lenient. They are also concerned about the situation of parole being granted too soon.

Canadians really want a safer society. What does the Minister of Justice plan to do about these two important issues?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I appreciate the Hon. Member's question, particularly because it affords me the opportunity of indicating that, even before the vote on capital punishment, the Government had been taking initiatives to improve our system of justice in Canada and ensure that it is receptive to the requirements of a modern society.

We have before us for consideration the sentencing commission under which I have undertaken wide consultations with provincial Attorneys General, the Canadian Bar Association, the Federation of Law Societies of Canada, and Canadians generally, asking for their input. We also have our Standing Committee on Justice and Solititor General undertaking a very extensive review of the question of parole, and it will indeed be dealing with the recommendations, I take it, of the Canadian Sentencing Commission. So we are, as parliamentarians, responding positively to the challenge. I know the Hon. Member will take a leading part in the consideration of these issues.

• (1500)

IMMIGRATION

AMENDMENTS TO PROPOSED LEGISLATION—MINISTER'S POSITION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. I received today a copy of the minutes of the Conservative national caucus meeting of last Wednesday which include a number of recommendations and comments made by Ministers and Members of Parliament. Under the name of the Minister of Employment and Immigration, it states that the Minister told his Government colleagues regarding Bill C-55 and Bill C-84 that: "We will not accept amendments that will weaken Bills".

How can the Minister be advising his government colleagues that he will not accept any amendments at the very same time the legislative committee was receiving very moving testimony from leading authorities across the country suggesting that, while cutting abuse is a legitimate concern, it should not be done on the backs of real refugees, on the civil liberties of Canadians and in terms of our United Nations commitment? Will the Minister show more respect for the views of Canadians and concede that amendments are needed and will be made?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I think my friend would like to impress the House in referring to what I said. He just had to read the newspapers or watch television to see that I always said that I will not agree with amendments which could weaken Bill C-84. I repeat what I said. But I think it is more than useful to hear, and we have to hear, what we heard in committee from witnesses because we believe that we can improve this legislation in terms of the way we word it. However, once again I tell the Hon. Member today that if he wants me to say that I will agree with anything that would give more chance to abusers to come into this country, I will not say that.

REQUEST THAT MINISTER ACCEPT AMENDMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, judging from the looks of the Prime Minister after he conferred with his national caucus chairman, it is not a simple matter of simply having read the newspaper. This document clearly suggests that despite the recommendations by Rabbi Gunther Plaut, the Civil Liberties Association, the Canadian Bar Association, and churches from across the country, this Minister and that Government were not prepared to listen to those recommendations. So much for the accessible, open government promised by this Prime Minister back in 1984.

I suggest to the Minister that he would be doing the legislation a service by keeping it out of the courts—

Some Hon. Members: Question.

Mr. Speaker: Perhaps the Hon. Member, who has had an extensive preamble, could put his question very succinctly.

Mr. Marchi: Given that this piece of legislation unamended will be tied up, making this policy chaotic in the months and years to come, will the Minister not agree today on the floor of the House of Commons that amendments are required and that the Government will embrace or initiate such amendments tomorrow in the legislative committee?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, it would give me far more satisfaction if my honourable friend had told me exactly what his Party's position is on this matter.

I think everyone realizes that there is an urgent need to deal with a situation where there is daily abuse of Canadian legislation on refugee determination. Whatever the Hon. Member may have to say about the various positions that are taken across this country and which I am following carefully, I repeat that my honourable friend has the right, and he has been availing himself of that right, to move amendments within the parliamentary framework. We are now having hearings before the Legislative Committee. I will be there myself tomorrow, and I will listen to his recommendations.

That does not change the substance, however. I will not entertain amendments that will allow people to abuse the system. I think that the recommendations we receive, whatever they may be, should reflect the two considerations that are contained in the preamble to the Bill: To respect the rights of genuine refugees and deter those who abuse the system. I repeat: That will not change.

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by,

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, the speech delivered on Friday by the Minister of corporate affairs—and perhaps he should be renamed Minister of multinational affairs—is one which deserves—

The Acting Speaker (Mr. Paproski): Order. The Hon. Member for Davenport (Mr. Caccia) has the floor.

Mr. Caccia: Thank you, Mr. Speaker, the speech given in this House on Friday morning by the Minister of corporate affairs is one that deserves attention, study and definitely a rebuttal. I was stunned to hear the Minister imply in his speech that this piece of legislation, once approved, would protect Canadians from price increases in drugs and medicines. As can be seen in *Hansard* of August 21, page 8282, the Minister stated with respect to Bill C-22:

Under our scheme the Drug Prices Review Board will be examining those drugs and keeping the price increases of them at less than the cost of living.

That is quite a statement. Imagine, Mr. Speaker, a Minister of the Crown committing this piece of legislation to the extent of protecting Canadians from drug price increases. I looked at the Bill to find the basis for such a statement but nowhere could I find a clause in Bill C-22 that would corroborate that particular statement by the Minister.

Proposed Section 41.18, with respect to the Patent Medicine Prices Review Board, contains a lengthy description of what this Bill will do. It is over two pages long and includes a description of the powers of the board, specifically proposed Section 41.23(4), but nowhere in the Bill is there a scintilla of an indication to justify the Minister's statement that drug prices would not increase more than the cost of living. In fact, nowhere in the clause with respect to the powers of the board is there an indication that this particular board would have powers to control prices. Proposed Section 41.23(4) in the Bill states:

> The Board has, with respect to the attendance, swearing and examination of witnesses, the production and inspection of documents, the enforcement of its orders and other matters necessary or proper for the due exercise of its jurisdiction, all such powers, rights and privileges as are vested in a superior court of record.

That is all. Nowhere in this clause are powers given to the board to control prices, let alone the power to roll back prices.

I ask you, Mr. Speaker, in light of this, how can the Minister of the Crown make the promise to Canadians that price increases will not be greater than the increase in the cost of living? Nowhere in this Bill are these powers given to the board. The only power given to this board, according to the proposed legislation, is to review. You know as well as I do, Mr. Speaker, that the power to "review" prices is just what the word means. It means to review prices. As indicated in the Bill, it is necessary to report probably once a year to Parliament and to the Minister the result of one's reviews. But this board has not been given the power, anywhere in the Bill, to control or to roll back prices once the legislation comes into effect.

• (1510)

It is no wonder why, when enumerating the individuals and organizations who are in support of this legislation, the Minister could not include such important organizations as the Consumers' Association of Canada. He could not include in his list of supporters, who were, by the way, mainly individuals and organizations interested in international trade, the Canadian Hospital Association. Nor could he include the Canadian Anti-Poverty Association or the Canadian Council on Social Development. He could not include the National Pensioners & Senior Citizens Federation on his list. I ask Hon. Members why he could not include these organizations. Why could he not include the Canadian Drug Manufacturers Association which has written to you, Mr. Speaker, and to every Member of Parliament since last October? Why could he not include that organization? It was for a very clear reason. These are basic, fundamental organizations which are not in favour of Bill C-22, for understandable reasons.

I submit that one of the basic reasons is that there is no power given to this board to control the prices once this law comes into effect. All that it can do, and this is where the Minister did not indicate to the House the facts as they are, is review the prices, as its name implies, and nothing more. It is a very poor thing for a Minister of the Crown to create an impression by making a statement in the House of Commons that is so far removed from the facts.

I suppose that is one of the reasons why on Friday the Minister could not include among those who support this measure your own provincial Government, Mr. Speaker, which is not in support of this Bill. That Government certainly cannot be considered to be composed of a bunch of rabid socialists, as you well know, Mr. Speaker. He could not include the Government of Manitoba. Nor could he include the Government of Ontario. He could not include the Government of Prince Edward Island. Not only that, he could not include two other Tory governments; he could not include the Tory Government of Prince Edward Island, as I mentioned, or the Tory Governments of Newfoundland and New Brunswick. That makes six provincial Governments which are against the legislation we are now discussing.

That should send a message to the Minister. It should indicate that these provincial governments are preoccupied with the impact of this particular legislation on the consumer, the average person, and, of course, on the prices of pharmaceuticals. If it has an impact on prices then it means that those provincial Governments have come to the conclusion that proposed Section 41.23(4) gives the board no power. It gives it the power just to call witnesses and to take a matter under investigation. But this board does not have substantial, fundamental and important powers for the protection of the public, namely, controlling prices and, where necessary, rolling them back. Therefore, support for this Bill may be an indication to Members of the House of how weak it is, particularly since six out of ten provincial governments are not in support of it.

An interesting letter was sent to us last December from Vancouver by the Building and Construction Trades Council in which the Secretary-Treasurer of the Council included a copy of his letter to the Minister of Consumer and Corporate Affairs (Mr. Andre) in which he states:

> On behalf of our members and other wage earners in our communities we are extremely disturbed by the proposed amendments to drug patent legislation.

He goes on to state:

> There can be no doubt that the effect of these changes will be to increase drug prices to the consumer. Since most working people have received little or nothing in the way of wage increases in the last few years and since hundreds of thousands of working people continue to try to exist on Unemployment Insurance payments, increases in the price of drugs, which would represent cuts to the present incomes of all Canadians—drugs, an absolute essential for many of our people—would represent a cruel and unjustified hardship.

One can well understand the reason why a letter such as this has been sent. It is why I took the first opportunity this

morning of asking the Parliamentary Secretary to indicate to us where in the Bill there is the power to control prices. She was not able to answer that question because she cannot find that assurance in the Bill; It is not there. That matter has to be put on record and has to be brought to the attention of the public in a clear manner now that we are again debating it.

I would now like to deal with another passage of the Minister's speech which he gave the other day. He said that the Senate is threatening to veto this Bill. On the one hand he says that the Senate is threatening to veto the Bill while on the other he says that he has a number of amendments he would like to negotiate with the Senate. One cannot negotiate amendments with the Senate, as the Minister proposed on Friday, and then at the same time the Senate is threatening to veto the Bill. That is not what the Senate is doing.

The fact of the matter is that here we have the Senate exercising its constitutional rights and duties, as it has done with other Bills. It has done quite well in that respect. In other Bills when it has come forward with a number of amendments, the Government has accepted them. Consistent with that role in the past, which is constitutional and which is within the right and the responsibility of the Upper House, the Senate has come forward with a number of amendments resulting from a number of public consultations. In doing so now it has put to the House of Commons these amendments which the Minister of Consumer and Corporate Affairs has the nerve to describe on the one hand as a veto, while accepting certain of them on the other hand. The Minister of corporate affairs cannot have it both ways. He cannot call this action by the Senate a veto, and at the same time consider accepting certain amendments in to the Senate package.

• (1520)

The Senate has proposed a number of measures which indicate its perception of the public feeling today concerning the matter of drugs. In essence, it put forward a number of recommendations that were contained in the Eastman report which would protect the public in a manner that is better than Bill C-22. It would allow the Canadian manufacturers of generic drugs to produce drugs in a shorter period of time after they have been developed by a single company, namely, after four years instead of after ten years as was proposed in the Bill. This will permit greater competition, and the lowering of drug prices.

This is the essence of the Senate proposal, as far as the consumer is concerned. The Senate is also preoccupied with jobs. It seems to me that the Senate has made an eminently reasonable proposal for the development and the creation of jobs. As the Minister of corporate affairs has claimed, it is not a measure that will deny jobs to Canadians. On the contrary, the set of proposals that emanated from the Senate would permit the creation of jobs in Canada.

The Hon. Member for Cape Breton—East Richmond (Mr. Dingwall) in his speech on Friday made reference to the 48 amendments that he put forward in committee on behalf of the Official Opposition. Having fought for the amendments, and having lost them, it is quite understandable that those 48 amendments could not be lost and forgotten. Evidently, the Senators became aware of this enormous exercise and effort on the part of the Hon. Member for Cape Breton—East Richmond. The Senators have picked up some of the cause. Through the Upper Chamber, they did what was not possible to achieve in the Tory dominated committee which studied Bill C-22. In that respect, the Hon. Member for Cape Breton—East Richmond did a phenomenal amount of work in pioneering the 48 amendments.

When a piece of legislation triggers a large number of amendments, it means that it is a poor piece of legislation. It is not only a partisan, momentary aberration to oppose, these amendments were well thought out. They were announced at second reading in the House by the Hon. Member for Cape Breton—East Richmond. They were carried out in committee, but only to the point of proposing them because they were voted down. The Senate action has to be seen within this broader context.

We would like to see a piece of legislation that does not favour only the interests of the multinationals. That is the fundamental point that must be kept in mind. We have fought, as has the Senate, for legislation that looks beyond the interest of the multinational corporations. We would like to see a piece of legislation that looks at the pharmaceutical industry, at manufacturing in Canada, with an opportunity that goes to other active elements in the pharmaceutical sector which are not multinational corporations. There are many of them, and they have to be taken into account. It is important that we at least attempt to pursue and defend the interests of the non-multinationals. They are employers of some considerable extent. They represent a number of Canadians who have to see a future opportunity by way of legislation that also guarantees and continues their reason for existence.

In essence, Bill C-22 is an ill-conceived measure. It has been debated back and forth for several months. I can understand the frustration of the Minister of corporate affairs in seeing his measures not accepted. But the message for him is that perhaps his legislation is not acceptable. It is not in the interest of the public, and it needs to be changed.

I am sure if the Minister were reasonable, flexible, and looked at the proposals one by one from the Senate, and considered those that are in the interest of the consumer, and the people who ultimate have to buy these drugs, he would see the merits of preserving the character of the Canadian system.

Comparing our system with the system that prevails south of the border, which was so well described by Ralph Nader when he appeared on television the other day, Mr. Nader stated the merits of preserving the character of the Canadian retail and price structure system, and not adopting the system that prevails south of the border. Mr. Nader criticized the system in the United States when he said that they would rather have

the Canadian system for pharmaceuticals and protection of the consumer, and not see Canada follow the system that presently dominates in the United States.

For all these reasons, we are very critical of the position taken on Friday by the Minister of corporate affairs. The Minister is giving the public the wrong impression as to the powers of the prices review board. It cannot be found in the existing legislation. The Minister is criticizing the Senate for having done something that is perfectly constitutional. Not only is it constitutional but, as a Chamber of sober second thought, it is its duty. The Minister is also critical of the Senate for having provided the House with a set of amendments which ultimately would protect the interest of the average Canadian consumer.

The Acting Speaker (Mr. Paproski): On debate, the Hon. Member for Dauphin—Swan River (Mr. White).

Mr. Brian White (Dauphin—Swan River): Mr. Speaker, I am pleased to take part in the debate this afternoon, but at the same time I am sorry that it had to take place in the first instance.

As it was passed by the House on May 6, Bill C-22 took a balanced view of the pharmaceutical industry. It provides for increased research and development, and chemical manufacturing, and continued growth of the generic companies. Bill C-22 is also committed to increasing consumer protection, and protecting provincial health care budgets.

Under the recent amendments proposed by the Senate, the current situation would change very little, if at all. The *status quo* would be maintained, which was confirmed by a memo sent to the Liberal caucus from the Hon. Member for Cape Breton—East Richmond (Mr. Dingwall). More importantly, Canadians would be deprived of the eventual benefits that would result if the original Bill C-22 was passed by the House. Indeed, the protection of individual and provincial health plans included in Bill C-22 has been completely ignored in the Senate proposals.

There have been many concerns raised over the impact of Bill C-22 on the prices of drugs. Specifically, someone stated that this policy will remove generic competition from the pharmaceutical market-place. Several months ago, a Minister of the Crown from the Province of Manitoba wrote a letter to the editor of my local paper in Swan River which stated that Bill C-22 would prohibit generic drugs in Canada. Such a statement from a provincial Minister of the Crown in Manitoba is clearly and completely false and untrue. Any such claims are simply not true. According to the legislation, all generic drugs on the market prior to June 27, 1986, will continue to be available. Any comments to the contrary are simply not true. In addition to those drugs, about 40 more could be subject to generic competition over the next five years. I emphasize that these drugs could be available because the profit motive comes into effect. If one suffers from a condition that requires a particular drug which is not a best seller, then a generic copy will not be available because the only motive that drives a generic company is the profit motive. If the drug is not rich enough it will not attract a generic competitor.

• (1530)

One must also remember that there is nothing in this policy that would cause the price of drugs now on the market to increase. Quite frankly, consumers will not suffer because of this legislation.

This will be especially true in the area of improved health care. It is very important to note that as current as this morning, the General Council of the Canadian Medical Association, meeting in Charlottetown, Prince Edward Island, passed the following brief unanimous resolution which states: "That the Canadian Medical Association declares its support in principle for Bill C-22 as a measure which, in the long term, is likely to benefit the health of Canadians".

Under Bill C-22 as passed by this House, new drugs and new therapies will be introduced earlier. The need for hospitalization will be reduced and perhaps even the need for surgery will be reduced because we will have new drugs to cure old problems. An example of this is the drug Cimetidine. It was first marketed under the name Tagamet by Smith, Kline and French. It has been estimated that the introduction of Tagamet has saved up to $130 million in surgery. It is very important to consider that there will be many other drugs that will contribute to the health care of Canadians.

It is also important to note that Smith, Kline and French has been brutalized by the present system of compulsory licensing. It has had to close plants and has lost millions of dollars in sales and has lost Canadian workers.

This decreased need for hospitalization because of new and better medication will be even more important over the next several decades as baby boomers become seniors and place substantially heavier demands on our health care system. It has been estimated that by the year 2000 the average drug store will depend on senior citizens for 75 per cent of its business. This must be kept in mind as we discuss Bill C-22 and its benefits for the health care system.

The discovery of cures and treatments for diseases afflicting Canadians, especially our seniors, is essential to our well-being. With the increased research and development under Bill C-22, Canada will play a larger role in the field of medical discovery.

Canadian consumers enjoy fair drug prices mainly because of the purchasing power of the provinces, which buy 60 per cent of all the drugs in Canada and provide coverage for almost all our country's senior citizens. I should also note that this downward pressure on prices will continue in the market-place under Bill C-22.

Without some improvement in our country's health care system, provincial Governments will be faced with an even heavier burden for hospital care. Amendments such as those proposed by the Senate recently would impede improvements

to the well-being of Canadians and, in turn, lead to higher costs for taxpayers.

Bill C-22, as it was passed by this House on May 6, takes into consideration all of these aspects. First, it provides the incentive for research and development which will enable Canada to benefit from new world class technologies in the fields of bio-tech, medicine, and health care.

Second, it strengthens consumer protection by ensuring that all patent drug prices are reviewed, not only those for which there is generic competition. If one goes to a drug store in Canada and randomly picks 100 drugs off the shelf, 93 of them would have no generic competitor for the reason I stated a few minutes ago. The only motive that drives the generic company is profit and, at present, only 7 per cent by volume and 20 per cent by dollar value are rich enough to attract generics.

The drug prices review board will be established to monitor the price of all patented drugs, not just that 7 per cent that are best sellers and rich enough to attract generics.

Under the current policy, consumers have no way of knowing whether they are paying a fair price for that 93 per cent of drugs that have no generic copy. Without the establishment of the drug prices review board, prices would be higher than they might otherwise be.

Doctor Eastman, who prepared the report some three or four years ago, will be the head of that board. During his testimony to the legislative committee that was considering Bill C-22, Doctor Eastman also said that he was confident that the drug prices review board would be beneficial to Canadian consumers.

The provinces will also benefit from the original Bill C-22. For instance, Bill C-22 proposed transitional payments of $25 million a year for the first four years of the policy, leading up to its first full review by Cabinet. This is additional security against any adjustment that may be made to provincial drug plans and ultimately additional security for those individual consumers who are covered by provincial plans.

The legislation that was sent to the Senate recognizes the importance of the provincial role in health care and the provision of drugs at reasonable prices to all Canadians.

The Bill allows for the establishment of an advisory panel which will be made up of persons from a variety of backgrounds. This panel would make recommendations on appointments to the prices review board. Furthermore, the board is required to notify the provincial Ministers of Health of any hearing the board will hold.

The provinces also have the statutory right to present evidence to the board. As the largest purchasers of medicine, they are, therefore, guaranteed a voice in the proceedings.

As well as protecting the provinces and consumers against unduly high drug prices, Bill C-22 will direct research and development expenditures to every region of Canada. For instance, as a result of the new policy, the innovative sector has recently announced commitments of almost $800 million to be spent on research in hospitals, universities and research centres across Canada over the next ten years. The $800 million is not an investment in just one facility. There will be more than $200 million in Quebec, upwards of $80 million in British Columbia, at least $70 million in the Maritimes, about $100 million in Alberta, $250 million in Ontario, and approximately $50 million in my home province of Manitoba. Chemical manufacturing, which will also be stimulated by these provisions, will add to these figures.

The New Democratic Government of Manitoba has been vehemently opposed to Bill C-22. In my opinion, it has been opposed for purely political reasons and it is nothing but a political opportunist. In fact, one of the Ministers of the Crown in Manitoba recently told a group of researchers at the St. Boniface Hospital in Winnipeg that Bill C-22 is doing the right thing, but the NDP could not resist the political opportunity that presented itself in this situation. In my opinion, that is despicable.

Bill C-22 would provide a policy that does not rely on government grants or government subsidies and takeovers. It is the private sector at its best, doing what it does best. This new policy is another step in the Government's efforts to promote sustained economic growth and job-creation while providing for the protection of Canadian consumers.

On the other hand, the Senate proposal uses the *status quo* of generic copying as the only way of lowering drug prices. Unfortunately, this system does not adequately protect all individuals. It is important to reiterate that generic companies only copy those drugs with a high sales volume and they do no research. Another witness who appeared before the committee, Doctor Chrétien, a clinical researcher from Quebec, said that generic companies do zero research. The few dollars they report as going into research are going into nothing other than quality control.

In fact, with the Senate amendments, companies will be able to charge whatever introductory price they wish for new drugs because generic companies take at least four to five years to copy a product. They wait that long until a market and profit has been established for a particular drug. In addition, some drugs never face competition because they are the so-called orphan drugs that are not big sellers and do not attract generic competition. Therefore, consumers of these products do not benefit from the compulsory licensing system as it exists today.

The Senate has also recommended that the royalty rate paid by generic firms be increased to about 14 per cent from the current 4 per cent. This measure could lead to an immediate 10 per cent increase in the price of generic drugs and a corresponding increase in prices of equivalent brand name products.

As well, the royalty scheme proposed will generate only a very small amount of money for new research and development. In fact, the Eastman Commission of Inquiry estimated

that if the royalty fund had been fully mature in 1983, about $6 million would have been available for distribution for new research and development projects. That $6 million is only one-fifth of the total increase in costs. It is an insignificant portion of the $1.4 billion increase in research and development that could result from Bill C-22.

• (1540)

The Senate proposal focuses almost entirely on drug costs. While this is very important and is recognized in the original Bill C-22 by the extension of consumer protection, there was no consideration by the Senate committee of the impact of new medicines on reducing hospital costs. I mentioned this earlier and referred specifically to Tagamet and its $130-million-per-year savings in now unnecessary stomach surgery.

The 1985 report of the Eastman Commission stated that the royalty proposal would have cost over $30 million in 1983 alone. Those costs would have been borne directly by consumers and provinces. This is clear evidence that the Senate proposal is not cost-free as some people would have us believe. To summarize that, in fact, for every $1 generated by the Senate's royalty fund, consumers would be paying an extra $6.20. That increased cost to consumers would amount to over $1 billion in the next 10 years.

In conclusion, I would like to say that I am very disappointed that the Senate, after such a considerable delay that threatens the viability of already-announced investment plans, continues to take a position on Bill C-22 which gives such little regard to the facts. As you know, Mr. Speaker, there has been substantial discussion of the cost estimates of Bill C-22 among the many interested parties. The Canadian Drug Manufacturers' Association and members of the Opposition in the House of Commons have quoted exaggerated estimates which have little basis in reality.

Indeed, officials of the Department of Consumer and Corporate Affairs have estimated the savings due to continued limited compulsory licensing would have been about $166 million in 1983 if Bill C-22 had been in effect since 1969. This estimate uses the same criteria as that used by Dr. Eastman in his report. However, the drug prices review board would have added between $60 million and $200 million in additional savings to the savings from modified compulsory licensing. There will therefore be a net saving to consumers by monitoring the prices of all prescription drugs.

The Government has taken great care to design a pharmaceutical policy that will result in the maximum benefit for Canada and for Canadians. I am very confident that Bill C-22 as it was passed by this House on May 6 incorporates every element needed for this to happen.

Mr. Orlikow: Mr. Speaker, I would like to ask the Hon. Member several questions. First, why does he take the advice of the multinational drug companies as to what will happen instead of listening to organizations representing a majority of Manitobans? These organizations have indicated very clearly their opposition to this Bill. I refer him to the positions taken by the Manitoba Organization of Seniors, the Manitoba Federation of Labour, the Manitoba section of the Consumers' Association of Canada, and an organization with which he should have very close contact, Keystone Agriculture, an organization which represents all the farm commodity groups in Manitoba. Keystone Agriculture has expressed its opposition to this Bill as well.

Six provinces have now joined that opposition. All of those provinces have pharmacare programs under which the provinces pay all or a substantial part of the prescription-drug costs of their residents. All of them have made it very clear that they have looked at the figures and done their estimates and that the cost to their programs will be increased very substantially.

Second, does the Hon. Member not realize that the drug prices review board will have very little power to do anything about prices since the vast majority of prescription drugs will be produced in the countries in which they are researched including the United States, Switzerland and Great Britain? Does he not realize that the transfer prices they charge their Canadian subsidiaries have no relationship at all to the real cost of the drug? They can charge anything they want to their Canadian subsidiaries which will be packaging the drugs and the drug prices review board will not be able to have any say about that at all. It will have no way of determining whether or not the real price is being charged to the Canadian manufacturers.

Mr. White: Mr. Speaker, the Hon. Member asked two questions and I would like to deal with them in that order. First, he mentioned the many groups in Manitoba that opposed the Bill. I think I could safely say that groups like Keystone Agricultural Producers and the Manitoba seniors are using the same figures that are being used by the NDP and its Leader, figures that have no basis in fact. In committee, we asked them—

Mr. Orlikow: They must be pretty stupid, eh?

Mr. White: I sat here quietly while you asked your question. I would appreciate the same respect. I asked the Hon. Member in committee for some proof of where these figures came from, and found that they had no basis in fact. They were pulled out of the air. It cannot be proven where they come from.

Some of these groups back in Manitoba quite rightly were concerned because of some of these figures. However, that is why my contention all along has been that these groups have been exploited by the Opposition. That is political opportunism in its worst possible sense. Opposition Members have been preying on the fears of these poor people.

In his speech on Friday, the Minister mentioned several of the groups and experts who feel that Bill C-22 will be beneficial to consumers and to the health care of Canadians. He mentioned the Medical Association, the Canadian Chamber of Commerce, the Science Council of Canada, Dr. Michel

Chrétien, the Clinical Research Institute and the Canadian Association of Retired Persons. I could spend 10 minutes listing the groups and experts who believe this Bill will be beneficial.

The Hon. Member's second question dealt with the drug prices review board. The Hon. Member said that it will have very little power. I submit that under our present system, 93 per cent of drugs in Canada have absolutely no price restrictions. They can be priced at any amount. There is no way that we can regulate or control those prices. I would think the Hon. Member would welcome a system that will try to keep those prices down.

Dr. Eastman who headed the commission back in 1983 will head the board. He is optimistic that it will be effective in controlling prices. Rather than being such a pessimist, I would think the Hon. Member would say that he approves of the Bill, let us try it for four years so that we may control the prices of these 93 per cent of drugs which do not attract generic competitors. I would think he would welcome such a move.

Mr. McCurdy: Mr. Speaker, the Hon. Member, who in most circumstances is a very sensible man, has spoken about opposition Members drawing figures from the air. By his own admission, the figures about the amount of money to be invested in research on which this legislation is based come from the air. Those figures come from a promise.

Even that promise amounts to very little because, as has been pointed out, if one projects expenditures by the pharmaceutical industry between now and 1995 based on trend lines already established, they would be at about the level promised by those who are trying to gain support for this legislation. Many figures are drawn from the air, but they are not drawn from the air by members of the New Democratic Party or those who are in opposition to the legislation. They are drawn from the air by those who support it.

We have heard a great deal about research and development. I know that the Hon. Member, being a sensible man, a well informed man and a fair man, would have taken the time to investigate thoroughly what amount of money promised, within that limited context I described before, will really go to basic research. I do not mean clinical trials nor do I mean researching new packaging for pills, new colours or something that will make medications more palatable. I mean basic research, the kind of research that will lead to new discoveries about the mechanisms by which viruses affect cells. How much research will there be into nerve transmission mechanisms? How much fundamental research will be done in the way in which nucleic acids and proteins function and how those functions become disturbed? How much research will there be into the understanding of that disturbance, making it possible to design drugs on a well-informed, scientific basis? What guarantee is there that the promise will be kept that there will be great breakthroughs through investment by multinational corporations who have their centres elsewhere?

• (1550)

Mr. White: Mr. Speaker, the Hon. Member talked about figures coming out of the air. As far as the Government is concerned, the $800 million figure has not come out of the air, it has been coming out of the air waves. These companies have made the commitment. If the Member would study the Bill he will see there is a four year review and teeth in the Bill to deal with those companies which have not met their commitments. As to the figures I used about the saving resulting from the drug prices review board, we used the same criteria and the same basket of drugs used by Dr. Eastman in his report and plugged in Bill C-22 as if it had been in effect from 1969 through 1983. We did not pull those figures from the air. It is using his criteria, his formula, and the figures are accurate.

As to research, clinical versus basic, I know from the industry that clinical research in pharmaceuticals is very important. Some very important discoveries have been made. Basic research is important but in the pharmaceutical and biotech industry, clinical research is very important. I cannot predict what the breakdown will be, but I can give three quick examples of what compulsory licensing has done to drive our scientists out of Canada.

I was speaking to a researcher at the St. Boniface Hospital in Winnipeg who told me about two researchers at the University of Manitoba who discovered two new compounds and packed their bags and left the country to develop them further because of our compulsory licensing laws. A scientist in Ontario developed a naturally occurring substance which lowered blood pressure. This was a major breakthrough. He packed up his bags and moved out of the country because of our compulsory licensing system. Those are the people we want to keep in Canada.

[*Translation*]

The Acting Speaker (Mr. Paproski): The questions and comments period has expired. Before recognizing the Hon. Member for St. John's East (Mr. Harris), I must tell the House what questions will be raised tonight at the time of adjournment.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Algoma (Mr. Foster)—Banks and Banking—Request for publication of report forwarded by Inspector General of Banks—Government position; the Hon. Member for Yukon (Ms. McLaughlin)—Air transport—Proposed transportation of plutonium through Canadian

airspace—Territorial sovereignty; the Hon. Member for Winnipeg North (Mr. Orlikow)—Municipal Affairs—Upgrading of infrastructures—Government rejection of request for funds—Government position—Cost of upgrading.

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND-CONSIDERATION OF SENATE AMENDMENTS

The House resumed consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, an Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below. And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Mr. Jack Harris (St. John's East): Mr. Speaker, it is with great pride and pleasure that I rise today to speak to the House of Commons as the representative of the people of the constituency of St. John's East.

[*Translation*]

Mr. Speaker, I am proud and pleased today to address Members of the House of Commons on behalf of the people of St. John's East.

I intend to improve my knowledge of French to be more at ease when addressing this House.

[*English*]

It is of great significance to me that my first full speech in the House of Commons deals with a Bill such as this. I believe there is a lesson for all Newfoundlanders in this Bill and the actions of the Government. I was born six months before the Confederation of Newfoundland and Canada in 1949. I am very conscious that I am here as a Newfoundlander as well as a Canadian to fight to ensure that all Newfoundlanders get their fair and just share of the fruits of this great nation. I am also here to ensure that they get a fair and equal opportunity to use their talents and energy to better themselves, their families and their country.

For several hundred years before we became part of Canada the people of the communities of St. John's East struggled against a harsh and demanding environment in order to make a living, mostly from the sea in the great fishing and sealing industries which existed off our coasts and in Labrador. They also struggled against their economic masters, the great fish merchants of the west country of England, the multinationals of their day, and the fish merchants of Newfoundland, their local counterparts. The fish merchants determined the price they would pay fishermen for their fish. These same merchants often being the only source of supply, would also decide the price of food and other supplies sold to fishermen. This system benefited the few and neglected and kept down the many. As a consequence of this economic relationship, Governments of Newfoundland have also been in a position of subservience to other countries and other interests.

While Canada was experiencing a level of maturity constitutionally in 1931, Newfoundland was going through a very severe economic period. In its relationship with the mother country, as England was then known, the Newfoundland Government, not the people of Newfoundland, gave in to its

demands to give up self-government. Newfoundland had self-government for 100 years. In 1933, it gave up self-government as a result of the recommendations and demands made upon it by the international financial community.

In 1949, Newfoundlanders joined in Confederation with Canada. That was done with the hope that being a part of the great nation of Canada we would together be able to create our own destiny, decide our own future and determine our own priorities. What we now have before this House is legislation which is a direct counter to that.

The people of Canada have spoken about this Bill. Since 1969 we have had legislation and a format for the control and availability of drugs which was the envy of other parts of the world. Drug prices in Canada, compared to those in the U.S., improved considerably as a result of that legislation. A report prepared by the Department of Consumer and Corporate Affairs showed that in 1969, drug prices were 9 per cent higher in Canada than in the U.S. In 1976, they were 21 per cent lower than in the U.S. That shows that the legislation created the opportunity for generic drug companies to make available to Canadians in need these beneficial drugs at a lower price.

We have also heard much talk about employment and jobs flowing from the legislation before us. During a similar period, that is 1967 to 1982, employment in the drug industry in Canada rose by 28.8 per cent. In the U.S. during that same time, when they enjoyed the absence of compulsory licensing, employment rose by 22 per cent. So we have a decrease in drug prices and an increase in employment in Canada during that period.

Given these facts, how can we explain why the Government brought in legislation that turns the benefits of the 1969 legislation around and goes back to what we had before? How do we explain the fact that it makes available to the multinational drug companies a monopoly on the use of patents for drugs necessary to the health of Canadians?

• (1600)

As a newcomer to the legislature I made it my business to do research and prepare for this speech. I found out a number of interesting things. Perhaps I will bore the House with a certain bit of naivety. There is a history of efforts by the multinational drug corporations to influence the Government of Canada. It appears to have been very successful. It goes back to a very powerful cartel of multinational drug companies which, over the last 15 years, have attacked the generic companies in Canada and the United States. These companies have stopped at nothing in attacking generic drug companies.

I have before me a report contained in *Consumer Reports* of August of this year entitled "The big lie about generic drugs." This is the big lie being promoted by the Pharmaceutical Manufacturers Association in the United States. This comprehensive article says that with increased competition in sight from generics in the United States, beginning in 1983 the major pharmaceutical firms opened a campaign of disparagement, which continues to this day, confusing and frightening doctors, pharmacists and patients alike. When Ayerst Laboratories, which operates in Canada as well as the United States, realized that it would soon face competition from a generic version of its drug called Inderal, a hypertension drug which was one of its most profitable drugs bringing in sales in excess of $350 million per year, it started a propaganda campaign aimed at both doctors and pharmacists.

It told doctors that one ought to use Inderal because of its proven therapeutic efficiency, but that with the generic alternative the chance existed that the patient's response may be compromised. It warned the doctors of the possibilities of law suits from patients. They sent a letter to pharmacists discussing pharmacists' potential liability if the cheaper generic version were dispensed instead of Inderal. The letter warned of troublesome, expensive lawsuits which would generate adverse publicity.

The Food and Drug Administration in the United States called this false and misleading. It said it served only to confuse and intimidate pharmacists into dispensing only Inderal. This is the kind of activity these companies undertake in order to discredit generic drug companies. It is reported that pharmaceutical manufacturers spend approximately $9,000 per doctor per year to convince them to use their drugs. This is an incredible amount of money to be spending on propaganda and promotion of drugs.

It is not surprising that these companies have supporters within the medical profession in these debates. These companies attempt to promote their drugs by taking doctors on trips to introduce them to their new drugs. Various other perks are granted to physicians in order to induce them to be sympathetic to the drug industry.

I am sure the House is well aware that as part of this campaign the Pharmaceutical Manufacturers Association took the opportunity to lobby intensively the Government of Canada, Members of Parliament, officials of the Department and Ministers. The former Minister of Consumer and Corporate Affairs, Ms. Judy Erola, said that the war got absolutely furious, that the lobbying was perhaps the strongest she had ever seen. Ms. Erola replaced the previous Minister of Consumer and Corporate Affairs, the Hon. Member for Papineau (Mr. Ouellet), who was pushing for changes in the drug legislation as a result of lobbying efforts.

As of March 30 of this year, Ms. Erola became the President of the Pharmaceutical Manufacturers Association of Canada. The most formidable and strongest lobby that the former Minister of Consumer and Corporate Affairs had ever seen had found a spokesperson in Ms. Erola after she ceased to be the Minister.

In bowing to the wishes of the multinational corporations the Government is assisting these corporations to increase their massive profits. The profits of these companies are, by any measure, outrageous. On January 6 of this year, the *Globe and*

Mail reported that shareholders could be in line for a bonanza from major pharmaceutical companies which, cash rich from drug sale profits, were buying back their own shares and considering an increase in dividends.

"The major reason for the growing generosity of pharmaceutical concerns toward their shareholders is that they are sitting on piles of excess cash from their booming business. Some of those funds amount to more than $1 billion, which can be a drag on the balance sheet in the current low growth, low interest rate environment." The excess $1 billion which is lying around is a drag on the balance sheet. These are the kinds of profits which these multinational drug companies have lying around and must do something with.

In the United States they are recognizing Canada's example in controlling the use of new drug discoveries. Henry Waxman is the chairman of the Subcommittee on Health and Environment of the United States House of Representatives Committee on Energy and Commerce which conducted hearings into the issue of drug prices and generic drugs. His subcommittee issued a report showing that prescription drug prices in the United States increased more than 79 per cent during the past six years. The industry had spent only one out of every three dollars of that increase on research and development. But the Minister of Consumer and Corporate Affairs (Mr. Andre) is asking us to give the industry more money, which we will not recover in research and development. All we have is a promise and nothing else.

• (1610)

The Hon. Member for Dauphin—Swan River (Mr. White) referred to the Minister of Consumer Affairs for Manitoba of acting like a political opportunist when he opposed the legislation. I ask the Hon. Member if he considered the Minister of Consumer Affairs and the Minister of Health for the Province of Newfoundland to have acted as political opportunists when they criticized the Government of Canada for its legislation?

The people of Newfoundland were told for many years by the Party in power in Newfoundland that when we the Newfoundland Provincial Government and the federal Government are of the same political persuasion, we will see the kind of development Newfoundland needs to take its rightful place in Confederation. The Minister of Consumer Affairs of the Province of Newfoundland advised members of the committee that in June of 1985, he was first presented with the federal proposals to amend the Patent Act. At that time he outlined the province's concern that they would have a significant impact on drug prices in Canada, especially in Newfoundland and Labrador. On May 22, 1986, he wrote to the then Minister of Consumer and Corporate Affairs advising him of his Government's strong opposition to the federal Government's plans to amend the Patent Act.

There were further proposals given later to the Government in June, and in September when they were again discussed, the Government of Newfoundland considered the argument put forward by the Minister of Consumer and Corporate Affairs. After consideration, the Government of Newfoundland would still not support the amendments. The concern expressed was for the impact on the consumer due to the expected drug price increases, and the lack of commitment of the federal Government to any definite job creation and business development plans for the Province of Newfoundland as a result of these amendments.

The Parliamentary Secretary for the Minister of Consumer and Corporate Affairs said in the House this afternoon that there is nothing we can do except have faith in the promises—

Mr. Lewis: Point of order.

The Acting Speaker (Mr. Paproski): Order, please. I will be very generous as will, I am sure, the House, since this is the Hon. Member's maiden speech, and allow him another minute to wind up. He is now eight or nine minutes over his time. I hope I will receive unanimous consent to allow the Hon. Member to finish.

Some Hon. Members: Agreed.

The Acting Speaker (Mr. Paproski): The Hon. Member has another minute to finish his speech.

Mr. Harris: Thank you, Mr. Speaker, and I thank Members of the House. In view of the comments made by Government of Newfoundland to the Senate committee, it seems that this is not an attempt to take cheap political shots at the federal Government. There are serious objections to the Bill. I would ask the House to consider a statement by Dr. Twomey, the Minister of Health for the Province of Newfoundland, who is also a physician. This is important because we have heard that 10 years is needed in order for the drug companies to make enough profit to pay for their research. Mr. Twomey stated:

> As a physician, I know that the therapeutic lifetime as the drug of choice of most drugs is probably around 10 years. When a drug has been on the market for that long, there are usually changes in the formulation, and an entirely new drug in the same therapeutic class will appear on the market, which does essentially the same thing, but probably is deemed to be marginally more therapeutically beneficial for the particular disease or disorder.

That seems to me to indicate that once the 10 year monopoly period is up, it could be all over for a new drug, and the generic companies which are trying to produce cheaper drugs will be out of the door, in any event. The Parliamentary Secretary to the Minister admitted in the House this afternoon that the problem seems to be that we can do nothing but trust the drug companies and take them at their word—

Mr. Lanthier: Mr. Speaker, I rise on a point of order. Even if it is the Hon. Member's maiden speech, he is not allowed to refer to the absence of a Member of the House of Commons.

The Acting Speaker (Mr. Paproski): I do not believe he did.

An Hon. Member: He did not.

The Acting Speaker (Mr. Paproski): I believe the Hon Member referred to the Hon. Parliamentary Secretary for the Minister of Consumer and Corporate Affairs.

Mr. Harris: The Parliamentary Secretary is still in the House, I believe.

The Acting Speaker (Mr. Paproski): I would hope the Hon. Member would wind up.

Mr. Harris: We are told we can do nothing but take the drug companies at their word. If the Government is powerless to do anything about these multinational corporations, and can do nothing but take them at their word, then I would ask it to support this side of the House in doing something about it, as we will surely do.

[*Translation*]

Mr. Ferland: If I had an advice to give my hon. friend who is making his maiden speech in the House of Commons, Mr. Speaker, it would be not to make the mistake of having his speech photocopied and distributed among his constituents, for in view of this recent attack against multinationals, he would run the risk of being asked whether multinationals should stop investing in Hibernia oil? Whether Exxon, Esso, Texaco, Shell and all the other international investors should be asked to stop investing in Hibernia oil, since the Hon. Member for Saint-John East (Mr. Harris) does not agree with multinationals.

On the other hand, he stated that he was born six months before Confederation. He is not that old. I had the pleasure of visiting Newfoundland and I know, as a Quebecer, that that province may not be the luckiest. It has tremendous problems unemployment-wise. He has been very lucky and able to attend university. As one who has "made it", however, does he not feel that other young people in his own community or province should have access to higher learning and be able to work in Newfoundland in the development of medicine or advanced technology? What he is suggesting, for all practical purposes, is to destroy Bill C-22, prevent young people from attending universities, stop university professors from receiving support from multinationals who would invest money in various universities to keep professors in their present positions, to make it possible for young people to study and develop advanced technologies. He said no, to refuse that to Canadian citizens would be bad. What do you propose, my dear colleague? That all young Canadians remain copiers and cheaters! Is that what you are proposing for our Canadian youth?

If I may give a little advice to my young colleague in the House, Mr. Speaker, it would be from now on to think twice before advising the young people of this country to remain cheaters and copiers.

[*English*]

Mr. Harris: Mr. Speaker, I will respond to both comments. First, my comments were not directed against multinational investment in general. Multinational investment is good for Canada. It is needed in Canada. But it is the kind of investment that has to be done—

Some Hon. Members: Oh, oh!

Mr. Oberle: Careful. Your colleagues are wincing.

Mr. Harris: —in the way Canada determines not decided by the multinationals by twisting the arm of this Government. It is in that context that the multinational corporations have appeared to be successful in telling the Government what to do.

• (1620)

With respect to multinational investment in Newfoundland and to my own success in achieving university education, as my hon. friend said, I hope that I will be able to use that education to fight for better things for all Newfoundlanders and for all Canadians.

Mr. Lewis: Mr. Speaker, I would like to compliment my hon. friend on his maiden speech in the House and to wish him well on behalf of all the members of the Government.

I would like to ask him a question about NDP policy. Traditionally, the policy of the NDP has been to oppose the Senate and, in fact, to abolish it. Last week the House Leader of the New Democratic Party was quoted as saying: "We would assume that the Senate would see the wisdom of stopping this Bill as well". He then went on to say: "But the fact is that they do some good work some of the time". Does the Hon. Member support the new position of the New Democratic Party that an appointed Senate should have the right to veto this legislation or, in fact, any legislation passed by this democratically elected House of Commons?

Mr. Harris: Mr. Speaker, I do not think that it has ever been the position of the New Democratic Party, either before or now, that the Senate has the right to veto legislation passed by this House. I think that the Hon. Member must know that the New Democratic Party is very realistic about these matters. The Senate is in place at the moment and it has sent these amendments back to the House. We debate them because they are before us.

Mr. Young: Mr. Speaker, I, too, want to join in congratulating the Hon. Member for his maiden speech in the House. I thought he did a very credible and excellent job.

Some Hon. Members: Hear, hear!

Mr. Lewis: A refreshing change from that side of the House.

Mr. Young: We can all learn a few lessons. We certainly received a few today from the Hon. Member.

I would like to follow up on an earlier question that was asked. I seem to recall that perhaps in May of this year I happened to be in the Province of Nova Scotia. At that time the Minister of Consumer and Corporate Affairs (Mr. Andre)

landed on the shores, so to speak, and announced that if this Bill were passed, all kinds of jobs in research and development would be created in Nova Scotia for young people. Immediately the Minister of Health for the Province of Nova Scotia, who shares the same political philosophy as the people over there who are trying to inflict this piece of legislation on the Canadian people, turned around and, in response to that statement, said: "Well, look, hold on for just a second. First, everything that we have seen coming from the multinational corporations has been promises. Second, they have not been talking about research and development but, rather, clinical research, which is an entirely different proposition. Third, since there is hardly any, if any, pharmaceutical production established in the Atlantic provinces, you are proposing that if the money appears at some future time, and we are not sure about that, all it would do is perhaps train a number of young people in the universities of Nova Scotia. But once they graduated there would be no jobs for them in Nova Scotia".

I want to ask the Hon. Member this simple question. If the Government is serious about providing jobs for the high number of young people who are unemployed in the Atlantic provinces, would the Government not be far better using what power it has to establish industries in the Atlantic provinces so that young people when they come out of university at least have the opportunity for employment in that hard-stricken area of the country?

Mr. Harris: Mr. Speaker, it appears to me that the Government is dependent upon the decision-making of the multinational corporations with respect to where they will place jobs, and where jobs ought to be does not depend upon the will of this Parliament or the people. If the Government used its power and its ability to establish job programs to benefit the areas of Canada which need it most, then I think the same money could go further and benefit the people of the Atlantic region.

[*Translation*]

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, of course I am tremendously pleased to rise today in this important debate on Bill C-22. As a Quebecer and a Canadian, I would like that we assume once more our rightful place in the research and development of pharmaceuticals. I do not want to see another flight of foreign capital away from that industry. I do not want to see any more our young university graduates having to go abroad when our education system and their parents spent a lot of money so that they could study in our universities right here in Canada. Let us be realistic—when we invest, we want that investment to yield a return. It is rather embarrassing that a large country like Canada, exporting as it does 80 percent of its goods to other nations, does not protect the inventions of our Quebecers, our researchers, our scientists.

Quebecers understand that, except that I wonder if the New Democrats, the Liberals who are sitting here today—I think that some are from Quebec but they were not here when the time came to vote. The others do not know Quebec. They claim to know Quebec. Mr. Speaker, I can tell you right now that although I speak some English, I do not claim to know Ontario. But I do know Quebec and I know what is good for Quebec.

Mr. Speaker, I would like to refer to an editorial by Jean-Guy Dubuc that appeared in *La Presse*, from which I would like to quote one paragraph if I may:

> Only Liberal Senators did not understand what is at stake in the debate. Even Quebec senators are willing to forget Quebec's interests in order to defend those of Ontario. It is not surprising that the Senators have even convinced the Leader of the Opposition, Mr. John Turner, who supports them without seeming to know—or perhaps knowing only too well—that the Liberal Government had promised the Quebec Government to amend the legislation when Mr. André Ouellet was Minister of Consumer and Corporate Affairs. Now, Quebecers and all Canadians will have to pay the price of the Liberal vendettas.

Mr. Speaker, I am very glad to see the Hon. Member for Papineau (Mr. Ouellet) in the House. I had the pleasure of sitting with him on the Special Committee on Parliamentary Reform. I can tell you that I learned much from him on that committee. He has a lot of experience, knowledge and common sense. I think that he will be speaking after me, perhaps to tell his colleagues in the Senate and even on the other side of the House to take some tranquilizers and get a bit of rest.

As a matter of fact, since we know that some Senators like to sleep outside the Senate Chamber, it would perhaps not be a bad idea for all the Liberals to take tranquilizers and go to sleep at the door of the Senate. The Senators could—

[*English*]

The Acting Speaker (Mr. Paproski): Order, please. One has to be respectful even though it is the Chamber of sober second thought. I hope that the Hon. Member will take that into account. The Hon. Member for Argenteuil—Papineau (Mrs. Bourgault).

• (1630)

[*Translation*]

Mrs. Bourgault: Mr. Speaker, I am greatful to you for calling me to order and asking me to show respect to the Upper House. In this case, I will be so to speak respectful, Mr. Speaker.

To return to what I was saying concerning my friend from Papineau, Mr. Speaker, I will certainly remain until the end of his speech, because I am sure that, as a sensible man, he will tell his colleagues that the infusion of $1.4 billion would create nearly 3,000 jobs over the next ten years. I suggest that because of his habitual eloquence, the Hon. Member for Papineau and former Minister of Consumer and Corporate Affairs will make an extraordinary speech in support of the Government and its Bill C-22.

Mr. Speaker, it is also suggested that the Senate report which is here before the House would not succeed in stopping the brain drain. Thousands of students and scientists would

continue to leave Canada to seek opportunities elsewhere. It is too bad!

Mr. Speaker, if I were a parent today—unfortunately, I never had children, something I regret—and if my children were attending university, and studying pure science, I would ask mysel serious questions. I might suggest to them to make another option, because the opportunities for promotion in Canada are few and far between.

Mr. Speaker, my Argenteuil—Papineau constituents whom I was pleased to meet all summer long do not quite understand. As you know, not everyone can boast of knowing our Parliamentary system. It is difficult for someone to understand how come we on this side of the House, who are the elected government, are not capable with 211 Members to pass a piece of legislation. You know the average citizen wonders why, and this is the reason why for a number of years we have been talking of reforming the Senate, which I respect as you suggested I should do.

Mr. Speaker, the Senate's proposals jeopardize all the efforts made by this Government to change the structure of the Canadian pharmaceutical industry. If adopted, the Senate's proposals would mean that pharmaceutical firms would keep on importing from abroad the active ingredients and simply mix them, or even import the final product and only do clinical tests in order to comply with the requirements of National Health and Welfare.

Mr. Speaker, the exclusivity periods proposed by the Senate make no distinction between pharmaceuticals that are entirely invented and manufactured in Canada and products that are simply imported. The Senate's proposals now before us do not do any good on any count. They do not stimulate research activities or grant adequate protection to Canadian innovators.

Mr. Speaker, this Government has a duty to afford special protection under Bill C-22 to pharmaceuticals that are invented and manufactured in Canada, and this for a number of good reasons. First, it is a matter of fairness to inventors.

Mr. Speaker, if I was an inventor—or should I say an "inventress"—I would be frustrated at not being able to do any research. I would be frustrated at having studied in our great Canadian and Quebec universities but not being in a position to use my knowledge for my own country—the country that gave me those vital instruments, our universities—and at not being able to contribute to the progress of that country. We must afford the same degree of protection to inventions in the pharmaceutical industry as to any other invention, Mr. Speaker. Drugs are an basic necessity and we must therefore do all in our power to protect and reward investigators who develop drugs which improve the quality of life of all Canadian men and women.

Mr. Speaker, as one prominent journalist put it: it is well worth two or three cents more a pill. Yes, it is well worth it!

Secondly, affording better protection to drugs invented and developed here in Canada is a stimulus to fundamental research since it is here that investigators must initiate the discovery process. That is how we could make the Canadian pharmaceutical industry a major field of innovation.

My friend the Hon. Member for Papineau (M. Ouellet) represents a riding located in the Montreal area, Mr. Speaker, one from which foreign capital has fled to other provinces and even to other countries. This is because people believed that our Quebec language legislation, Bil 101, would be detrimental to business interests.

Mr. Speaker, in an aside I must say that it would be awful if the New Democrats came to power. The Montreal economy is just beginning to recover. Just try to imagine, Mr. Speaker, what we would look like if the New Democrats, with their way of thinking, were to say no to free trade and did not want to protect the wonderful opportunity the Bill before the House affords our researchers.

Mr. Speaker, with such a protection for drugs invented and developed here, how could Canada not attract capital investment as well as manufacturing facilities? Companies which will invest in Canada will be able to recover their costs adequately. We must also remember that our Canadian researchers will be strongly encouraged to stay in Canada instead of leaving our country to go to our main trade partners.

Mr. Speaker, a researcher, an inventor who works for a large manufacturing company, particularly a drug manufacturer, earns quite a lot of money. He is not a low income earner. He is well paid. It means that this man who is involved in research and his family contribute directly to other important sectors of our economy. They are good consumers who support other small and medium businesses around them. So if all these great scientists with big earnings leave to go where it is financially and intellectually more rewarding, the loser is not only the drug industry, but the whole regional economy.

For a long time, scientific groups doing research in Canada have been hoping for a Bill which would encourage Canadian discoveries. They were not the only ones, Mr. Speaker. I wonder how caucus members can be against the premier of their own province, against all the ministers from the province of Quebec that we represent in Ottawa, against all the companies which probably contributed to our election, whichever side we are on, how can they be against all these people? I wonder.

Finally, Mr. Speaker, most of the medical discoveries done in our universities and research institutes are bought by foreign companies which develop commercially products invented in Canada. This is a shameful and unacceptable situation which has to be changed.

Our Prime Minister said we should do something and we did, Mr. Speaker. The proposals of the Upper Chamber bring us back to a situation which had been denounced with the utmost vigor by our best scientists.

I repeat, Mr. Speaker, a country which wants to be at the leading edge of technology . . . You will recall that three or

four years ago the Premier of Quebec said: "We are living in a period of technological change. We have to face the music." The time when Canada was only able to sell to its American neighbor is over. We have now access to much larger markets. Think of the nations of Asia and the Pacific, Mr. Speaker. Here is a very interesting market. Mr. Speaker, consider all the potential investments if, as a nation, we are intelligent enough to protect the intellectual property of our researchers as well as the inventions of the companies.

Mr. Speaker, it stands to reason that if in any field ... Consider for instance our designers in the clothing sector, our designers in other commercial undertakings. Very few people like to have their ideas copied by others. Somebody spends a fortune to come up with a new product, it has hardly been marketed and practically overnight others are producing copies. If I were an investor in that field, you can understand why I would not be in too much of a hurry to get my money out of the bank to invest more. On the contrary, I would be tempted to go and see what is happening elsewhere, which is exactly what others did. They invested elsewhere.

In conclusion, Mr. Speaker, I emphasize the fact that Canada has every right to rank first in pharmaceutical research and that our researchers are entitled to more protection for anything they invent in this country.

Bill C-22 confirms this, and any amendment which could be made would deny these rights.

Mr. Speaker, I strongly hope that everyone will be sensible, that our friends in the Upper and Lower Chambers, in front of us and beside us will sleep peacefully, read everything that has been said, listen to everything, and change their minds. We changed our minds ourselves in the past because Canadiens told us that we had perhaps gone a bit too far. Canadians are now saying that the Senators and our Liberal and NDP friends opposite are going too far about Bill C-22. It is now time to be reasonable and to approve Bill C-22, Mr. Speaker.

The Acting Speaker (Mr. Paproski): Questions or comments, the Hon. Member for Bourassa (Mr. Rossi).

Mr. Rossi: Mr. Speaker, I would like to ask the Hon. Member for Argenteuil—Papineau (Mrs. Bourgault), who has commented on the behaviour of the Liberal Senators who are blocking this Bill, why exactly the Conservative Senators abstained from the vote and even left the Senate Chamber to avoid having to vote. Were they afraid to vote against this Bill? It is a fact that the Conservative Senators did not vote, Mr. Speaker. Why is this? This is what I am asking my hon. colleague.

Mrs. Bourgault: Mr. Speaker, I am quite surprised to hear that the Conservative Senators did not vote on this Bill. Perhaps it was for a technical reason. I can say, however, that we are fortunate in having in the Senate a great scientist from Montreal, Senator David, a great Canadian and Quebecer, who was a member of the Senate Committee. Senator David, the director and founder of the Montreal Cardiological Institute, is a great man and a great Quebecer. He supports Bill C-22 as a doctor and as the founder of one of the major cardiological institutes in Quebec. He is a man of sense and we should be listening to people like him.

• (1640)

[*English*]

The Acting Speaker (Mr. Paproski): The Hon. Member for Portneuf (Mr. Ferland). The Hon. Member for Ottawa-Vanier (Mr. Gauthier) will be recognized after the Hon. Member for Portneuf.

[*Translation*]

Mr. Ferland: Mr. Speaker, first of all, I would like to congratulate my hon. colleague from Argenteuil—Papineau (Mrs. Bourgault). I have here a copy of a statement by a distinguished Canadian scientist who says that the price of drugs represents 5 percent of the cost of health care in Canada. And I will quote a few lines from his text which he read. He says: All acute, subacute and chronic illnesses which have no cure contribute substantially to the other 95 percent of health care expenses.

I would like to know first, whether my colleague from Argenteuil—Papineau shares that view of a distinguished scientist who happens to be Senator Paul David and, second, whether she would explain to our colleagues opposite and our somewhat testy Liberal senators the facts concerning those figures submitted by Senator David.

[*English*]

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Member for Argenteuil—Papineau (Mrs. Bourgault). However, we are now getting into the realm of what is happening in the other place. I do not think that should happen in this Chamber. I will permit the Hon. Member to answer very briefly, but I hope Hon. Members will not participate in asking questions about what is happening or not happening in the other place.

[*Translation*]

Mrs. Bourgault: Mr. Speaker, I understand very well your intervention but you will have to admit, your Honour, that we find ourselves in an embarrassing situation since we are precisely discussing amendments introduced in the other place. Therefore I do not know whether we should or not deal with that matter ... As to the question asked by my colleague from Portneuf (Mr. Ferland), and I thank him for it, Mr. Speaker, let us not forget that Bill C-22 has some merits in that it strikes a delicate balance between various key elements, such as research, development, intellectual property, employment, the industrial sector, health care, and consumer protection. Obviously I agree with my colleague from Portneuf as regards that distinguished expert.

Mr. Gauthier: Mr. Speaker, I would like to direct a question to the Hon. Member for Argenteuil—Papineau (Mrs. Bourgault), who severely criticized the Senate for doing its

job. As you know, the Senate is a place where the regions of this country are represented and where regional rights are supposed to be defended. I think the Senate has given serious consideration to Bill C-22 and that the recommendations it proposes seem reasonable. I would like to ask the Hon. Member, considering that her main emphasis, namely that the purpose of the Government in tabling Bill C-22 would be to create jobs in Canada and promote more and more research and development in the pharmaceutical industry, which we agree is not something that is commonly done in Canada . . . The multinationals usually do this at Headquarters, in their own countries, either in Holland or the U.S. or elsewhere. They don't have to do it in a country with a market of only 25 million, and they haven't yet. Since the Hon. Member knows as well as I do that the multinationals have promised $1.4 billion within the next ten years—we are talking about thousands of jobs to be created as a result of these investments—I would like to ask her what guarantees she has that the multinationals will make those mass investments in Canada, totalling $1.4 billion over ten years, and how many jobs they are going to create? And could the Hon. Member perhaps tell me whether she has firm assurances, in writing, from her Government that these companies will keep their word? And if they don't, what will happen to this legislation which, as we know, tends to favour the multinationals considerably?

Mrs. Bourgault: Mr. Speaker, I hold my Hon. friend from Ottawa—Vanier (Mr. Gauthier) in high esteem. I admit he has had better days than today in his parliamentary life. He has opened the door for me and I am going to answer him. He told me that the Senate had done its duty. It most certainly did not. I am sorry. The Senate has not done its duty. Its function is to examine bills coming from the House to prevent errors of interpretation within the bill itself. It is not to torpedo what the House has accomplished. Quite the contrary! The Senators did not do their job. They travelled all around at the expense of Canadian taxpayers, including those of my Argenteuil—Papineau riding. They spent some $300,000 or $400,000 travelling across Canada. It is a fine way to leave the Upper Chamber and to travel, Mr. Speaker.

The Acting Speaker (Mr. Paproski): The question and comment period is over. Debate. The Hon. Member for Papineau has the floor.

Hon. André Ouellet (Papineau): Mr. Speaker, I am pleased to take part today in this debate on Bill C-22 dealing with drug patents. I am all the more so because, while I was Minister of Consumer and Corporate Affairs in 1983, the Liberal Government of the time had looked into this very complex and important issue. I must say that the Members of this House and the other place who belong to the Liberal Party have never declared themselves against changes to the current legislation. As a matter of fact, we were the first to propose a review of the present system. The recommendations which appear in the Eastman Report, an independent commission created by the former Government to find out about what is true and false in this area, seem to us to be quite reasonable, because they set a balance between the interests of consumers and the need to increase research within the pharmaceutical industry.

Unfortunately, I have to say that once more the Conservative Government has chosen to be overly generous with the Americans.

Recently we were told by General Motors that this Government had made them an offer they could not refuse for keeping their plant in operation in St. Therese. In other words, from what General Motors told us, they had the choice either to stay in St. Therese or to close the plant. But the Government offer was so generous that they were left with no choice. They took the money and stayed.

It is precisely this kind of generosity with the Americans that once again we are blaming the Conservative Government for with regard to pharmaceutical products.

As Liberals, we are not against changing the law. However, we object to undue concessions to pharmaceutical companies.

The Member for Portneuf (Mr. Ferland) has quite a list of questions put together by the department of Consumer and Corporate Affairs to be asked of those who participate in this debate. But when asked a while ago, what kind of safeguards had been obtained with regard to investments and jobs, the Member for Argenteuil—Papineau (Mrs. Bourgault) preferred to remain silent in her seat. Because there are really no safeguards. The Member for Portneuf can goof-off all he wants behind the curtains, but if he has any proof, it should be tabled in the House. We will listen to him and even applaud him. Except that he has absolutely no proof that the multinationals will make the required investments.

We feel the Government chose to go much further than Professor Eastman's recommendations. It chose to tilt the scales in favour of the multinational pharmaceutical corporations, to the detriment of the Canadian generic drugs industry and Canadian consumers. We feel this is deplorable because fundamentally, what we Liberals have always been striving for is a balance between the real and pressing need for increased drug research and the corresponding need that those drugs be made available at prices that people can afford, and this we have a duty to ensure.

This is why we are supporting the Eastman Report's recommendations and this is why we, Liberal Members in this House, are of one mind with Liberal Senators who want to amend the bill to guarantee that the investments promised by the multinational corporations take place, that the jobs promised are created, and also that prices remain at levels that consumers can afford.

And that position of course is different from that of the New Democratic Party who want no change—they want the *status quo*. Of course, the short term *status quo* as supported by the New Democratic Party might be of benefit to consumers, but it would provide no incentive for the drug industry to develop new drugs.

But we say: Drug companies are willing to invest, they are ready to create jobs. Hurrah! Let us use that opportunity, let us amend the act. But let us not be blind to the point of thinking that drug corporations will deliver all the goods if we do not have a legislation with teeth. And unfortunately, the current bill does not provide the formal guarantees we are hoping for. And there lies the basic difference between the government's position and ours. We agree that the act has to be amended, but we believe the government is going too far when making a 10-year concession to the drug corporations—that is excessive in our view. The Eastman Report recommends four years and a 14 percent royalty. Obviously, those who engage in research, those who invest considerable amounts to put a new product on the market must meet their costs. It is absolutely essential that, in order to continue bringing new products onto the market, pharmaceutical firms be afforded a degree of protection which allows them to meet their costs and turn a reasonable profit. The Eastman Report tells us, based on an objective, in-depth evaluation of the issue, that four years are enough protection to allow the drug industry multinationals not only to meet their costs but to attain reasonable returns on their investment. So what does the Government do rather than leave it at four years? It gives them ten years. In other words, pharmaceutical firms are given an extra six years which, we contend, is based on no good reason and is not justified.

This situation is of great concern to us since we know that at the Irish Summit, the 1985 meeting between the Prime Minister of Canada (Mr. Mulroney) and the President of the United States, President Reagan had insisted that Canadian patent legislation be harmonized with American legislation before the initiation of the free trade negociations. We also know that Mr. Clayton Yeutter, President Reagan's trade adviser, has stated that he would suspend the free trade talks if Canada did not honour its committment to give better patent protection to American multinationals.

And finally, we know that the American pharmaceutical industry had in hand a preliminary version of the bill we are now studying, Bill C-22, even before it was tabled in this House. What we are saying then is that the Conservative Government has caved in to the influential American lobby, that the bill in its present form goes too far and is far too generous for the pharmaceutical industry.

And there is no better proof of that than to recall that in the first version of the bill as tabled by the former Minister of Consumer and Corporate Affairs, the Hon. Member for Langelier (Mr. Côté), there was a provision intended to encourage inventors of patented products to manufacture them in Canada whereby they would be protected only if the drugs were manufactured in Canada. And so what happened between the first and second versions? That clause has vanished.

I see that you are preparing to put an end to the debate. I would simply want to quote the following from the document presented by the former Minister of Consumer and Corporate Affairs, the Hon. Member for Langelier:

• (1650)

[*English*]

"Incentives for development of fine chemical manufacturing industries in Canada will be given in the legislation, but there will be a loss of exclusivity for innovative firms on new drugs unless they manufacture the fine chemical ingredients here in Canada."

[*Translation*]

Well, that is the problem. Between the first bill of Conservatives and the second bill of the present Minister, that important but embarrassing clause for American drug companies was removed. It disappeared. And in our opinion, it is more evidence of the Conservatives' submission, their kowtowing to American interests.

[*English*]

The Acting Speaker (Mr. Paproski): Before I call it five o'clock, I would like to recognize the Hon. Member for Peterborough (Mr. Domm) on a point of order.

* * *

• (1700)

BUSINESS OF THE HOUSE

PRIVATE MEMBERS' BUSINESS—WITHDRAWAL OF BILLS C-201, C-202, C-203

Mr. Domm: Mr. Speaker, I have three Private Members' Bills on the Order Paper which deal with capital punishment. I do not know whether I could be considered lucky or not but one of them has been drawn again for debate in this House tomorrow afternoon at five o'clock. I would like unanimous consent to the withdrawal of Bills C-201, C-202 and C-203, all of which call for a return of capital punishment. Given that Parliament resolved the issue with a vote against returning capital punishment, I ask for unanimous consent to withdraw all three Bills including the one scheduled for Private Members' hour tomorrow night at five o'clock.

The Acting Speaker (Mr. Paproski): Does the Hon. Member have consent to remove the Bills from the Order Paper?

Some Hon. Members: Agreed.

Orders discharged and Bills withdrawn.

Mr. Gauthier: Mr. Speaker, have the Table Officers seen fit to schedule a new Bill for that hour tomorrow? If so, can we have notice of which Bill will be called for debate?

The Acting Speaker (Mr. Paproski): Private Members' Business tomorrow will be second reading and reference to a

legislative committee of Bill C-258, moved by the Hon. Member for York Centre (Mr. Kaplan).

It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*Translation*]

OFFICIAL LANGUAGES ACT

MEASURE TO AMEND

Mr. Jean-Robert Gauthier (Ottawa—Vanier) moved that Bill C-223, an Act to amend the Official Languages Act (primacy of the Act), be read the second time and referred to a legislative committee.

He said: Mr. Speaker, I am very happy to take part today in a debate on a bill I introduced on October 14, 1986 and which is one of a series of bills I tabled in the House over the last ten years or so.

Bill C-223 we are considering tonight seeks to recognize the primacy of the Official Languages Act, to make that Act supreme over any other statute. I am introducing that Bill because the matter is important, Mr. Speaker, knowing full well that in a bill tabled as recently as June 25, 1987 Hon. Members will have the opportunity to discuss this fall, I presume, the Government agrees to grant the Official Languages Act a qualified primacy, so to speak, but some primacy nonetheless over Canadian statutes, or the law of the land.

Today, Mr. Speaker, I will try to explain why the Official Languages Act should explicitly contain a clause that guarantees its primacy over all other legislation.

• (1710)

When the legislator includes the concept of primacy in an Act, he confers on this Act a quasi constitutional character because it is thereby clearly distinguished from other Acts while, as we know, remaining subject to amendment or repeal by the same legislative authority from which it received this primacy. The effect of primacy is to make the Act supersede any provisions of any other Act that are inconsistent with the former, unless otherwise stated. That was the purpose of Bill C-223, and that was also the purpose of many other Bills I shall not mention here but which have been considered in the House from time to time and, I must admit, have always been postponed indefinitely because, as I was told at the time, it was too much, too soon. Too much, too soon has become a very familiar refrain for people like me who have taken up the cause of official languages. We are always being told: You are in too much of a hurry and you are asking too much.

I must say that the Government—this Government did not originate the concept but it tabled the Bill and drafted it—I must say that Bill C-72, which will be before the House for second reading in the fall, proposes that the primacy of this Act shall apply to the first five parts of the Bill in question. There are shortcomings and there are sections which I will certainly try to have amended in order to broaden the scope of the legislation and extend its primacy beyond what is being proposed, but on the whole, Mr. Speaker, we are pleased, and I am even quite satisfied with this major step forward embodied in Bill C-72.

Mr. Speaker, perhaps I should provide some brief historical notes in the few minutes I have at my disposal. As you know, the Official Languages Act was adopted in 1969, after an extensive national debate. It started with the B and B or Laurendau—Dunton Commission. At the time, the Commission went around the country, trying to find a way to resolve the crisis that was troubling Canadians, a crisis which, I hope, has now more or less died down, and I even hope it will disappear altogether.

But in a few minutes I will have the opportunity to remind you that even here in Ontario today we still experience difficulties when trying to make some people understand that the official languages of this country, English and French, do not in any way prevent either group from asserting its rights. Whether I do so in French or whether I do so in English does not take anything away from the other group: it can assert its rights in its own language. Francophones outside Quebec—and that includes me—assert their right to exist in French in Ontario, or in British Columbia for that matter, and I would hope that a country which claims to be basically bilingual, with two official languages, would show full respect for the aspirations of its minorities in the various provinces. This is sometimes difficult because it is not easy to defend oneself, to fight to have one's own schools, to have one's school rights recognized, to have one's rights respected before the courts, and to have one's rights in the legislative assembly.

Remember Alberta where an individual was denied the right to speak in his own language. Remember that before the courts today, in both Eastern and Western Canada, Canadians sometimes find it difficult to appear and give evidence in their own language, French, just as it has been difficult now and then for some anglophones in Quebec to understand and to be able to use their own language everywhere when they wanted to do so. Mr. Speaker, because of this ongoing evolution over the last 20 or 25 years, we now have today before us, after 18 years, a new piece of legislation containing what is in my opinion an important clause which asserts the primacy of the Act.

When the Official Languages Act was passed in 1969, it was a great step forward. For the first time in Canada, we recognized that we have two official languages, and implemented legislation to ensure the equality of English and French in federal parliamentary institutions.

While certain problems with the 1969 Act have come to light and brought the Government to introduce a new bill, Bill C-72, we must not forget that the 1969 Act has been the major instrument in changing public attitudes as concerns official languages.

It is because of the evolution in attitudes especially, and of the action taken by some Governments that the 1969 Act has become outmoded and needs to be brought up to date.

When the Liberal Government of the time adopted the Act in 1969, our Constitution had not yet been patriated. The rights of official languages minorities to be taught in their own language throughout Canada did not exist, neither did the Charter of Rights and Freedoms, and so on.

While we say that the 1969 Act needed to be amended, this does not mean that the problems were identified by the Conservative Government. Since its passage in 1969, the Act has been examined in depth by the Joint Committee of the Senate and the House of Commons and applied in all federal Departments. The Official Languages Commissioner examines how this is done and reports each year to Parliament.

It is by applying the Act and looking at the results that we were able to identify weaknesses. For instance, the concept of bilingual districts has never been implemented because it was restrictive and seemed unnecessary, while the language of work concept, which is vaguely defined in Section 2 of the Official Languages Act, quickly became one of the main problems with this legislation. The amendments to the Act have therefore been identified thanks mostly to the reports of the Joint Committee on Official Languages. Indeed, four of the main reports of this Committee contain recommendations for amendments to the 1969 Act. These are the first, fourth and fifth reports of the Thirty Second Parliament, tabled in July 1981, June 1982 and April 1983, as well as the second report of the Thirty Third Parliament tabled recently.

Given that Bill C-72 contains most of the proposed amendments, it would seem appropriate to sum them up in order to put this debate in context and give credit, in particular, to the joint committee which worked very hard and submitted amendments which I consider contructive and which will reinforce the Act.

The first report of 1981 proposed two changes, first the repeal of all clauses dealing with bilingual districts and second the inclusion in the Act of the expressions "where numbers warrant" and "active offer of services".

We should recall that 1981 was a year of constitutional negotiations. The reference to numbers comes from the desire to harmonize the Act and the constitutional document. As to the active offer of services it will be embodied in the Act of 1987, in Section 27.

The fourth report, in 1982, added three new subjects. First a section to clarify the question of the language of work, a recommandation made by the committee following contested decisions of the courts. I recognize that the Act of 1987 took that into consideration since it defines the language of work and its application in Sections 33 and 34. But the Government did not invent anything, it merely reproduced the parliamentary resolution of 1973 on the language of work, passed by this House in June 1973.

• (1720)

Then, again to clarify the Act, following the courts' rulings, the committee recommended that it should be made binding and declaratory, which means it should contain provisions making its implementation compulsory. It would therefore establish rights—we could for instance before the courts ask for compliance with the Act. The 1987 Act implements part of that recommendation in Sections 75(1) and 76(1). I need only remind Hon. Members the issue of airline employees and the whole disruption that was brought about by the court ruling that Section 2 of the Official Languages Act was only declaratory and not binding. This caused us many problems and we are trying to amend and strengthen the legislation, as I said earlier, in order to make it binding and declaratory.

Finally, the Committee insisted on the inclusion of a section regarding the fair participation of both language groups in this country, which is covered by the preamble and Part VI of the 1987 Act, Bill C-72. As regards the fifth Report of the Committee, one of its main recommendations concerns the recognition of the supremacy of the law. To some people, that issue was settled by the fact that Sections 16 to 20 of the Charter of Rights were enshrined in the 1982 Constitution Act. In fact, as the Charter is enshrined in the Constitution, it will render inoperative those provisions that are inconsistent on any other rule of law, in view of the supremacy of the Constitution. Incidentally, the wording of the Charter is almost exactly the same as Section 2 of the 1969 Official Languages Act.

In other people's view, the law will always be the interpretation framework for judges who try to determine the spirit and the intent of the law. If the law is not specific enough, the very vague safeguards provided for in Section 16(1) of the Charter will prevail. There have been many court rulings to this effect. In fact, the Deputy Minister of Justice confirmed it when he appeared before the Committee in March, April and May 1982.

Thus, to protect the provisions of the Official Languages Act, it is essential to include a clause that clearly asserts the intent of the law to give that act precedence over any other act, order, decree, by-law, rule or regulation.

Mr. Speaker, these events summarize the evolution of the issue from 1969 to 1982, when the problem of the primacy of the Act was recognized and identified. I am not saying that this problem occurred all of a sudden in 1982. What I mean to say is that from 1969 to 1982, the issue was examined from every angle and the courts rendered their decisions. It is a long process of interpretation and identification of the problem, as well as determination of the remedy which has made the

primacy of the Act a central and even significant issue in Bill C-72 which was introduced by this Government.

Mr. Speaker, I was involved in various capacities in this process. As an Hon. Member, as a Member of the Committee on Official Languages, and as chairman of this Committee. As an Hon. Member, I introduced a number of private bills calling on the House to adopt the principle of the primacy of the Official Languages Act. In 1984, I introduced a couple of bills, including Bills C-203 and C-223, all of which were seeking to establish the primacy of the Official Languages Act, thereby giving it a quasi-constitutional character, since all other legislation had to be subordinated to it, just as ordinary legislation are subordinated to the Constitution.

I do not want to repeat the need to establish the primacy of the Act, for I have dealt enough with it from the start, preferring to show how Bill C-223 would provide in some cases a better protection than the provisions of Bill C-72. For instance, Clause I of Bill C-223 provides for the implicit repeal of any provision of a law of Canada in case of conflict, unless the notwithstanding clause applied. Moreover, Clause 11(1) made it an obligation for the Minister of Justice to examine every regulation to ascertain whether any inconsistency existed. The primacy sought through Bill C-223 is aimed at the subject matter of the Official Languages Act and not at the whole legislation. More specifically, it is to Section 2 that this primacy should have been provided.

Clause 79 (1) of Bill C-72 provides also that the primacy of the Act will be limited to certain provisions of the legislation, more specifically Parts I to IV which supersede all conflicting provisions of any other federal legislation or regulation.

Such a procedure namely the reference to explicit rather than implicit content, as in the case of Bill C-223, has advantages as well as disadvantages. On the positive side, this difference will dispel some of the doubts felt by judges because they will know exactly what the legislator was referring to when he granted the primacy of the law. Conversely, this leaves no room for a wider interpretation by the courts. Thus, although Bill C-223 is general in its application and covers the Canadian Human Rights Act, section 79 (2) excludes it explicitly, and also excludes its rules. It so happens that in some sections of the Canadian Human Rights Act, for instance those providing that race, ethnic or national origin are grounds for discrimination, section 3 of the act, or section 7 concerning discrimination in hiring, and section 8 concerning job applications, advertising and, may very well, Mr. Speaker, contradict the Official Languages Act.

Linguistic rights could therefore be weakened due to the removal of discriminatory motives since the Canadian Human Rights Act is excluded from the primacy clause in Bill C-72.

Furthermore, the fact that Part VI in Bill C-72 is excluded from the paragraph concerning primacy could cause problems relating to representation, equal participation, language of work and language of service. For instance, there could be conflicts between the provisions of the Public Service Employment Act and those of the Official Languages Act. If that were to be the case, the Courts probably would decide in favour of the Public Service Employment Act rather than the Official Languages Act, because there is a rule that an Act of specific scope takes precedence over an Act of general scope, as is the Official Languages Act, because it will be remembered that Justice Deschênes in the *Gens de l'air* case in 1977-78 ruled it was an Act of general scope.

In conclusion, Mr. Speaker, I submit that the situation as regards the primacy of the Official Languages Act has changed a lot since Bill C-72 was put in place. As I just said, the latter includes very specific provisions as to the primacy of the Act. I am quite pleased about that, Mr. Speaker. However, any specific provision eventually includes loopholes because of its very specificity. This is why it is useful to have legislations of a more general scope that become interpretation cases allowing the Courts to enjoy more flexibility, to be more open-minded in interpreting the law. Such is the thrust of Bill C-223 now before us. While being of general scope, it could complement the Canadian Charter of Rights and Freedoms and the Official Languages Act.

Moreover, Bill C-223 includes provisions that are used—as I say, it charges the Minister of Justice with the responsibility to look at any proposed regulations.

For all those reasons, Mr. Speaker, I urge all Hon. Members in this House to support the Bill. I believe it is essential that we make two amendments to Bill C-72, and they are in Bill C-223—one to give primacy to the Act, and for which I hope I have the support of Hon. Members, and another to charge the Minister of Justice (Mr. Hnatyshyn) with the responsibility to review any regulations to ensure that there is no inconsistency with any act voted by this Parliament. In conclusion, Mr. Speaker, I thank all Hon. Members for their attention.

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, we are here to discuss the bill tabled by my colleague the Hon. Member for Ottawa—Vanier (Mr. Gauthier). The bill is entitled An Act to amend the Official Languages Act and its basic purpose is to assert the primacy of the Official Languages Act which is now in force. Mr. Speaker, all those here would agree, I believe, that the Hon. Member for Ottawa—Vanier has spared no effort to improve the status of official languages in federal institutions. I would like to congratulate him personally since I have had the opportunity on two or three occasions to sit in for a member of the joint committee on official languages and can therefore say that the Hon. Member for Ottawa—Vanier is a relentless fighter on the french language issue. I would therefore take this opportunity to congratulate him personally.

Some Hon. Members: Hear, hear.

Mrs. Bourgault: Mr. Speaker, the issue of the primacy of the Official Languages Act over conflicting rules in other Acts has been abundantly discussed in the past. Already, in 1978,

the then Commissioner of Official Languages advocated that primacy in his annual report. Subsequently, a series of bills much to the same effect were tabled, as it happened most of them by the Hon. Member for Ottawa—Vanier. Meanwhile, the Canadian Charter of Rights and Freedoms took effect. It enshrines the basic principles of the present Official Languages Act and gives them special status since they are encompassed in the supreme legislation of the country.

On April 24, 1986, during the second reading debate on the last of the bills introduced by the Hon. Member for Ottawa—Vanier, Bill C-203, an Act to amend the Official Languages Act, which dealt also with the primacy of that act, the importance of the matter had been acknowledged to a large extent. However, it was also emphasized a debate on this complex matter would not be appropriate at that time. Let me borrow from the Hon. Member for Charlevoix (Mr. Hamelin), my colleague on this side of the House and co-chairman of the Standing Joint committee on Official languages, the words he said then, and I quote:

> —it would be premature at this stage to go the supremacy route alone, since in-depth studies undertaken by the Ministers most involved in language reform, at the request of the Prime Minister, should very soon result in a number of proposals that will allow for consideration of all aspects involving the Act and its application.

As you know, that examination has been undertaken, the work has been done and we now have the pleasure of having before us a complete bill on the official languages. Bill C-72 gives meaning to our linguistic duality, covers all important aspects in the language field and provides us with a strong and durable legal base. It applies to all Canadians irrespective of their ethnic background or mother tongue, and whether they belong to a majority or a minority. It shows a strong will on the part of the Government to bring about a true and profound renewal of our language policy. It dovetails with our commitment of national reconciliation. In short, it has, I believe, all the necessary elements to answer the expectations of Canadians in this regard, even those of my friend from Ottawa—Vanier. In fact, that Bill on official languages provides, in Section 79, for the primacy of the main clauses of the Act over those in other federal Acts or Regulations that might be inconsistent with them. And that is not all.

In the administration of justice, it guarantees better access to federal courts by reasserting and defining the right of a defendant to use one or the other official language. The Bill also provides for a better access of the public to federal institutions by strengthening the right of Canadians to communicate with and receive services from these institutions in the language of their choice.

As to the language of work in federal institutions, the Bill specifies, for the first time, the right of federal civil servants to use either one of the two official languages at work. Moreover, the Government commits itself, in that Bill, to guaranteeing equal opportunities of employment and promotion in federal institutions to all Canadians, regardless of their ethnic background or mother tongue, and to seeking in these institutions a distribution of staff which reflects the distribution in Canada of English-speaking and French-speaking communities.

As for the Francophone and Anglophone minorities in Canada, the Government is determined to promote their development. If I may, Mr. Speaker, I would like to underline once again the Meech Lake Accord which recognizes the distinct character of Quebec. If we want to engage in an exercise in semantics, we all know that the specific character of Quebec means its language. The Secretary of State will play a major role in this regard as his mission will be to coordinate federal efforts in this area, for instance through co-operation with the provinces and the private and voluntary sectors.

The position of the Official Languages Commissioner will be maintained. His role will still be to ensure that the spirit and letter of the Act are respected, but he will have more effective tools at his disposal.

Finally, one of the major strengths of this Bill is the provision of legal redress. Those Canadians who feel that their linguistic rights have been violated can take their case to the Federal Court. This Bill is good for both French and English Canadians. This cannot be overemphasized. The Official Languages Commissioner will also have the possibility of legal recourse.

Mr. Speaker, one man who deserves credit for the introduction of Bill C-72 is the Right Hon. Prime Minister (Mr. Mulroney).

We have as Prime Minister someone who is completely and perfectly at ease in both official languages of our country. It is rare for a Prime Minister to master completely both official languages. I am proud to be a member of his team.

I believe that these few words are enough to show that Bill C-72, an Act respecting the status and use of the official languages of Canada, is a major piece of legislation which the House will soon be able to examine. We can easily conclude that the Bill introduced by my Government on June 25 both encompasses and surpasses that introduced by the Hon. Member for Ottawa—Vanier. I therefore believe, Mr. Speaker, that, for the moment, there is no need to proceed further with consideration of Bill C-223 and that my Hon. friend for Ottawa—Vanier should certainly have made this clear and should perhaps simply have asked, as others have done before, that his Bill be withdrawn, as the Government has tabled a Bill which meets more than adequatly and even more substantially all the aspirations of the Hon. Member for Ottawa—Vanier, who is a great defender of the French language in the beautiful province of Ontario.

• (1730)

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is with a certain sense of pride that as a Private Member one

has an opportunity to respond to a Bill such as Bill C-223 put forward by my colleague, the Hon. Member for Ottawa—Vanier (Mr. Gauthier). This is one of the best examples of a Member of Parliament, working in co-operation with the joint standing committee concerned with a special issue, in this case the primacy of the Official Languages Act, being persistent. As my hon. friend across the way indicated at the beginning of her speech, for many, many years the Hon. Member for Ottawa—Vanier has put forward arguments year after year about the need to move in this direction, along with others in the House. He has done so once again in Bill C-223.

As a result of his persistence and as a result of his constantly reminding Parliament and his colleagues of the need to move on the whole matter of official language primacy, the Government in its wisdom has introduced Bill C-72. On June 25, the Minister of Justice (Mr. Hnatyshyn) introduced for first reading Bill C-72, an Act respecting the status and use of the official languages of Canada. That Bill is really a major step forward. Again, I think it is important at the outset that we indicate very clearly that these particular initiatives, Bill C-72 and Bill C-223, are of no threat to anyone in our country. They are a complement to Anglophones and Francophones. They are complements in terms of enhancing the status and role of those who wish to speak English and those who wish to speak French, or both, in Canada. Therefore it is a clear indication of the maturity and maturation that our country is going through to begin serious consideration of Bill C-72 sometime this fall.

I want to take off my hat, figuratively speaking, to the Hon. Member for Ottawa—Vanier for once again reminding us through Bill C-223 of the importance of establishing the primacy of the Official Languages Act. Establishing primacy is like giving a quasi-constitutional status to the Official Languages Act in that it will take precedence over other statutes. Other laws will be subordinate to it when it comes to matters of language.

When one recalls the passionate and thoughtful debate that occurred in 1969 when the Official Languages Act was originally passed, one will recall that all sides of the House felt strongly about this issue and believed that it was certainly in the best interests of Canada. Now, through the establishment of primacy of the Official Languages Act, I think we will advance the cause and therefore make very clear in all parts of the country how seriously we feel about the primacy and role of English and French in Canada. We still have some way to go.

As my colleague from Ottawa—Vanier indicated, not long ago in the Province of Alberta a Member of that Legislature, the Member from Lac La Biche, Mr. Leo Piquette, rose in the House and asked a question, through the Speaker, in French. In a sense he was chastised for that particular act. There has been a great deal of debate following that action in terms of the appropriateness of that particular move. What it did was to place on the public agenda discussion of the issue and, again, to advance the cause. We have learned from that. From what I can gather, the matter is now before the Legislature of Alberta. Out of that will come a reasoned debate and, hopefully, a reasoned decision.

I do not want to belabor this point but I think that it would be appropriate to take a moment or two to refer to Bill C-72. I do this out of no disrespect for my colleague regarding Bill C-223. I believe that his Private Members' initiative which resulted in the introduction of Bill C-72 will see the real discussion and debate probably in a legislative committee or, perhaps, in a reference to a joint standing committee of the House of Commons and the Senate.

Bill C-72 is an Act respecting the status and use of the official languages of Canada. For our purposes this afternoon I will simply read the purpose of the Act since it would be appropriate for those listening and watching. The purpose of the Act is the following:

> —to extend the present laws of Canada relating to official languages to
>
> (a) ensure respect for English and French as the official languages of Canada and ensure equality of status and equal rights and privileges as to their use in all federal institutions, in particular with respect to their use in parliamentary proceedings, in legislative and other instruments, in the administration of justice, in communicating with or providing services to the public and in carrying out the work of federal institutions;
>
> (b) support the development of English and French linguistic minority communities and generally advance the equality of status and use of the English and French languages within Canadian society; and
>
> (c) set out the powers, duties and functions of federal institutions with respect to the official languages of Canada.

In terms of a purpose that is, obviously, a laudatory purpose. As the Hon. Member for Ottawa—Vanier has indicated, his Bill actually advances in some cases Bill C-72. It goes beyond what Bill C-72 covers. For that reason, his mentioning those areas in his Bill today will assist us in improving Bill C-72 when it comes forward for second reading and for discussion and amendment in legislative committee.

I am pleased to be part of the process that now works toward the establishment of the primacy of the Official Languages Act. It will set to rest a great deal of concern and wonderment that we have seen in the past when it was asked what, in fact, did take primacy, the Official Languages Act or some other statute. This, along with the passage not so much of Bill C-223 but the eventual passage of Bill C-72, will solve that issue once and for all.

[*Translation*]

Mr. Marc Ferland (Portneuf): Mr. Speaker, it is with great interest that I join the debate on Bill C-223. First I should like to make a brief remark concerning the sponsor of this Bill. The tenacity of the Hon. Member for Ottawa—Vanier (Mr. Gauthier)—since 1969 he has been relentlessly drawing the attention of the House to the important issue of the primacy of the Official Languages Act—deserves special mention. The Hon. Member for Ottawa—Vanier belongs to that group of illustrious people who for a number of years have been faithfully advocating full respect for the equal status of the official languages in this country. One of my eminent colleagues, the Hon. Member for Charlevoix (Mr. Hamelin),

called them *defensores fidei linguaeque* in an earlier debate on another legislative measure of the Hon. Member for Ottawa—Vanier in April 1986.

Shortly after the Official Languages Act was implemented there was a growing awareness of the need to ensure the primacy of this statute over other federal legislation. Not only was this opinion expressed by the Hon. Member for Ottawa—Vanier, the Standing Joint Committee on Official Languages and the Commissioner of Official Languages, but it is also the position of this Government which clearly stated its views on this question in Bill C-72. As a matter of fact, clause 79 of the Bill guarantees primacy by providing under subclause (1):

> In the event of any inconsistency between Parts I to V and any other Act of Parliament or regulation thereunder, those Parts prevail to the extent of the inconsistency.

Parts I to V of the Bill are as follows: I - Proceedings of Parliament; II—Legislative and other instruments; III—Administration of justice; IV—Communications with and services to the public; and V—Language of work. These are the substantive parts of the Bill which derive from the constitutional rights and obligations set forth in sections 16 to 20 of the Canadian Charter of Rights and Freedoms.

We will have an opportunity to take a closer look at clause 79 in the near future when the measure is referred to a parliamentary committee, but I think the objective sought by the Hon. Member for Ottawa—Vanier in his own Bill has been achieved to a large extent, a fact he would be prepared to acknowledge.

Bill C-72 tabled on June 25 meets in fact many other aspirations that have been expressed by the Canadian public, the Official Languages Commissionner, the Standing Joint Committee and language groups for the past 18 years since the implementation of the Official Languages Act.

The brief description of the main elements of Bill C-72 that my colleague has just made was surely sufficient to convince you that we have introduced a substantial reform. It shows how seriously this Government takes its national reconciliation policy under which the Official languages reform falls.

The Government has honoured the commitment it made in the Speech from the Throne of October 1986 and on many other occasions to make the Official Languages Act consistent with the provisions of the Canadian Charter of Rights and Freedoms.

Mr. Speaker, I would like to commend all my colleagues who since September 1984, have allowed the use of French to increase in the House from 7 per cent to almost 21 per cent.

In other words, Mr. Speaker, we are coming closer to the Canadian reality. At least 27 to 30 per cent of the Canadian people are French-speaking. I think it is important, Mr. Speaker, that we can continue in the House to develop that expression and to allow Canadians throughout the country to benefit from the French language as such. But it is also important to keep on developing as well both official languages throughout Canada.

One of the main objectives of that reform was to make the Official Languages Act consistent with Sections 16 and 20 of the Charter. Language rights that are set forth in our Constitution are the foundation of our national language system. On these strong basis we are going to build a modern system.

Mr. Speaker, I am convinced that the Hon. Member for Ottawa—Vanier will agree that Bill C-72 meets most of his concerns and objectives and that he will be very pleased to cooperate with us for a speedy passage of Bill C-72.

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, the purpose of Bill C-223 has already been explained at great length since the beginning of this debate. It is, of course, about the primacy of the French language, as already stated in Section 2 of the Official Languages Act, 1969, over any conflicting rule in other federal legislation . . . of course, Mr. Speaker, all this has been said so many times, and again today by the two Hon. Members who spoke previously, and of course in committee and in the House of Commons by the Hon. Member for Ottawa—Vanier (Mr. Gauthier).

We know the Charter of Rights and Freedoms makes no direct reference to this provision, and now we have Bill C-72 which in English, and I will have to quote from the English text, is An Act respecting the status and use of the Official Languages of Canada. This legislation starts as follows—and I will quote the English text because that is the text I have before me and I would rather not give you a translation that would not be the official one:

• (1740)

[*English*]

> Whereas the Constitution of Canada provides that English and French are the official languages of Canada and have equality of status and equal rights and privileges as to their use in all institutions of Parliament and Government of Canada.

[*Translation*]

Mr. Speaker, I think this is quite clear and that it would be very hard to misinterpret this clause. I would like to mention at this point that Bill C-72 was tabled in the House of Commons by the Minister of Justice (Mr. Hnatyshyn) and given first reading on June 25 of this year. This first provision of Bill C-72 is mentioned more specifically in Clause 2, and here again I will quote in English because I only have the English text:

[*English*]

"to extend the present laws of Canada relating to official languages".

[*Translation*]

This means that this legislation, Bill C-72, will reinforce all pertinent legislation to ensure that both official languages are

used by the Canadian Government and Parliament in their general administration and all their instruments.

Mr. Speaker, the same Bill contains a provision that is quite clear and which I will not translate but I would like to quote it to remind people of the full impact of Bill C-72. It reads as follows, and I quote:

[*English*]

—ensure respect for English and French as the official languages of Canada and ensure equality of status and equal rights and privileges as to their use in all federal institutions, in particular with respect to their use in parliamentary proceedings, in legislative and other instruments, in the administration of justice, in communicating with or providing services to the public and in carrying out the work of federal institutions.

[*Translation*]

Mr. Speaker, after sitting a number of times on the Official Languages Committee, I realize that it is still a fairly difficult business, especially for French Canadians, to ensure that while certain laws may be favoured by the majority of Canadians and thus compliance may not seem as problematic, nevertheless we must not forget that although the minority may not have numerical clout, it does have equal status and that we have two official languages in Canada. Mr. Speaker, that is of course why, in Clause 79 of the Bill, it says clearly that in the event of any inconsistency between Parts I to V and any other Act of Parliament or regulation thereunder, those Parts prevail to the extent of the inconsistency. Let me explain, Mr. Speaker. The aim is to ensure that the status of both official languages is complete and that we, French Canadians, both outside and inside Quebec, may use the French language in total security, just as English speaking persons would be ensured the opportunity to speak in committee, in a committee that would be held in Montreal or Saint-Polycarpe or Saint-Télesphore or anywhere in Quebec, even if the majority is French-speaking, at that point, Canadians can speak both on Parliament matters and on Government matters or on any of its acts or regulations in the language of their choice.

Mr. Speaker, it is understood that the very clear intent of parts I to V is indeed to ensure that the rights and privileges and obligations of the English and French languages are respected on a constitutional basis. Part I and Part V, which deal with parliamentary procedure, legislative procedure and other procedure and other parliamentary instruments, with the administration of justice and also, in the same section, very clearly, in order not to leave any loophole in that legislation, that list a whole range—as others that I am now listing, communications and services to the public, working language—it is clearly understood that all this will naturally lead to a clear, outright and final expression, that the principles put forward in Sections 16 to 20 of the Charter of Rights and Freedoms are completely respected, both in English and in French.

Mr. Speaker, the Charter of Rights and Freedoms is supreme in Canada, to the extent that any law which is not consistent with the principles and provisions of the Constitution must be declared to be inconsistent with the Charter of Rights and Freedoms, and as such it has no effect. The text is quite clear in this respect. Therefore it stands to reason that the Official Languages Act is a statutory and constitutional statement that protects the rights and obligations which in case of conflict must prevail over any federal legislation or regulation whatever, again be it parliamentary or executory within the government generally. It is very broad in scope, in the sense that all anglophones in Canada can expect to get good service in Quebec City, Gaspé and Montreal, and that a francophone can rightfully enjoy his privileges and be well served in Vancouver, Toronto and Montreal.

However, Mr. Speaker, we must remember that all amendments to the Charter of Rights and Freedoms which apply to federal institutions require the consent of Parliament and of the ten provincial legislatures. It goes to show how serious this is. So all provisions of the Official Languages Act and of the Charter are not subject to the "notwithstanding" clause and as such express the exception procedures already established in section 33.

Obviously, Mr. Speaker, all these rights are already deeply anchored in the constitutional rights set forth in the Official Languages Act.

Let me point out here that this complex case which had been covered since 1969 under general statutes is now specifically defined so that all Canadians can feel at ease in the operations of both their Parliament and their government. We French-speaking Canadians can consider this as an important step on the part of the Progressive Conservative Government to ensure that we can express our privileges, our rights and our obligations in the language of our choice in our beautiful Canada.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, it pleases me greatly to take part in this debate with my colleague the Hon. Member for Ottawa—Vanier (Mr. Gauthier) who, in my parliamentary experience, is a staunch and able advocate of bilingualism.

• (1750)

[*English*]

I appreciate this opportunity to speak on the subject of Bill C-223, which proposes to amend the Official Languages Act of 1969. I do not wish to dispute the principle of primacy that the Hon. Member for Ottawa—Vanier (Mr. Gauthier) proposes to inscribe in the Official Languages Act. However, I do want to add some remarks.

[*Translation*]

It would be going against the grain of Canadian history to deny the capital importance of the official languages debate in shaping our national identity.

[*English*]

I agree with my colleague, the author of the Bill, for whom Section 2 of the existing language legislation is crucial to our collective equilibrium. The wording of this section of the 1969

Act has become part of the essence of Canada's linguistic duality. That wording has now been basically entrenched in Section 16 of the Canadian Charter of Rights and Freedoms.

In the Bill tabled by the Hon. Minister of Justice (Mr. Hnatyshyn) at the end of June, the principle of primacy has in fact a much wider scope than the legislation which my colleague would like us to adopt. Earlier today, my colleague read Clause 79 of Bill C-72 which would give the five substantive parts of the Official Languages Act primacy over any conflicting federal legislation other than the Canadian Human Rights Act. Clause 79 of Bill C-72 contains no notwithstanding clause while Bill C-223 presented by my colleague does.

Our Bill does not restrict itself to giving primacy to the Official Languages Act since it contains numerous measures to improve the equality of status of the two languages in a large number of fields. I refer to proceedings of Parliament, preparation and publication of federal legislation, and certain other things.

I think it is important to put on the record the comments of the Hon. Member who has long been at the forefront of the battle to improve the status of English and French in Canada. When Bill C-72 was tabled at the beginning of the summer, my colleague probably realized why the careful preparation of the proposed legislation took some time. Let me quote the remarks of the Chief Whip of the Official Opposition as he referred to Bill C-72:

[*Translation*]

> I am pleased to acknowledge that this Governement, building upon initiatives of the previous Government and in an effort to ensure consistency with the Charter of rights and freedoms and to meet certain other requirements, has come up with a bill which I find constructive. And I must say, in a non-partisan vein, that the bill meets a great number of its intended objectives.

[*English*]

> I think I have tabled about ten Private Members' Bills. I find them here.

I do not believe we could have any better advocate on behalf of the Government's legislation, Bill C-72, than the Hon. Member. When the Bill goes to committee I am sure we will have his assistance in proceeding with that legislation.

[*Translation*]

The Acting Speaker (Mr. Paproski): The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

Adjournment Debate

BANKS AND BANKING—REQUEST FOR PUBLICATION OF REPORT FORWARDED BY INSPECTOR GENERAL OF BANKS—GOVERNMENT POSITION

Mr. Maurice Foster (Algoma): Mr. Speaker, on August 18, I put a question to the Minister of State for Finance (Mr. Hockin), asking him what action he would take with regard to the overcharges placed by the banks on farmers across Canada in the early 1980s. I asked this question specifically because a number of farmers have found that they have been charged exorbitant amounts of interest over and above that to which they agreed on the original notes they signed when the banks switched fixed-rate notes to floating-interest-rate notes.

Several such cases have already gone to court and rulings have been made in favour of the farmers. In some cases, out-of-court settlements have been made involving hundreds of thousands of dollars.

Many months ago, in the early spring, the Minister referred the matter to the Inspector General of Banks, who is now the Superintendent of Financial Institutions, and I understand that that report was made available to him in late June. So far, the Minister has not made the report of the Superintendent of Financial Institutions available to the House. I hope the Parliamentary Secretary will do that this afternoon on his behalf.

The other issue at stake is that a number of farmers who believe they have overpaid hundreds of thousands of dollars in interest have gone to their banks to receive copies of their liability ledgers or lists of notes they signed in the early 1980s. Before 1982, it was the practice of most banks to use a fixed-interest-rate-note form when lending money to farmers, and in fact, those are the legal documents and the ones that are binding in court. However, when some farmers have asked their bankers for copies of their liability ledgers, they have been told that they must pay as much as $500 just to see their documents.

I find it incredible that a bank doing business with a valued customer, business in many cases involving tens and hundreds of thousands of dollars and large interest payments, would not want to make those documents readily available. In any case, the banks are not making them available and many farmers are having difficulty proving their cases.

The House of Commons Agriculture Committee heard testimony from a lawyer who does a lot of business with farmers in southwestern Ontario, Mr. Larry Rider. He indicated that it was a very common practice for banks to switch from a fixed rate of interest to a floating rate of interest during the recession when interest rates were climbing dramatically. He said that he was sure that many farmers had paid exorbitant amounts of interest. Earlier I referred to two such cases. One was a court case in which some $250,000-worth of interest was awarded to the farmer. In another case in Alberta, some $240,000 was returned to the farmer in an out-of-court settlement.

I believe the Minister of State for Finance should call the bankers and major financial institutions to ask them to make these documents freely available to their valued customers, including farmers and some small businessmen, so that they can handle their cases in an open, direct, honest and above-board manner. This matter is of national significance because tens of millions of dollars of interest payments are at stake.

It seems to me that unless the Government releases the documents of the Superintendent of Financial Institutions and clarifies exactly where this whole matter is going, it should appoint a royal commission of inquiry to deal with this matter which affects many, many farmers and small businessmen who may have been overcharged large amounts of money.

• (1805)

It is very difficult for a farmer, unless he is extremely well off, to sue the bank because of the legal costs involved. As well, there is the danger of his credit being cut off. It is therefore essential for the Government to set up a commission of inquiry to clarify this matter, and then put in place some mechanism whereby the banks and other financial institutions make restitution to the thousands of farmers who were overcharged for interest during the early 1980s.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, since we were just talking about official languages I will be pleased, as a matter of courtesy, to answer the Hon. Member for Algoma (Mr. Foster) in his own language.

[*English*]

This issue of overcharging farmers by banks has been raised in this House on several occasions and has also been the subject of considerable public debate and attention in recent months. The debate centres on the past practice of chartered banks and other financial institutions relating to the past administration of their past floating rate loan portfolios. The proposition has been put forward that interest in excess of rates set out in loan documentation, signed by farmers and other businessmen, was illegally charged by banks to their customers. These claims arise from a long established administrative practice formerly engaged in by banks until their loan documentation was revised in the seventies and the early eighties. The practice consisted of documenting loans carried on a floating or variable rate basis through fixed rate demand promissory notes. That is, a customer who borrowed on this basis would execute a promissory note at the then prevailing interest rate and would be asked to sign new notes as rates changed. Over time, many banks ceased having new notes signed, for administrative ease, but notified clients of the new effective interest rates.

The banks no longer document floating rate notes on this basis but have developed and introduced floating rate promissory notes. It is understandable that the former practice might lead to confusion on the part of the borrower as to the interest due on his loan. That is, is the floating rate or the fixed rate applicable? The issue in alleged cases of overcharging is whether the borrower knew and had agreed to the rates he was being charged. This is basically a legal question that raises issues of interpretation of the arrangements or contracts between the borrower and the lender. The proper forum for the resolution of disputes of this nature, which the Government has been saying all along, is the court system. Only a judge has authority to weigh evidence in a particular case, find facts, and order proper redress. The Government cannot act in the place of the judiciary, and only the judiciary can determine whether in a given case a farmer or other customer was overcharged or not.

SMALL BUSINESS—NATIVE ECONOMIC DEVELOPMENT PROGRAM

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, on August 19, 1987, I asked the Minister of Regional Industrial Expansion (Mr. Côté) about the fate of the Native Economic Development Program. This program began in 1984 with a budget allocation of $345 million over a four-year period. It offered great hope to aboriginal groups that finally there was a serious commitment by the Government to advance the self-sufficiency of aboriginal communities and individuals by providing long term adequately funded business opportunities. In the first three and a half years, only 40 per cent of the funds were allocated. As I understand it, the program has been extended by one year to March, 1989. There then remains one and a half years to disburse the 60 per cent remainder of the committed funds.

The Minister answered my question by stating that a number of projects were being funded by the Department of Regional Industrial Expansion. However, that was not my question.

• (1810)

Following the discovery two months into the fiscal year that the entire budget of the DRIE funds had been expended, a freeze was put on all DRIE and related programs, the Native Economic Development Program being one of those. It, of course, specifically addressed the needs of aboriginal communities. Although agreements signed with ministerial approval do seem to be honoured at the moment under the Native Economic Development Program, other applicants to this program are being told at one bureaucratic level that a freeze is on and at another that it is not. It appears that the serious mismanagement of the one program, DRIE, is resulting in the further mismanagement of another.

It is well known that over a century of colonial rule has destroyed the traditional land-based economy of Canadian aboriginal people. Aboriginal people are not asking for hand-outs. They are asking, and have been encouraged to ask, for assistance in developing small businesses which are relevant to many of the rural communities in aboriginal situations as well as assistance with financial institutions which will facilitate the

capitalization of such businesses when traditional lending institutions will not. They have received a mish-mash of programs operated by various ministries focusing on short-term training and job creation and rarely resulting in enabling a stable, long-term economy to develop.

In fact, in the Government's own paper of July, 1987, entitled *Consultation Paper on DRIE Native Economic Programs*, they admit that to date the Government has been unsuccessful in addressing the economic needs of aboriginal communities. It says: "Efforts have resulted in only term employment at low wage levels".

The Native Economic Development Program offered at least one answer to this problem, but it now seems that aboriginal groups are the first to take the fall for the Government's admitted mismanagement of the DRIE program. The Government has offered promises and little money and now promises consultation and less money. Consultation is always useful, but not if it is simply another substitute for action.

In fact, in a briefing note to the Minister of Indian Affairs and Northern Development (Mr. McKnight) of July 23 it is indicated that on July 30 the Cabinet was to decide the future of native economic development programs, and this before a six-month consultation process with aboriginal people had even begun.

I dare say aboriginal people may be some of the most consulted people in Canada and have received some of the most apathetic action on their expressed concerns. It is no wonder that they have lost faith that their interests are being taken seriously by the Government.

We are talking here about people's lives, about whether the trapper, the fisher, the trucker, the store owner or the construction company can get started, hire people, and begin to address the extremely high rates of unemployment which exist in many aboriginal communities.

The House was recently told by the Government that the Canadian economy is doing pretty well, that jobs have been created. My question is simply oriented to ensuring that aboriginal people share in this. We cannot say that the Canadian economic situation has improved for all Canadians if a large segment of our population is left out. It is time for the Government to give some straight answers to aboriginal people.

My questions were really quite simple. While the Minister did confirm on August 19 that projects are being approved, I do understand that $43 million is unexpended under the Native Economic Development Program in this fiscal year. I further understand that, given the audit on the Department, Treasury Board authority is required to expend this amount and that the matter will be brought before Treasury Board on September 15.

Will the Minister confirm this information? Will he undertake, on behalf of aboriginal people, to do his utmost to ensure that this year's full allocation for native economic development programs is secured in addition to ensuring that the $345 million for the Native Economic Development Program is spent according to a previous commitment made?

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, I am really embarrassed and sorry, but I cannot answer the Hon. Member for Yukon (Mrs. McLaughlin) who was taking part tonight in her first adjournment debate, as we were not prepared to answer such a question. I think there has been some mix up in the answers which have been prepared. However, we have taken note of her question which, by the way, matters a great deal to me since I am of Indian descent on my mother's side. I can guarantee the Hon. Member for Yukon that we will answer her in writing very shortly.

• (1815)

[*English*]

MUNICIPAL AFFAIRS—UPGRADING OF INFRASTRUCTURES—GOVERNMENT'S REJECTION OF REQUEST FOR FUNDS—GOVERNMENT POSITION—COST OF UPGRADING

Mr. David Orlikow (Winnipeg North): Mr. Speaker, some months ago at its most recent meeting, the Federation of Canadian Municipalities, having had a study done on the state of the infrastructure of most of the municipalities, particularly the large municipalities in Canada, including the state of the roads, sewers, sidewalks and water supply, realized that these services were deteriorating at a tremendously rapid rate. Given the sharp increase in the numbers of people living in our cities, it was felt important to bring to the attention of the federal and provincial Governments what was happening and to propose a plan to deal with this situation before a crisis arose.

As I drive around the City of Winnipeg I see sewer breaks, roads which have collapsed, sidewalks with large holes. I am sure other Members of Parliament see the same in their cities so I understand the needs outlined by the Federation. Healthy municipal services contribute to a healthy economy. Good roads are essential for getting employees to work and products to market. Industry, which this Government says it wants to encourage, needs the water systems to keep working and machines to keep operating. Bridges and sidewalks are equally important for the movement of people and products.

Studies have been done which show very clearly that if we leave these things too long, the cost of repair becomes astronomical. It costs almost three times as much to repair these facilities after 25 years as it would be to repair them after 15 years.

The municipalities have, in most cases, deferred the necessary maintenance of their roads, bridges, sewers and water distribution systems not because they are unaware of the problem but because of economic pressure. The revenue from taxes, federal and provincial funding and municipal taxes, have been inadequate to do the work which should be done.

It is estimated that what needs to be done would cost about $12 billion in the next five years. What is proposed is a three-way funding, a third paid by the municipalities themselves, a third paid by the provinces and a third paid by the federal government.

That is a lot of money, but it was pointed out that to a large extent this cost would be self-financed because it would provide 280,000 person-years of work. Jobs would be created and the cost would be recovered through increased taxes paid by these people, through lower unemployment insurance payments and lower social assistance costs.

It makes eminent sense to me, and the proposal received the support of the Leader of the New Democratic Party and the support of the Leader of the Official Opposition (Mr. Turner). I was shocked when I asked questions of the Minister of State for Finance (Mr. Hockin) and the Minister of the Environment (Mr. McMillan) to hear their very quick rejection of this proposal. They say they are not interested subsidizing municipalities. I find that very strange since they are prepared to subsidize provincial government infrastructure. In the regional development plans which are agreed on between the federal Government and some of the provinces, there are sub-agreements to fund highways and other projects. The projects about which the municipalities have talked are just as important. I would like to give one illustration of what this means.

• (1820)

I express my amazement that the Minister of the Environment, who comes from Prince Edward Island, does not realize, or does not know, about the tremendous problem in cities such as Halifax and Dartmouth. There are 200,000 or more people in those cities. They simply dump their sewage into the harbour. His own Ministry has estimated that only 13 per cent to 14 per cent of all the sewage in Nova Scotia is treated. How can a Minister from Prince Edward Island be so blind, so callous and so uncaring about a situation which exists just a few miles from where he lives?

This is a problem which is of tremendous importance. I urge the Government to stop thinking about the balance sheet for the immediate present and to think about the long-range consequences of not taking action. I think that the proposal made by the Federation of Municipalities makes eminent sense. It would bring benefits to the municipalities, lower unemployment and reduce our costs for dealing with the unemployed. It is one which the federal Government should give careful, sympathetic and early consideration to rather than the kind of brusque brush-off it has given to it.

• (1825)

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, we have the answer to that question, but first of all I would like to emphasize my interest for that subject, first as an engineer by profession, and second for having represented the Minister of Finance (Mr. Wilson) at the Federation of Canadian Municipalities.

I would like, Mr. Speaker, to comment briefly on the position of the Government regarding the financing of municipal water and sewer systems. As my colleagues would know very well, for some time now the Canadian Federation of Municipalities has been asking the federal Government to pay over the next five years one third of an outlay which might be as high as $15 billion to help finance the municipal infrastructure and its replacement. Nearly half this amount would be earmarked for improving water and sewer services.

In 1980 the previous administration abolished a program of assistance in this field when financial restraints raised the issue of federal assistance in a field of provincial and municipal jurisdiction. Although this is still the case, new evidence at the international level leads to believe that not only are such grants inadequate from a constitutional standpoint and somewhat financially ill-advised, but they also can prove to be ecologically irresponsible.

I should like to draw the attention of the House to a recent publication of the Organization for Economic Co-operation and Development concerning the rates for water services. During a two-year study the OECD Environment Committee gathered data from 24 permanent member countries and became a strong supporter of the principle that the user should pay the cost directly. Another one of their conclusions is that the adoption of this principle would produce highly acceptable results from an environmental point of view.

This Government, our Government, firmly believes that the most viable and the most valid long-term solution to the many water problems in Canada lies in realistic rates, both in the literal sense, which means charging an adequate price for water used, and in a more general sense, and that is respecting the wide variety of values which water may represent and on which no rate can be set.

I also wish to mention a recent study of the American Waterworks Association which indicates that among the ten industrialized countries surveyed, Canada charges the lowest price to its industries. Canadian industry as a whole pays about one quarter the amount paid by the European industry for its water and about half the amount paid by our American neighbours.

You can be assured that the federal Government will assume fully the responsibilities conferred on it by our Constitution. However, it will promote the application of realistic guidelines for water; it will manage its own facilities and play a leadership role in the development of new techniques and the transfer of information; but it will certainly not propagate the idea of bad financial and environmental management by creating a national subsidy program in this area.

Mr. Speaker, this problem is completely outside our jurisdiction, and the proposal advanced as a possible solution is

impractical and even reprehensible from an environmental point of view.

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.25 p.m.

HOUSE OF COMMONS

Tuesday, August 25, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to Petition No. 332-2955.

* * *

[*English*]

COMMITTEES OF THE HOUSE

VETERANS AFFAIRS—AUTHORIZATION TO TRAVEL

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, there have been discussions among the Parties with respect to two motions which I will put, with consent. I think Your Honour will find that there is unanimous consent to adopt them. I move:

That, the Standing Committee on Veterans Affairs be authorized to travel to Charlottetown, Prince Edward Island, for a period of three days during the month of October in relation to its mandate under Standing Order 96(2); and that the necessary staff do accompany the committee.

Mr. Speaker: Does the Hon. Parliamentary Secretary have unanimous consent to move the motion?

Some Hon. Members: Agreed.

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

Some Hon. Members: Agreed.

Motion agreed to.

TRANSPORT—AUTHORIZATION TO TRAVEL

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the second motion is as follows. I move:

That, the Standing Committee on Transport be authorized to travel from place to place in Europe between September 24 to October 11, 1987, inclusive, for the purpose of studying the impact of airline deregulation on the Government's policy for the ownership and management of airports, airport facilities, safety, and airline concentration and privatization; and rail and bus passenger services and that the necessary staff accompany the committee.

Mr. Speaker: Does the Hon. Parliamentary Secretary have unanimous consent to move the motion?

Some Hon. Members: Agreed.

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

Some Hon. Members: Agreed.

Motion agreed to.

* * *

• (1110)

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, today it is again my duty to table petitions from members of my constituency who visited the Byward Market this summer and with whom I met to discuss the plan of the Government to tax food, as proposed as an alternative in the White Paper produced by the Government. The petitioners object to that measure.

The petition states that whereas since September, 1984, the federal Government has imposed upon Canadian taxpayers 25 new taxes or tax increases, in particular, on medical and dental supplies, snack food, candies and soft drinks, and whereas the federal Government in its tax reform proposal is studying the possibility of imposing a general tax on goods and services, including food, and whereas food constitutes a vital element to everyday life, and whereas the imposition of this tax would have the effect of penalizing certain categories of taxpayers, for example, the aged, families, unemployed, low-income taxpayers, and youth; therefore, the undersigned petitioners humbly pray and call upon Parliament to reject all measures

that would have the effect of imposing a sales tax on food products.

FOOD AND DRUGS ACT—ENFORCEMENT OF PROVISIONS

Hon. André Ouellet (Papineau): Mr. Speaker, I have the honour to table a petition on behalf of Canadian citizens who support the initiative of Mr. David Bader, the Director General of the Canadian Herbalists Association of British Columbia, who wrote to the Health Minister concerning unfair selective enforcement of the Food and Drugs Act *vis-à-vis* the health food industry.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, the following question will be answered today: No. 165.

[*Text*]

CAPE BRETON DEVELOPMENT CORPORATION—ARBITRATION CASES

Question No. 165—**Mr. Murphy:**

From January 1, 1986 to May 1, 1987, were any costs incurred by the Cape Breton Development Corporation in arbitration cases and, if so, in what amount?

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): From January 1, 1986 to May 1, 1987, costs incurred by the Cape Breton Development Corporation for arbitration cases were $137,378.77.

[*Translation*]

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

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

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed, from Monday, August 24, consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(*a*) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(*c*) and 8, because this House believes that amendments 1(*a*) and (*b*), 2(*a*) and (*b*), 3, 4(*a*) and (*b*), 5(*a*) and (*b*), 6, 7(*a*) and (*b*), 9 and 10(*b*) and (*c*) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(*a*) and (*b*) delete the definitions of "Board" and "patentee". These definitons are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(*a*) and (*b*) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(*a*) and (*b*), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(*a*) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(*b*) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(*a*) and (*b*), 10(*b*) and (*c*) arise out of amendments 1(*a*) and (*b*), 2, 3, 4(*a*) and (*b*), 5(*a*) and (*b*), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(*c*) be amended to read as follows: "(*c*) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Hon. André Ouellet (Papineau): Mr. Speaker, when I interrupted my speech yesterday at five o'clock, I was saying it might be appropriate to provide a few historical notes. During the fifties and sixties, there were many complaints because

Canadians felt that the price of drugs was too high. Eventually, the Restrictive Trade Practices Commission held an inquiry on the manufacture, distribution and sale of drugs, under Section 42 of the Combines Investigation Act. I can assure the House that this was an exhaustive inquiry and that the recommendations contained in the report subsequently published by the Restrictive Trade Practices Commission were quite significant. I shall quote the findings of the inquiry.

> Consideration should be given to the establishment, under the auspices of the federal government, of an authoritative publication giving all necesary particulars concerning new drugs—

> As the Commission believes that close control exercised by patents has made it possible to maintain prices of certain drugs at level higher than would have obtained otherwise and that such patent control has produced no benefits to the public of Canada which would outweigh the disadvantages of the monopoly, the Commission recommends that patents with respect to drugs be abolished. In the opinion of the Commission this is the only effective remedy to reduce the price of drugs in Canada.

We must remember that the government's decision at the end of the sixties to amend the Patent Act was made following an inquiry conducted by the Restrictive Trade Practices Commission which had clearly ruled that the price of drugs in Canada at the time was too high and that steps had to be taken to force the companies to reduce the price of drugs in Canada. This means that people were aware of the high prices of drugs that enjoyed patent protection and that at the time, these prices were judged to be too high.

In fact, other studies made at the time as well reached the same conclusion. A Joint Committee of the House of Commons and the Senate made a similar study and reached the same conclusions, and so the Government's action followed recommendations made by the competent authorities whose duty it is to determine competition levels in Canada, as in the case of the Restrictive Trade Practices commission and a recommendation, unanimous at the time, made by Members and Senators of the Parliament of Canada.

Our present system which sets limits on the rights of companies under the Patent Act was at the time approved unanimously by all political parties in the House and in the Senate.

I have heard some Conservative Members say that we condoned plagiarism, that we let generic drug companies copy the discoveries made by pharmaceutical firms. So we did. So we did, but with the unanimous support of all Members, including the Conservative Members who sat in this House in the late 1960s. There was one basic reason why the system was set up: we wanted to make sure that the already inflated drug prices in Canada would decline.

To the Conservative Members who maintain that certain countries enforce regulations to protect inventors of pharmaceutical products for 17 years and even more, my response is that in such countries as England, France and a few other European countries the drug companies may indeed be better protected than our own Canadian firms, but then these companies are subject to much stricter price controls.

Unfortunately the federal Government has no authority to enforce price controls because they come under provincial jurisdiction. When we are told that the patents of a drug company in France are protected over a much longer period of time than is the case here in Canada, I say fair enough, but you conveniently forget to point out that this drug company simply cannot market its products unless it has reached an agreement with government authorities concerning a fair price which will enable it to earn a fair return on its investment, a fair profit.

What we in the Liberal Opposition are concerned about right now is that Canada does not have any control over drug prices. So we are going back to the old system. To put it another way, the Government has decided to bring us back to those days when drug companies were much better protected than they are now, to the extent that they would not have to face competition from Canadian generic drug companies before ten years.

• (1120)

Well, we believe that this ten-year protection is excessive under the circumstances, the more so because there is nothing in the Bill to guarantee that the companies will keep their prices at an affordable and reasonable level for consumers.

Unless it is amended along the line of the proposals put forward by Liberal Senators, this Bill will be toothless. It will have no power to compel pharmaceutical companies to keep their promises, namely to make investments, to create jobs and especially to keep drug prices at levels which are affordable and reasonable for Canadian consumers generally. Well, this Government would like us to trust blindly the pharmaceutical companies and positively give them "carte blanche" for the next 10 years, without really knowing whether they will do any actual research in Canada, create as many jobs as they say they will and especially maintain reasonable prices.

We feel that the Minister, regardless of his good will, is placing himself in a position of vulnerability with respect to the pharmaceutical industry, because his Bill lacks the means to force these companies to deliver. And that is what makes the whole difference with this Government which wants to amend the Patent Act to allow the pharmaceutical companies to benefit more from their research and earn a higher return from their investments.

We fully agree on the need to amend the Act to make it possible for these companies to recover at least their investments. But we just cannot agree on this excessive protection. There was a commission of inquiry and Professor Eastman, who examined this matter thoroughly, found that a four-year protection was quite sufficient. As a conclusion, Mr. Speaker, I ask again the same question as yesterday: Why does the Government insist on giving these additional six years to the pharmaceutical companies? To what extent does it hope to convince us that these six years are absolutely essential to attract invesments into this country? We feel that the Minister

of Consumer and Corporate Affairs (Mr. Andre) is much too generous with the pharmaceutical companies, while his first responsibility should be to protect Canadian consumers, and not to demonstrate so much generosity towards the pharmaceutical companies. It is all right to amend the legislation to allow for a fair return on their investments, but not to give them "carte blanche" to grow fat and rich at the expense of Canadian consumers during the last six years of protection they would enjoy under this Bill.

Those who think that the Liberal party is against investment in the Montreal area are greatly mistaken. We support investment by drug companies in the Montreal area. It is indeed because we support that kind of investment that we want the legislation to be quite clear and binding. It is not. The companies may in the first months of the new system invest some funds in research, but there is nothing in the legislation that compels them to carry on their efforts in the area of research during the 10 following years, during which they will be given a protection that in our opinion is very generous, even too generous and dangerous for Canadian consumers. This is why I hope that the Government in its wisdom will reconsider that decision and will accept the amendments that were proposed in good faith in the interests of Canadian consumers by the Liberal senators.

Mr. Blais: Thank you, Mr. Speaker, for giving me the opportunity to make a few comments. It is always a surprise to hear the Hon. Member for Papineau (Mr. Ouellet), who had no qualms telling us, and I quote: "We support investment in the Montreal area". I find no word to characterize, I see no logic in that way of thinking . . . Although I have been trying over these last few months to follow the logic of the Official Opposition on that issue, I have not succeeded yet.

When we refer to creating new jobs in the Montreal area, and this is what my comments will deal with, we referred to 1,300 jobs because we banked on the jobs that were guaranteed to us by the companies. And this they did not tell us behind close doors—they did so officially, they said it to newspapers, they made a commitment. And as I read in *Le Devoir économique* . . . Drug industry people in the Montreal area are not referring to 1,300 jobs, they are expecting up to 10,000 new jobs in the drug industry, to once more give our young Canadian scientists—not only from Quebec but from across Canada an opportunity to work in that industry. This they had been denied for some years. Scientists have to move down to the United States, they must emigrate abroad in order to find work. So they are digging in, they have the gall to suggest we did not put enough teeth in our bill. This in my view is showing a form of bad faith, because it is the first time in more than a decade that a Government decides to take a firm stand in that area and ensure that the Canadian Government is no longer a cowboy, a freelancer in the global drug industry.

This country was operating in a totally opposite direction from other nations in that area. I would understand it if Members of the Official Opposition remained silent on that, especially those from the Montreal area. If I were in their shoes I would hide in shame. But no, they are here. They are responsible, but they blame us for not fully accepting the Eastman report, as if we should always accept a report that is submitted to us. But in the same breath they reject the Macdonald report, a report chaired by a former Liberal minister who recommends that we increase trade with the United States. There is no logic in that attitude.

I would like to know, Mr. Speaker, how they can openly tell us Quebecers, us Canadians, that preventing those kinds of investment to be made soon in the Montreal area, those brains . . . Certainly the Hon. Member has young children as I have. We must provide work for them. There is work now in various fields, but in the industrial sector, in the high technology, in research and development, what do they have to suggest to stimulate research and development in the Montreal area? For our part, we do not merely have an assumption, but a confirmed assurance. People in the Montreal area—not politicians, but the entire medical profession expect some ten thousand jobs. I will conclude my comments with that.

My question is as follows: What do they have to suggest? What guarantee do they have? They told us that the first budget of this Government would result in the loss of 200,000 jobs and after less than three years, 900,000 jobs have been created. What is their logic? How can we believe those people? What is your position? What is your answer? What do you have to offer to the Montreal area?

• (1130)

Mr. Ouellet: Mr. Speaker, I find such demagogy regrettable on the part of the Parliamentary Secretary as it clearly shows his ignorance.

These are the facts. The Patent Act was amended to allow compulsory licencing because drug prices were higher in Canada than anywhere else in the world. When this legislation was passed, it was passed not only by the then Liberal Government, but also with the unanimous consent of all Conservative Members of Parliament.

The Liberals are therefore not to blame for developing in Canada a new system which was certainly different from other systems in the world. The Government had the courage at the time to tell the pharmaceutical multinationals: We have had enough, you are exploiting the Canadian people by selling your drugs at excessive prices.

We developed a system to protect the Canadian consumers. The pharmaceutical companies are now saying: We are willing to create jobs and to invest more in research in Canada if you remove the compulsory licencing system. As for us, we are saying that we are willing to accept this offer and provide the guarantees and protection which the drug companies say they need to make these investments. However, in return, we want the companies to make some firm commitments and we want them to keep these commitments.

As for the Parliamentary Secretary, he is willing to trust blindly in the pharmaceutical companies even though they exploited consumers in the past. There is no clear stipulation in the bill that these investments will take place or that the pharmaceutical companies will maintain reasonable prices and not bring about excessive price increases as they did in the past.

The Parliamentary Secretary says that he wants a system which will allow the pharmaceutical companies to invest more in the Montreal region, and I quite agree with him. I would like the pharmaceutical companies to invest more in research in Montreal. However, the world situation is such that the Canadian market is very small compared with the American and European markets, and the fact is that the pharmaceutical multinationals carry out their research in well-established centres. Much of this work is now carried out in Puerto Rico, where it costs much less to operate, and via Puerto Rico, the multinationals have free access to the American market. The pharmaceutical companies have also moved much of their operations to Ireland, where they have obtained major concessions, because of which they can operate at a very low cost and have access to the European market.

It does not take long to realize that Canada is not in the same position as Ireland and Puerto Rico, and that whatever research can be carried out in Canada will be minimal compared with world research in pharmaceutical products, unless the text of the legislation contains specific guarantees to force the companies to do research in Canada and create jobs.

This is what we are asking, and this is what the Bill does not do.

The Acting Speaker (Mr. Paproski): The period provided for questions and comments has now expired. Resuming debate. The Minister of Labour (Mr. Cadieux).

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I welcome this opportunity to take part in this debate. I shall not speak any longer than necessary this morning to Bill C-22, since my Conservative colleagues have already spoken on the subject, and I may refer more particlarly ot the Minister of Consumer and Corporate Affairs (Mr. Andre), who was eloquent, as always, in his speech last Friday. My colleagues have already put forward a number of arguments, all of which are extremly convincing and favour the passage of Bill C-22 as proposed by the Government.

Mr. Speaker, I shall not repeat all these arguments, but nevertheless, I wish to add my voice to those that are urging the House and especially the Senate to adopt this important piece of legislation as soon as possible, for the sake of the thousands of jobs that would result, jobs whose future is now being threatened by Opposition Members who refuse to listen to reason, and why, I frankly don't know. We are ready to accept constructive criticism, but when we have an Opposition that criticizes for partisan purposes, and that is particularly true of the non-elected Liberals in the Senate, that we cannot accept.

Mr. Speaker, I would now like to refer to a specific case that has strengthened my personal convictions in favour of Bill C-22, and it is the case of Hoffmann-La Roche whose now vacant buildings are located in my own riding of Vaudreuil.

The history of this case reflects the devastating impact that, slowly but surely, the Liberal Government's amendments to the Patent Act of 1969 have had, an intolerable situation, Mr. Speaker, that our Government is now actively trying to improve. I would like to quote, in passing, a few paragraphs from an editorial by Albert Juneau published in *Le Devoir* this morning. I am using this particular editorial, Mr. Speaker, because it happened to appear this morning, but I could quote from many others published in recent months. I quote:

> The Liberal Senators have launched their defence of the average consumer with unusual zeal, in their parliamentary skirmishes against Bill C-22 concerning drug patents. Their partisan tactics fool no one but say a great deal about the state of health of the Liberal Party and the Upper Chamber—
>
> Through their exaggerated juxtaposition of the foreign multinationals, especially the U.S. companies, and the poor Canadian consumers, the Liberals are undermining the debate and ignoring what is really at stake.
>
> The basic principle underlying Bill C-22 is that drug patents should again be issued with ownership rights similar to those which prevail in other major industrialized countries. Back in 1969, the Liberal administration had brought in an important amendment under which protection granted new drugs was reduced to a year and a half, whereas our main trading partners kept the widely accepted 17-to-20-year standard. The Government was hoping to force a decline in prices and promote stiffer competition between so-called innovating companies—research and development oriented—and generic medicine manufacturers who "copy" and market the new drugs.
>
> The new legislation increases to seven years the protection period granted any product for which a mandatory licence has been issued (it would be ten years in the case of imported products). For their part the Liberals suggest that the maximum monopoly period be four years and that the current 4 per cent royalty paid by generic manufacturers to research firms be raised to 14 per cent.
>
> It is difficult to understand why the Liberal Senate is fighting tooth and nail against the elected House of Commons to try and gain a few years protection, when impact studies on the Government legislation clearly demonstrate that Canadian consumers will come out winners—
>
> To the industry, especially the innovative companies, this Bill provide incentives for research and development investments. The 1969 amendments did not prove beneficial to Canada which now ranks behind poorer nations such as Italy and the United Kingdom as far as drug research and development is concerned. Quebec, where half of the research and development spending is concentrated in Canada, has severely suffered because of such memorable closings as Ayerst and Hoffmann-LaRoche in 1982. Since then, Quebec scientists and politicians have been unanimous in their efforts to have the legislation amended.
>
> While stubbornly confining themselves to idle chatter, the Liberals are unfairly stopping a Bill which is acceptable both to the consumers and the industry.

• (1140)

[*English*]

In its brief to the chairman of the Eastman Commission created by the former Liberal Government to study the pharmaceutical industry in Canada, Hoffmann-La Roche, or Roche Canada as it is better known, explained in detail how

the 1969 amendments to the Patent Act adversely affected its operations, resulting in the loss of jobs and millions of dollars for research and development in Canada, in the Province of Quebec, and in the riding of Vaudreuil.

The 1969 amendments to the Patent Act under the then Liberal Government had a dramatic impact on the sales of Roche Canada's major pharmaceutical products. Since the beginning of the 1970s Roche Canada's viability steadily deteriorated to the point where it began to incur substantial losses. Indeed, in the early 1980s Roche Canada lost millions of dollars on its operations. Management therefore decided that massive and immediate cost reduction measures had to be instituted to stop the ever increasing deficits. One of those cost reduction measures announced in November, 1982, consisted of the complete and permanent closure of the company's plant in Vaudreuil, Quebec, effective in the summer of 1983.

The closure of Roche Canada's Vaudreuil operation resulted in the loss of close to 80 manufacturing jobs and about the same number of related jobs. The reduction in Roche Canada's activity led to a corresponding reduction in its contribution to the Canadian economy as a whole. This is of course not to mention the very severe economic impact on the local economy of my riding and its surroundings.

[*Translation*]

But let us return to the here and now, Mr. Speaker. Another article, which appeared last fall in the *Le Devoir économique* section, foresaw the creation of 10,000 jobs in the Montreal area due to the direct and indirect economic fallouts from Bill C-22. Mr. Speaker, how could we understand and accept the bickering from non-elected Liberals in the Senate when a great many prestigious groups and personalities both in Quebec and the rest of Canada are urging the Government to go ahead with its Bill? I refer among others to Quebec Premier Robert Bourassa, to Mayor Jean Doré, to the Armand Frappier Institute, to the School of Medicine of the Montreal, Sherbrooke and McGill universities, the Federation of General Practioners of Quebec, as well as a great many others, Mr. Speaker.

As the member for Vaudreuil I support the immediate passage of Bill C-22 as introduced by the Government. Several innovative pharmaceutical companies are located in my Vaudreuil constituency and nearby ridings, including the Dollard and Lachine constituencies, and they provide a great many jobs which, in turn, bring important economic spinoffs for our region. And those research and development jobs are for our university graduates who have no other choice today than to expatriate themselves, when we could give them the opportunity to work at home and make people around them benefit from both the economic spinoffs and the impact of their research which we need for reasons fully explained previously. We cannot do without the millions of dollars in investment and jobs which will be created in our region with the passage of Bill C-22. And by region, I mean of course more particularly the Vaudreuil area, but also the province of Quebec and the entire country. I therefore encourage all those who want to prevent the passage of the bill to stop and finally listen to reason.

[*English*]

Mr. Orlikow: Mr. Speaker, both the Minister of Labour (Mr. Cadieux) and the Hon. Member for Papineau (Mr. Ouellet) indicated they support the idea of making the economic climate better so that these companies will invest more and produce more jobs. One would think we are dealing with some poor, under-financed, hard done by companies. Last week *The Globe and Mail* printed a couple of interesting articles about these supposedly poor companies. Let me just put on the record some of the facts they reported. I quote:

> Canadian subsidiaries of multinational pharmaceutical companies are among the most profitable businesses in the country—
>
> —even under that patent regimen, many of the multinational drug companies already make a level of profit rarely reported by other Canadian manufacturers.
>
> The financial statements of 10 pharmaceutical companies were sampled for 1983 and 1984.

I am sure Hoffmann-La Roche was one of them. It continues:

> Their return on shareholders' equity—a common measure of business success—averaged 25 per cent in 1984 and 23 per cent a year earlier, which would put the companies near the top 25 in the Report on Business ranking of 1,000 companies.
>
> One of them, Wyeth Ltd., reported a return on shareholders' equity that would put it in the top 1 per cent of the ROB 1,000.

How much more do we have to give these companies to persuade them to invest in this country? If we want to give incentives to produce jobs, would we not be better off giving them to companies like Bombardier, Northern Telecom and Canadian General Electric, all of which have major operations in Quebec, and all of whom employ thousands of workers? None of them make the kind of return on investment which the Government wants to give these multinationals.

Mr. Cadieux: Mr. Speaker, I will make sure to let the people of Vaudreuil know exactly what the Hon. Member has just said. It will be interesting for those people. They saw the erection of an eight-storey building in Vaudreuil by Hoffmann-La Roche. The company started operations there and then, because of the 1969 amendments, closed it down and put the workers on the street. People had to leave their jobs because of the impact on research and development by those companies the Hon. Member says are rich. That will be a lot of comfort to the people who lost their jobs in Vaudreuil. Those companies are prepared to create good jobs in research and development for our young graduates who grow up in ridings such as mine. They go to universities, obtain diplomas, then have to go elsewhere in order to making a living. They cannot contribute to our economy in research and development. I will mention that to my constituents.

[*Translation*]

Mr. Ouellet: Mr. Speaker, the Minister of Labour, who is an honest and conscientious Member of the House, would certainly not leave on the official report of our Debates statements which are absolutely unfounded.

He has just made two. First, he claimed that the 1962 legislation was the reason behind the closing in his riding by the Hoffmann-La Roche Corporation of their Vaudreuil facilities. That was only an excuse! No impartial observer in Canada would claim that this is the real reason why this company decided to leave. It was just an excuse. It was a decision made in a particular context and which was used by the company to comply with a management decision taken outside Canada. Those who were working for this company in Canada did not want the plant to close. Such decisions made by multinationals abroad affect the economy and the labour situation in Canada.

When we rely exclusively on multinationals for the economic survival of our country, we are most vulnerable, and there are situations such as that one where business executives residing outside Canada make decisions which have serious consequences for the Canadian economy.

Unfortunately, this Bill has not enough teeth to ensure that decisions such as those made in the past by business bosses abroad would not be repeated.

The other thing I should like to bring to the Minister's attention is a statement made by Sir John A. Macdonald, the first Conservative Leader of his Party, and I quote:

• (1150)

[*English*]

> There would be no use of an upper House if it did not exercise, when it thought proper, the right of opposing or amending or postponing the legislation of the lower House. It would be of no value whatever were it a mere chamber for registering the decrees of the lower House. It must be an independent House, having a free action of its own, for it is only valuable as being a regulating body, calmly considering the legislation initiated by the popular branch, and preventing any hasty or ill-considered legislation which may come from that body.

[*Translation*]

It is obvious that Sir John A. Macdonald recognized to the Canadian Senate the right to consider a bill introduced in this House and the right to amend the legislation.

Now the Minister of Labour, when suggesting that the Senate is filibustering, is leaving out a step. I hope that he will have the decency of acknowledging that he is anticipating the facts.

The Senate up to now has carried its duty which is to consider a bill from this House and to suggest amendments, as has often been done in the past. The Senate has not yet gone beyond its duty. We are considering a motion to return the bill to the Senate without the amendments which it has proposed.

It will be only after the House has taken its decision and the bill is returned for a second time before the Senate that the Minister may say whether the Senate is filibustering or exceeding its constitutional mandate. He cannot say such a thing at the present time because up to now the Senate has only been performing its duty, that is to consider the bill and suggest amendments. It did not yet say whether it will insist on those amendments. It has only submitted them to this House. It is quite an important difference which the Minister should accept.

Mr. Cadieux: Mr. Speaker, I take good note of the Hon. Member's comments, and although I do not wish to enter into an exchange of compliments, I feel obliged to reciprocate because the Hon. Member, who has a long experience of this House, usually performs very serious work that is appreciated by all Members in this House.

This being said, Mr. Speaker, I will be the first to be pleased and admit I was wrong if there is no obstruction in the Senate, because this will mean the legislation is passed in its original form, as proposed by this Government.

So I will be pleased if indeed there is no obstruction as the Hon. Member suggests, and I sincerely hope so because I believe the legislation as proposed is good for Canada as a whole, good for Quebec in particular and most certainly for the constituency of Vaudreuil, where Hoffmann-La Roche used to be located, and of course we could discuss at length all the pros and cons of a decision that was taken during those years. But the 1969 Act is very high on the list of reasons for the Hoffmann-La Roche decision, as the people in the constituency of Vaudreuil very well remember.

Mr. Speaker, as to the quote made by the Hon. Member, I take good note of it. I will read it again with much attention. I remember the following terms, "hasty or ill-considered legislation". It is my view, Mr. Speaker, that—

[*English*]

If there is one piece of legislation which is not hasty, it is Bill C-22. As far as being ill-considered, after debate in this Chamber and in the other place the Government thinks that its version is the best one. We do not think it is ill-considered. I hope the Senate comes to that conclusion. If it does, I will congratulate it and apologize for thinking that perhaps it may have caused *de l'obstruction, monsieur le Président.*

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I was not surprised that the Member for Cape Breton—East Richmond (Mr. Dingwall), who led off this debate for the Official Opposition, took almost three hours to explain the Liberals' position. After all, they have a lot of explaining to do. It was the Liberals, when they were in Government, in fact the Member for Papineau (Mr. Ouellet), when he was the Minister of Consumer and Corporate Affairs, who opened this whole can of worms.

Let us have a brief history lesson, Mr. Speaker. Until 1969 Canada had the second highest prices for prescription drugs in

the world. The only country that had higher prices was the United States. There was a great deal of complaint, very justifiably and understandably. A number of studies were done, and during the Liberal regime a parliamentary committee held lengthy hearings and finally made a report which led to the change in the Patent Act laws in 1969 as they affected prescription drugs.

From 1969 until the present time, instead of having the second highest prescription drug prices in the world we have had among the lowest. The successor to the Hon. Member for Papineau as Minister of Consumer Affairs, Mrs. Erola, who has now taken a very well-paid job as a lobbyist for the multinational drug companies, buckled under to pressure and appointed Professor Eastman to conduct a study. Professsor Eastman conducted that study and reported, fortunately or unfortunately, after the Government had changed and we had a Conservative Government. Professsor Eastman said essentially that the system had worked well, that we had saved the Canadian consumer, either directly or indirectly through public and private prescription drug insurance plans, hundreds of millions of dollars, but that we could improve the system.

He said that we could extend the period for exclusivity for the companies which developed the drugs by a few years, that we could increase the royalties which the generic companies had to pay for the right to produce generic drugs, but that aside from that the system was working quite well.

Instead the Conservative Government buckled under completely to the pressure of the multinational companies and the pressure of President Reagan who made it a condition of even talking about free trade that we change our regulations. The Conservative Government brought in legislation. It ignored almost every important recommendation made by Professor Eastman.

• (1200)

The Minister talks about the support for this Bill. It has some support, about which I will elaborate in a moment, but what the Minister did today and my hon. friend for Dauphin—Swan River (Mr. White) did yesterday was to say that those people who do not support the Bill do not know what they are talking about.

Who are these people who oppose the Bill? It would take me all day to list all the groups and organizations, but I will summarize who they are. They are labour organizations, seniors organizations from one end of Canada to the other, the Consumers' Association of Canada, and farm groups such as Keystone Agriculture in my province of Manitoba which represents all the farmers who produce various commodities except grain. As well, six of the ten provinces told the Government that they have considered its proposal and believe it will cost their pharmacare plans tens of millions of dollars.

Of course, there are some who support the Bill, including some medical researchers. It is not surprising that they support the Bill because they are so starved for research funds that they are prepared to take funds from anyone who will provide them.

I remind Members of the House that when the Conservatives were in opposition, the present Prime Minister (Mr. Mulroney) attacked the Liberals, saying that it was unacceptable and inexcusable that we were one of the lowest investors in scientific research and development among the industrialized countries. He promised that when a Conservative Government took office it would move quickly to invest 2.5 per cent of Gross National Product for scientific research and development.

Let us consider what has actually happened. Instead of the 1.9 per cent of GNP that we were spending when the Liberals were in government, we are now spending 1.3 per cent under a Conservative Government that promised to spend twice that amount. Obviously, scientists are moving to the United States. Why would they stay in Canada when there is no work for them and the Government has made it very clear that it will not invest or force the private sector of the economy to invest the kinds of funds which are necessary?

The Minister of Labour (Mr. Cadieux) talked about Hoffmann-La Roche in his constituency of Vaudreuil. Let me tell the Minister what the Government did to my city of Winnipeg. There was an agreement between the former Liberal Government of Canada and the Province of Manitoba to build a centre in which scientific research could be done in the City of Winnipeg. The agreement was concluded and the building erected. The building is virtually empty because the Conservative Government, in its desire to hold the line and reduce the deficit, cancelled the money for the funding needed to operate the centre.

We must understand a number of points. First, we have heard repeatedly from the Minister of Consumer and Corporate Affairs (Mr. Andre), and now from the Minister of Labour and the Parliamentary Secretary, about how many jobs will be produced if and when this Bill is passed. There is not a single word in the Bill requiring the companies to produce the jobs that they have promised. There is not a single clause or a single word in the Bill providing penalties for the companies if they do not produce the jobs they have promised. In fact, there is nothing in the Bill that would require any company to do anything. The Bill does not even stipulate that those companies which produce jobs will get benefits and those companies that do not will not get benefits. There is simply a general assumption in the Bill that everything will work. All the organizations and groups which oppose the Bill have said that is unacceptable.

The Minister of Consumer and Corporate Affairs continues to talk about the amounts of money and expenditures on research and development that will be made. The Minister tosses around figures of hundreds of millions of dollars like they were confetti. Yet the figures add up so fast that he is unable to keep track of them. For instance, on August 15 he claimed that $900 million would be invested. That required

two additional amounts of $280 million and $130 million to be added to the PMAC figure of $553 million. The figures are meaningless when he can simply pull them out of the air as he sees fit and then threaten that this investment will disappear if the Bill does not pass, as the Minister of Labour said a few moments ago.

It is this combination of promotion and blackmail that tries to obscure the very real issues associated with drug industry research. One does not achieve real basic medical research by spreading the money out in dribs and drabs. Instead, it should be put into establishing a major medical research centre which we do not have.

The pharmaceutical manufacturers themselves have said that it can cost up to $100 million to make a major breakthrough and produce one real new drug that will treat an important illness, such as cancer, heart disease or stroke. Does anyone really believe that in Canada, with our small population of 25 million and a very limited market, any drug company will really invest up to $100 million in the hopes of producing one new drug? That is nonsense. The drug companies will simply continue their past practice of experimenting with a drug to derive a new variation which they can sell in competition with another company and thereby have an edge for a few months or years.

The Government would have us believe that it was only after the 1969 legislation that a situation developed in which it was not profitable for the drug companies to invest in research. Let us consider what happened before 1969 when we did not have this legislation. I challenge anyone on the government side or someone from the drug companies to tell me and Canadians the name of one major drug discovery that was made in Canada before 1969 when, according to the Government and the industry, this terrible legislation destroyed their ability or desire to do research?

There was one major discovery which has saved hundreds of thousands, if not millions of lives. That was the discovery of insulin. Yet lo and behold, insulin was not produced by one of these multinational corporations but was produced in a laboratory of the medical college of the University of Toronto. I suggest to the industry and the Government that if we want real research done in Canada, let us give the universities and scientific community, particularly the university medical and biotechnology researchers, the opportunity to do so.

• (1210)

I wish to deal for a few moments with the question of the supposed inability of these drug companies, these poor drug companies, to do research. I wish to put on the record some of the facts we learned, or should have learned, that appeared in two articles published in *The Globe and Mail* on August 21 last. The first states in part:

> Canadian subsidiaries of multinational pharmaceutical companies are among the most profitable businesses in the country, but taxpayers may end up footing much of the bill for the increased research the companies are promising . . . even under that patent regimen, many of the multinational drug companies already make a level of profit rarely reported by other Canadian manufacturers.

In a sample for 1983 and 1984—

> Their return on shareholders' equity . . . averaged 25 per cent in 1984 and 23 per cent a year earlier, which would put the companies near the top 25 in the Report on Business ranking of 1000 companies.

How much more do we have to give them before they will agree to do anything? The article raises another important question, that is, the whole question of inter-company transfers. The article points out:

> The money that multinational drug companies take out of Canada often flows in ways other than the normal dividends a subsidiary pays to its parent.
>
> That is a big figure in itself—in one recent two-year period, 10 companies sampled paid dividends totalling almost $60 million a year, about equal to the industry's Canadian spending on research. But further huge amounts also move through other intercorporate arrangements.
>
> These transfers, which include royalties paid to the parent ($20 million a year in the period studied) and fees paid to the parent ($9.5 million) are a cost of doing business for the subsidiary, and therefore have the effect of reducing profit.
>
> But the biggest factor—and one that Revenue Canada is disputing with some companies—is transfer pricing—
>
> Transfer pricing is a way of shifting money within related companies to move profits out of high-tax areas into more favorable jurisdictions. In a typical transaction, the Canadian subsidiary would pay an offshore affiliate an inflated price for the raw material used to make a prescription drug. This over-high price becomes a cost to the domestic company, cutting its profit and therefore its tax bill.

I digress for a moment to remind Hon. Members that these are among the most profitable companies in Canada.

> In the 10-company sample, eight multinationals' total purchases from related companies totalled more than $250 million a year. The two other companies did not give exact figures, but one said it was "dependent" on a related party and the other said a "majority" of its business was with related companies.

I know that I have just about used up my allotted time, Mr. Speaker. Revenue Canada has been looking into this inter-company transferring for years. In fact, at least one of the companies settled by paying over $650,000 to Revenue Canada. We are talking about very wealthy and powerful companies. They do not need this legislation if they really want to do research. They are already making very high profits. The extent to which we subsidize them must be cut back. We should be doing more for other companies which employ more people, many more people than these companies, and which should be getting help so that they can do research to make them more efficient and better able to deal with competition.

[*Translation*]

Mr. Leblanc: Mr. Speaker, I would like to make a few comments on what the Hon. Member has just mentioned in his speech. Since this morning I have been listening to what the Hon. Members from the Liberal Party and The New Democratic Party have to say, and I am wondering if those people believe that Canadians can only be carters of water and drivers of screws. While we have before us a bill intended to help our professionals in the field of research, they are proposing that we create employment to keep people busy driving screws and

carting water. That is what makes us different. We believe, and I personally believe, that we have, here in Canada, enough trained and capable people to do research. That is my first question.

Here is my second question. He argues that we are yielding to American pressures and that this explains why we are adopting such a bill. Nothing could be further from the truth. It is quite the opposite. When the Liberals adopted the Act some years ago, our research scientists left for the United States. It seems to me that this was to the advantage of the United States. What we want to do today is to make up for that lost time and keep our investigators in Canada. I cannot see how one can insinuate and make the Canadian people and Hon. Members believe that the Americans are twisting our arm. I think it is quite the opposite. On the contrary, we want to keep our professionals here, we do not want to send them to the United States.

That is what I have to say. If no research on drugs is done here in Canada, what will happen? It will be done in the United States, in Europe or elsewhere. Which does not necessarily mean that we will be getting our drugs any cheaper. We simply want the research to be done here, at home. If we were doing research on drugs in Canada, we might get better drugs, we might be able to give better treatment to our senior citizens, our sick people. Then, why stop doing pharmaceutical research, when we are doing some on farm tractors or on automobiles? This is as though research on drugs to get good medicinal products to treat our patients was forbidden. In my opinion, this opposition is utterly ridiculous.

Let us talk, for instance, about generics. When we produce generics, we only copy, and it is not by copying that we will create new drugs. So it is totally ridiculous to say that we should encourage generics, in other words encourage copying.

I would like to ask anyhow to the Hon. Member who just spoke why he keeps misrepresenting the facts. In reality, I do not think he, himself, believes what he is saying. He is misrepresenting the facts. I met older people in my riding last week who told me that because of Bill C-22 drugs were going to go up more than 20 per cent, but he knows very well, and it is in the Bill, that we provided for a board to keep prices in line with the cost of living.

My question to the Hon. Member is this: Why does he keep making misrepresentations to our sick and elderly people by telling them that the price of drugs is going to go up 20 to 25 p. 100?

[*English*]

Mr. Orlikow: Mr. Speaker, the people in this House who are misrepresenting the facts are not the members of the Opposition but the Ministers and Conservative Members of Parliament. If the Hon. Member had taken the trouble and the time to look through the Eastman Report he would have seen the figures produced by the last real study done on drug prices and costs in this country. He would have seen that the people of Canada have saved about $300 million a year, and I am speaking from memory, in terms of the price of prescription drugs because of the legislation which we have in place. The suggestion is false that we are opposed to medical research. The Hon. Member should have listened when I was speaking, but I remind him that the present Prime Minister promised that under a Conservative Government we would move quickly to spending 2.5 per cent of our Gross National Product on scientific research. Instead, we are presently spending 1.3 per cent of the Gross National Product, which is only half.

• (1220)

The private multinational corporations do not need to be subsidized to do medical research. Stop starving the medical research council, which is what the former Liberal Government did and the present Conservative Government is doing. Give the medical researchers who are working in our universities the money to do research and they will do research and not move to the United States.

I wish to say one last thing in respect to misrepresentation. There are two sides to any argument, and there are two sides to the debate on this issue. I wish to point out two misrepresentations by the Minister of Consumer and Corporate Affairs. Perhaps the Minister did not have his facts straight. The Minister has stated several times in the House and outside that Dr. John Polanyi, our most recent Nobel Prize winner, supports this Bill. That is not true. Dr. Polanyi has urged increased support for scientific research. Dr. Polanyi did not say anything about this Bill.

In the House the other day the Minister stated that the University of Manitoba supported this Bill. That is not true. I have spoken to the Vice-President of the University of Manitoba, and that university has made no statement. Some medical researchers who are working at the University of Manitoba have supported the Bill, for the reasons I earlier indicated. But the University of Manitoba has not given its support to this Bill. The Minister of Consumer and Corporate Affairs should not be misrepresenting the facts and claiming support for the Bill from groups and individuals who have not supported the Bill.

Mr. Lewis: The House will know that the New Democratic Party has traditionally been opposed to the Senate. In fact, in the past some Members have suggested that the Senate should be abolished. However, last week the New Democratic Party reversed its position in the words of the House Leader, and I quote from *The Globe and Mail*, "We would assume that the Senate would see the wisdom of stopping this Bill as well". The House Leader then went on to say, "But the fact is that they do some good work some of the time".

My question to the Hon. Member is, does he support the new position of the New Democratic Party that the Senate, which is an appointed body, should have the right to veto this legislation, or any other legislation passed by a democratically

elected House of Commons? In other words, does the end justify the means?

Mr. Orlikow: The Hon. Member knows the position of our Party.

Mr. Lewis: Last week or this week?

Mr. Orlikow: I listened to the question of the Hon. Member and I did not interrupt him. I would ask him to give me the same courtesy.

The New Democratic Party has always supported the idea that the Senate should be abolished. The Senate is part of the parliamentary system. Unfortunately, unlike any other second chamber in any other democratic society in the world, the Senate has almost equal rights to those of the elected Members of the House of Commons. It has the legal right to amend, approve, or reject any legislation enacted by the House of Commons. That is its legal right. But does it have the moral right to veto, block, or stop the legislation passed by the House of Commons? I do not believe so, and I do not think that my colleagues believe so. The Senate can exercise this right legally, and constitutionally. The former Liberal Government and the Conservative Government have not challenged this right until today. But if the Senate exercises its right, the New Democratic Party will respond at that time in the manner it feels it should. I can assure the Hon. Member that the manner in which we will respond will be very clear and will be in line with the position that we have always taken.

[*Translation*]

Mr. Ferland: Mr. Speaker, I have a great deal of respect for my colleague from Winnipeg North (Mr. Orlikow) who, I believe, is one of the senior Members of the House. He has given us an explanation concerning the Senate, but I have the impression that his younger hawkish colleagues are forcing him to provide this kind of explanation because, unless I am mistaken, all New Democrats have always turned down appointments to the illustrious Upper House. Be that as it may, does he not believe that if the NDP were consistent with itself it should indeed be supporting this Government's Bill C-22, given the fact that he, for one, does not have any use for the other place?

Second, how is it that the Party to whom he belongs, drawing inspiration from the likes of Karl Marx, Lenin, Trotsky and others, would choose to endorse the Senate position aimed at doing away with the kind of consumer protection which for the first time would make it possible to gain full control over generic drugs?

The Acting Speaker (Mr. Paproski): Questions and comments are over. Debate. The Hon. the Minister of State for science and Technology (Mr. Oberle).

[*English*]

Mr. Orlikow: Mr. Speaker, in response to the previous question, I explained my position and the position of the New Democratic Party with respect to the Senate.

The Senate is there. We did not create the Senate, and we did not appoint the Senators. The Senate has the duty and the right to consider Bills passed by the House of Commons. It exercised its right and moved a number of amendments. We believe that some of those amendments, if approved by this House, would improve the Bill. To the extent that the Senate improves what we consider to be a bad Bill, we support those amendments.

If the House of Commons was presently in debate and rejected those amendments, and essentially passed the Bill, as was done at an earlier stage, and then the Senate does not accept the Bill, as I have already indicated, we will deal with that situation if and when it arises. I can assure the Hon. Member that we will not be any more sympathetic to the Senate in this case than we have been in any other.

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, I almost missed my turn to debate this issue. On the way from my office I was held up by a large demonstration in front of the Chamber; it is presently ongoing, and Your Honour should be apprised of. There are at least 1,000 young people there who are demanding that politicians who held prominent positions of another age free up the debate of this House and proceed with the passing of this legislation. These young scientists and engineers out there are demanding jobs.

Naturally, as the Minister of State (Science and Technology), I am interested in their message. I am sure you would assume that at one point I would wish to say a few words on Bill C-22 because this debate does concern science and technology. This debate does concern research and development. This debate does concern Canada in the 21st Century. This debate is about using science and technology and research and development to carve a niche for Canada in the new age and to overcome some of the historic problems of regional alienation and a lack of resolve in this critical area of science and technology.

• (1230)

The world is changing in a very dramatic fashion. Some say it is the dawning of a new age. Every single person in our country, every nation in the world, will determine its place in the 21st Century by the way it responds to the challenges and trends which are out there. The socio-economic well-being of entire nations is being determined by what is happening.

I have heard it said that over the next 30 years we will experience as profound a change in our socio-economic conditions in western civilization as we have experienced over the last 200 years of the industrial revolution. Just imagine what that means, Mr. Speaker. Can one even contemplate

what that means? How do we respond to this? How do we prepare ourselves for these changes?

We are designing new rules. New norms and standards are being created every day, and each one has to measure his or her own performance, and nations have to measure their performance in accordance with these new rules and the trends that are measurable throughout the world.

Since we pride ourselves on being one of the seven most important industrial nations in the world, we too have to begin to play by the rules which have been established by the people with whom we compare ourselves, by the general rules of the western world of which we are such an important part. Certainly, this Government intends to stay in the fast current, to stay with the leaders, to man the new frontier with the very best, because we have the potential to do that. We have the energies and resources to do it and we shall not disappoint future generations by depriving them of their opportunities to be with the best in the world.

We must compare our performance with those with whom we compete, and they are the best in the world. We must play by the rules we have collectively established. Clearly, what is known at this point is that knowledge, intellectual capital, shall be the currency of that new age. It is no longer the land it was in the agrarian age. It is not energy as it was throughout the industrial revolution. It is knowledge and intellectual capital. The rules that are being established in accordance with the management of this capital, who has the right over it, who can accumulate and who can claim ownership, have already been established in the international market-place.

There are really two sets of rules established. They are not new. Those rules were established in the agrarian revolution and the industrial revolution and they are consistent with the trends we are experiencing now.

Our socialist friends, of course, would like to play by a different set of rules where we have collective farms, collective ownership of capital and the right of the collectivities to manage the economy in a central way. Those are not the rules of the people with whom we compete in the world. They are not the rules of the people with whom we share the responsibility of making the world a better place to live, the western civilization, where private enterprise and private initiative are very important and salient factors.

Our socialist friends have other ideas, and that is understandable. But what is not understandable is the confusion of our Liberal friends. That is not understandable. They lament the fact daily that our performance in research and development and science related activities lags behind that of all these world leaders. I agree it does in many different ways.

Spending comes to mind. It is true, sir, that we are spending significantly less, that is, in terms of a percentage of the Gross National Product, than do the United States, France, Germany, and the European Community, generally, particularly Japan. In fact, we are spending perhaps just a little over half of what these countries are spending on science and technology. My socialist friends have cried that we should be spending more; massive amounts of new money should be contributed. The Liberals are saying that as well. The Liberals had 20 years to plan ahead.

Let me just draw you a profile of what we found when we arrived here three years ago, Mr. Speaker. We found absolutely no planning, no reading, no recognition of the trends that were clearly established at that point, the trends that will establish the role of a nation like Canada in the 21st Century. There was no forward planning. There were no resources set aside for science and technology or for research. More importantly, the apparatus of government was not arranged to respond to these new trends and priorities.

So what did we do? First, we had to plan ahead and develop a vision for Canada. We had to work with the other players, with the provinces, so we sat down with the provinces. It took us two years to develop a national policy for science and technology. It was not a policy that came out of this place, or out of some historic discussions in some back room. It was a policy signed by 10 of the provinces, the two territories and the national Government. It is a focus for Canada, a vision for Canada. It was signed in March of this year in Vancouver.

We have a national strategy called "Innovaction" which lays out a clear focus of where we want to go and what we must do to respond to the challenge. We established a Standing Committee of this House of Commons on Research, Science and Technology for the first time. We established a central co-ordinating agency to manage the $4.2 billion the federal Government spends annually on science and technology to ensure that we do not duplicate our effort, that it is properly co-ordinated so that we use our scarce resources to lever private sector activities.

In our international comparisons we found as well that the effort of the federal Government was not at all bad. It was quite respectable when one compares what the federal Government spends in Canada with what the U.S. Government spends in the United States, particularly when one considers that over three-quarters of the expenditures in the United States, for instance—and that holds true for France, although not so much for Japan—is spent on defence related research and development activities. So there is quite a profound difference. We do not spend that much money on defence. We have perhaps other priorities.

We did find that we have a lot of catching up to do. We have to mobilize our resources. First, we needed to know what we wanted to spend our additional resources on. We needed to reorganize the apparatus of Government to ensure that we have the proper advice. As you know, sir, the Prime Minister (Mr. Mulroney) appointed a council of the most prominent prestigious people in the country. It is a council which advises him personally on matters related to science and technology. That council has been meeting now for a year and is coming up with all kinds of interesting solutions and suggestions.

What have we done in the area of spending? My friend said this morning we have done nothing, that we are doing less now than we did when we came on stream. Let me put the record straight, as I did the other day. We are hearing the lament that we are not making any progress in finding new resources. Well, Sir, I made a comparison between the period since our mandate, the last three years, and the three years preceding our mandate. We have achieved an increase in spending in research and development and science related activities, that is the total national effort, including the private sector and universities. The provinces are spending very little; it is mainly the federal Government. In real dollars; that is, discounting inflation, we increased our effort by 21 per cent. That is very respectable. With the incentives we have put in place, and by our removing some of the obstacles, business has increased its effort by 23 per cent in real dollars.

The National Research Council had these drastic cuts. My friends will tell us every day we slashed our spending, but there has been a 23 per cent increase in allocation to the National Research Council in the last three years over the three years preceding.

• (1240)

Then we put in place provincial subagreements in order to get the provinces involved in this national thrust. There was an increase of 40 per cent in the worth of science and technology subagreements. That is very respectable in light of this other compelling priority of which we are not ashamed, and that is to bring our fiscal house into order and to quit mortgaging the future of the next 10 generations.

There is one other overriding and compelling urgency and obstacle that stands in the way of our objectives and that is the lack of a management regime, an investment climate and a regulatory environment within which the private sector would play its rightful role in the scheme of things. This, of course, is because of the antiquated patent laws and the antiquated ways we manage our intellectual capital under the Copyright Act and other such Acts. It is in that area where we are now moving as quickly as we can because we are not dealing only with pharmaceuticals, we are dealing with computer software as well.

We lose jobs every day because computer software companies cannot do research in Canada. When they are finished, they have to patent their findings in other countries. Until we reward people and permit them the right to keep some of the fruits of their labours, we will not get research in the pharmaceutical industries.

We know what will happen when Bill C-22 comes into force because of some of the initiatives that have already taken place. Almost every week I am invited to attend press conferences at which major companies announce the establishment of labs in Canada, and particularly in the Montreal region which has become a centre for the pharmaceutical sector. There will be at least 3,000 jobs and $1.4 billion in new investment. That is how to improve efforts in science and technology and R and D.

Try as we might, the federal Government, even if joined by the provinces, would not be able to respond to the challenges. That response requires the mobilization of our combined energies and resources. It requires the intellectual genius that resides in Canada. Every citizen must know what is happening in this new world and must be prepared for it. Every sector of the economy including traditional industries must become knowledge-intensive in planning and must use new technologies to improve efforts.

Our science and technology strategy is geared toward the revitalization of traditional industries including the forestry, mining, agricultural and fisheries sectors. Those are traditional industries which have been the basis of the prosperity we have enjoyed. The federal Government is playing a key role in important research in all these areas.

We must revitalize the regions that have become so dependent on primary resource industries. We must permit them to retain and improve their competitive postures in world markets. As Hon. Members know, commodity prices are under serious pressures as the technological revolution produces all kinds of substitutes for traditional materials with which we build our automobiles and homes. We must use technologies to stay on the cutting edge of technology. We must convert and add value to our resources and the refining of them.

Our national strategy on R and D and new technology is also designed to develop new technology-intensive industries. No longer will it be good enough for Canada to import 80 per cent of all the construction machinery and equipment that is used in the resource sectors. Entire sawmill systems are imported from Finland, Germany and the United States. However, we export 80 per cent of all the products of our aerospace industry. What a source of pride that is for all of us. We have ignored important opportunities we can now cash in on as we plan our new strategy in science and technology.

The challenges are great. The opportunities are unlimited. We cannot afford to allow a group of people who held prominent positions and served the country well in another age, but who are now sitting in the Senate, respectful as we are of this great institution, to deprive the present generation and future generations of Canadians of their place in the sun. We shall not stand for that.

We must decide by whose rules we want to play to achieve our place in the sun and to stay in the fast current that is sweeping mankind toward this new age. We on this side have made our decision. We will build on the great tradition of Canada. We will remobilize and rekindle the entrepreneurial spirit that made this country great in the first place. In order to do that, we have to play by the rules of the western world, of which we are an important part, and not by any other rules. We have no choice.

The rules for patents and the protection of intellectual capital have already been established. All we want Bill C-22 to do is to put in place what every other industrial country already has in place. We cannot afford to be members of the club but play by our own rules. We cannot have it both ways.

Members of the NDP and the socialists would think that we can have it both ways. We do not think so. Nor do we want it to be that way. We want to get on with the job. I would hope that at least Liberal Members would see the wisdom of this approach, would look ahead to the 21st century for a few minutes and would get on with the job.

Mr. Fulton: Mr. Speaker, I was interested in the remarks of the Minister of State (Science and Technology) (Mr. Oberle). He seems to be able to compute new figures right on the floor of the House of Commons. He said that the figures used by Statistics Canada indicating that the amount of research and development under the Conservative Government is at 1.3 per cent of GNP are wrong and that in fact while the Liberals were in office, the Statistics Canada figure of 1.7 per cent of GNP was wrong. How does he manage to say that the Conservatives are spending more real dollars on research and development when Statistics Canada does not agree with that?

Second, would the Hon. Member outline for the House the regional breakdown of these development dollars; how much of this mythical $900 million per year or whatever it would be that is to be spent by the multinational drug companies would be spent in British Columbia, Alberta, Saskatchewan, Manitoba, the Northwest Territories, Yukon or Prince Edward Island? I am sure the Minister of State (Science and Technology) has those figures at his fingertips. How much will be spent in the regions of Canada?

Mr. Oberle: Mr. Speaker, I would be pleased to give the Hon. Member a lesson in mathematics. The comparisons of which I spoke are usually made in accordance with the performance of a country in terms of its Gross National Product. It is quite true that in that comparison, we have not improved. In fact, we kept roughly—

Mr. Fulton: Downward.

Mr. Oberle: No, there has not been a decline but we kept the percentages at about the same rate. The Hon. Member forgets that we had the largest growth in national industrial and economic performance of any other of the major industrial countries in the world. With a growth of 3 per cent and 4 per cent in the Gross National Product, which is at just over $500 billion, and calculating that back, we have not been able to mobilize enough resources to keep pace with that spectacular growth.

Mr. Fulton: That's right. It's dropped 30 per cent.

• (1250)

Mr. Oberle: It is massive, spectacular growth. All the reports from OECD indicate this growth rate will continue and Canada will be the leader in industrial recovery. We pride ourselves on that.

To keep pace with spending as a percentage of that growth is very difficult. What I am saying is that in real dollars we have increased spending. Comparing the three years we have been in power and the three years prior to that, it increased by 21 per cent. The National Research Council had a 23 per cent increase in its allocation over that period.

Mr. Fulton: What about regional spending?

Mr. Oberle: Now that my hon. friend from Skeena understands that, I will go to regional spending.

It is true that certain regions of the country have certain strengths. A group in Montreal looked at this very seriously and it predicts that in one region of Quebec, Montreal, 10,000 new jobs will be created. The 3,000 jobs I am talking about are the pure science and research jobs. There are more spin-offs in that exciting area than in any other industrial activity. That region will benefit most and I make no apologies for that. This is where the regional strength is.

There is strength in Vancouver as well with the Terry Fox Foundation. There is strength in Montreal. There is strength in southern Ontario. There are even pockets of strength in the Atlantic provinces. We are looking at the national effort here. Do not bring out that red herring of proper distribution. When you give it to the private sector they will do the right thing. Let us unleash the genius which resides in UBC and the University of Victoria and so on. You will see what happens out there. The regions will all have their place in the sun with proper management.

[*Translation*]

Mr. Gauthier: Mr. Speaker, no other issue deserves more attention than Bill C-22, and I believe that it is a good thing for the House to be asked to examine it further because of the amendments proposed by the Senate.

The Government is always repeating that the pharmaceutical companies have promised to invest some $1.4 billion within the next ten years and to create a number of jobs.

We also know that six Canadian provinces have asked the Government not to go ahead with Bill C-22, as have a number of important witnesses, such as the Canadian Consumers Association and too many others for me to list them all in the short time at my disposal. As for the six provinces, that is Newfoundland, New Brunswick, Prince Edward Island, Ontario, Manitoba and Alberta, they object to Bill C-22 because, first, this Bill will result in higher prices for drugs in Canada, and second, the Government has no written guarantee from the companies that they will indeed invest.

Representing as he does a Government which is—how can I put it—so little in possession of the truth, and which has lost all credibility within three years, how can the Minister expect Canadians who object to this Bill to trust him when he says that he has guarantees even though he has nothing on paper

and there is nothing in this Bill to guarantee that a single job will be created or one cent invested?

[*English*]

Mr. Lewis: Judy Erola says so.

Mr. Gauthier: I do not believe her.

Mr. Oberle: Mr. Speaker, you would not wish me to recite the litany. My colleague, the Minister of Consumer and Corporate Affairs (Mr. Andre), read a page and a half into *Hansard*—

Mr. Gauthier: I can read in those who are opposed if you want.

Mr. Oberle: —of all the groups, associations and provinces which have openly declared themselves in support of this Bill. Neither would my hon. friend want me to repeat all that has been said about increasing prices. That myth has been dispelled. There will not be the predicted increase in drug prices. The drugs affected are 7 per cent of all drugs being sold. The other 93 per cent are for specific illnesses. There is not a great consumer market for them so obviously those who copy drugs are not interested in that. They leave that to the people who do the research. They can produce those drugs even though there will never be any real commercial benefit.

What about the written guarantees from industry? I can tell my hon. friend that we just happen to have faith in the private sector and the entrepreneurs of our country.

Mr. Gauthier: In God we trust; all others pay cash.

Mr. Oberle: We just happen to believe in private enterprise, unlike the Liberals. Where are the great Liberals of the past? They have reduced themselves to a little rump of the socialist party sitting opposite.

Have faith, my friend, in the pioneers of this great country. They built this nation on the principle of free enterprise and personal initiative. We just happen to have that faith and we will be proved right once again. We predicted that by playing a smaller role in the economy we would revitalize it and all the signs are pointing in that direction. We are registering the largest growth—

Mr. Gauthier: That is not your fault.

Mr. Oberle: —in the economy than any other industrial country. Yes, it is our fault because we rekindled the spirit and removed some of the barriers which were put in place by the Liberals.

Mr. Lewis: Mr. Speaker, I would like to compliment the Hon. Minister on laying out what a bright future we have in medical research once the Opposition stops blocking this motion. If any of them were to take the time to talk to the 1,000 people now demonstrating on the Hill in favour of this Bill, they would probably change their minds.

I want to ask my colleague a question about the new-found policy of the NDP. Traditionally the NDP has been opposed to the Senate. In fact, they want it abolished. Quite recently, last week in fact, the NDP House Leader announced a reversal of that policy when he said we would assume that the Senate would see the wisdom of stopping this Bill as well. He went on to say that the fact is they do some good work some time.

How does the Hon. Minister feel and how does he think the people in his constituency would feel about an appointed Senate blocking the will of the democratically elected representatives of the people, Members of this House of Commons?

The Acting Speaker (Mr. Paproski): The Hon. Minister has one minute to answer.

Mr. Oberle: Mr. Speaker, I am pleased to answer this question. I monitored very closely the speeches of our friends in the NDP and I am reminded of the concept developed, that politics is the science of expediency. When it is expedient for the NDP they can even defend the Senate.

I was in the riding of my hon. friend for Skeena for three days a couple of weeks ago and talked to the Chamber of Commerce in Kitimat which passed a resolution asking for his resignation. That demonstrates the faith he has in small enterprise, in growth in jobs, and the great potential in the great riding that he represents.

Mr. Fulton: When are you going to the Senate?

Mr. Oberle: I have no ambition to go to the Senate. The Senate exists and it is exercising its right, but it is time it saw the error of its ways and allowed us to get on with the business of the nation.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated.

It being one o'clock, I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

PHARMACEUTICAL INDUSTRY

INVITATION TO GOVERNMENT TO PROTECT CONSUMERS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, it is really sad to see what is happening to the debate

on Bill C-22. Today, we have employees from the multinationals at the door. It is easy to get 1,000 people when the company pays for their buses and day off. Next week, the generics are going to pay 1,000 of their own employees to come and demonstrate.

The Senate is conducting its own protest. The Conservative Government is doing its own thing as well. But is anyone paying attention to the average consumer? Who is protecting the poor souls who can't get a free ride from the companies to come and demonstrate? Who is going to ask the views of Mrs. Solange Denis, who told the Prime Minister: "Charlie Brown, you lied to us!"?

Mr. Speaker, first of all, I want to ask the Prime Minister (Mr. Mulroney) to be responsible and not give in to blackmail by the multinationals, to adopt the resolutions or amendments proposed by the Leader of the Liberal Party (Mr. Turner), to protect consumers, to protect the jobs in Quebec, and please stop this circus!

* * *

[*English*]

ENERGY

HIGH PRICE OF GASOLINE IN EASTERN ONTARIO

Mr. Norman Warner (Stormont—Dundas): Mr. Speaker, recently certain parts of eastern Ontario have experienced unreasonably high gasoline prices. These higher prices are driven up by the major oil companies which either directly or indirectly control most of the retail outlets. These high prices may be great for the major oil companies' profits, but they are not acceptable for the consumer. The small group of major oil companies are abusing their oligopoly's power.

Crude oil prices have declined in recent weeks and, unfortunately, it is without optimism that I wait for reduced pump prices. The present free market system is not working. Perhaps we should be looking at radical changes for the industry. Perhaps the time has come for total divestiture legislation so that independent retailers will allow the free market system to work for the advantage of both retailers and consumers.

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ENVIRONMENTAL AFFAIRS

LOW-LEVEL FLIGHTS IN LABRADOR—ASSESSMENT REVIEW PANEL—MINISTER'S RULING

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I would like to register my concern about the recent ruling by the Minister of the Environment (Mr. McMillan) with respect to the Federal Environmental Assessment Review Panel that was set up to examine the effects of low-level flying in Labrador. The Minister ruled that the panel set up to study the environmental consequences of this low-level flying could not recommend against it, that it could only make recommendations with respect to how the effects of the flying might be mitigated.

It seems to me, leaving the question of the actual environmental effects of low-level flying aside, that the ruling of the Minister jeopardizes the very notion of environmental assessment. Surely if we are committed to assessing the environmental consequences of something we have to be open to the possibility in theory that the environmental consequences will be so bad that the people charged with that assessment could recommend against doing it.

I think a very bad precedent has been set, Mr. Speaker. Will the Government take this same attitude toward nuclear submarines in the Arctic? Are all things military to be exempt from environmental assessment to the point that these panels will be told that they cannot recommend against the very things they are being asked to assess?

* * *

HISTORIC EVENTS

DIEPPE RAID COMMEMORATIVE VISIT

Mr. Joe Reid (St. Catharines): Mr. Speaker, last August 19 I was one of several privileged to make the "return to Dieppe pilgrimage" under the leadership of the distinguished Minister of Veterans Affairs (Mr. Hees). We walked on the beaches and looked up at the formidable cliffs as did nearly 5,000 Canadians 45 years ago, but the circumstances were oh, so much different. On that date 45 years ago, over 900 Canadians died and about 2,000 more were sent to spend the rest of their days during the war in prisoner of war camps.

• (1405)

Their actions were to contribute greatly to the final liberation of Europe. We were able to witness firsthand the joys of the people as they experienced that freedom on the beaches and in the towns. We felt the warmth and gratitude of those same peoples as they cheered us as we marched through the streets, and as we stood together at the several markers and memorials to recite those words "We will remember them". Long live Canada!

Some Hon. Members: Hear, hear!

* * *

NUCLEAR ENERGY

REACTOR SAFETY RECOMMENDATIONS—REACTION OF ATOMIC ENERGY OF CANADA LIMITED

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, last week it was reported that the Atomic Energy Control Board has put

forward proposals for improved nuclear reactor safety, including additional research into reactor behaviour, installation of extra safety equipment, minor but significant changes to reactor designs, changing some operating procedures and improving decommissioning plans. A spokesman for AECB said that costs and exposure of workers to radiation are taken into account in the safety proposals.

However, Atomic Energy of Canada Limited is resisting such proposals, citing high costs, technical arguments, and potential difficulties in selling and building future reactors as reasons for inaction, and in most cases is seeking compromises.

As a Crown corporation with a monopoly on nuclear reactor design, public safety for present and future generations should be Atomic Energy of Canada's highest priority.

Therefore, I urge the Minister of Energy, Mines and Resources (Mr. Masse) to instruct Atomic Energy of Canada Limited to reconsider the proposed safety recommendations in this light and to put a moratorium on new nuclear plant construction in Canada at least until the dispute on public safety is resolved.

* * *

LABOUR RELATIONS

RAIL STRIKE—PREPARATION OF LEGISLATION TO END WORK STOPPAGE

Mr. Bill Gottselig (Moose Jaw): Mr. Speaker, the current conflict between CN and CP rail workers and management highlights the need for a new approach to resolve labour-management disputes. Strikes and lockouts in this segment of the transportation industry are outdated and costly, not only for the parties in dispute, but for all Canadians.

When we consider the total cost of the current strike to travellers on vacation, commuters who have difficulty getting to and from work, as well as the thousands of employees of VIA Rail who are now laid off, the price is too high.

In addition to this, the movement of commodities is brought to a halt. Western Canadian grain farmers, already faced with dwindling prices, will not tolerate this during harvest. Grain must move.

I commend the Minister of Labour (Mr. Cadieux) for the action he has taken and urge him to prepare the necessary legislation to bring an end to this present situation if negotiations break off again without a settlement.

S. O. 21

PHARMACEUTICAL INDUSTRY

BILL C-22—DEMONSTRATION ON PARLIAMENT HILL

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I wish to draw attention to the fact that there are a number of demonstrators with regard to Bill C-22 outside on the Hill. For the record, I want to say how happy and delighted I am to see a great number of individuals from the Province of Quebec and the Province on Ontario on Parliament Hill, drawing attention to perhaps one of the worst pieces of legislation that this country has seen, Bill C-22.

I am delighted that these demonstrators have taken the opportunity to focus attention on a very major issue affecting all Canadians. I want to thank them, on behalf of our Party, for drawing to the attention of Canadians the real problem of Bill C-22, which is that the Right Hon. Prime Minister (Mr. Mulroney) once again is on his knees to the multinational corporations hoping to assist, aid, and abet multinationals, as opposed to trying to help protect senior citizens in this country with regard to the high cost of prescription drugs. I want it to be known that I appreciate the attention that the demonstrators are drawing to this very important issue. Hopefully the debate will continue and we will defeat Bill C-22.

* * *

LEADER OF NEW DEMOCRATIC PARTY

Mr. Gordon Taylor (Bow River): Now hear this! This month, a Member, on behalf of his NDP colleagues, requested in a letter a private, confidential briefing on the free trade negotiations. The Hon. Minister for International Trade (Miss Carney) forthwith sent an invitation to the Hon. Leader of the New Democratic Party (Mr. Broadbent), which the leader of the socialists immediately declined, stating in part that to attend the briefing "would seriously restrict "him" in carrying out his obligations as Leader of the NDP".

• (1410)

Say that again! Hearing the true facts on free trade would seriously restrict the NDP Leader! It would zipper up his lips! He could no longer get ink in the socialist press with piffle like: "Free trade will destroy Canadian sovereignty"; "Free trade will cost us jobs"; "Free trade will give away the rest of Canada"; "Free trade will completely obliterate the automotive industry in Canada"; et cetera, et cetera.

You are right, Mr. NDP Leader, the truth would restrict you and your Party. What a pity!

S. O. 21

CANADA POST CORPORATION

RURAL POST OFFICES

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, now for a little of the truth.

I want to sound an alarm, not only for the demise of rural post offices but for the demise of rural Canadian life. The Post Office is on a forced march again with a scorched-earth policy to close down rural post offices—a definite threat to rural life in Canada. This is taking place right across the country.

It is being done without adequate consultation. The consultations are being rushed rather than taking the 90 days which they are supposed to take. People are not being given the option of keeping their existing post offices. This follows from a notion of centralized economic planning as it affects rural Canada rather than a decentralized approach which is sensitive to community life. It is imposing upon rural Canada poverty wages, one-fifth of what the people who run those post offices earn today.

This centralized, insensitive, destructive approach to rural communities has to stop. It is time that the Government woke up and started to listen to rural Canadians.

* * *

[*Translation*]

PHARMACEUTICAL INDUSTRY

DEMOCRACY

Mr. Gabriel Fontaine (Lévis): A few minues ago, Mr. Speaker, we saw a demonstration in a democratic country, a demonstration for democracy in front of the halls of democracy. Montrealers and Quebecers came to defend 1,300 paying jobs, jobs for intelligent people, that the future holds in store. Why? Because of a Senate full of Grits from Quebec, Mr. Speaker, which is challenging our democracy.

I wonder where the Leader of the New Democratic Party was, when he was needed to defend our democracy, Mr. Speaker. Where was the powerless Liberal Leader? Where was his Quebec Lieutenant, the Hon. Member for Laval-des-Rapides (Mr. Garneau)? And where were the other Liberal Members from Quebec? The Member for Papineau (Mr. Ouellet), for Notre-Dame-de-Grâce—Lachine-East (Mr. Allmand), for Saint-Jacques (Mr. Guilbault), for Shefford (Mr. Lapierre), for Saint-Denis (Mr. Prud'homme), for Hull—Aylmer (Mr. Isabelle), for Saint-Michel—Ahuntsic (Mrs. Killens), for Laurier (Mr. Berger), for Bourassa (Mr. Rossi), for Richmond—Wolfe (Mr. Tardif), for Montreal—Sainte-Marie (Mr. Malépart), for Saint-Léonard—Anjou (Mr. Gagliano), for Saint-Maurice (Mr. Grondin), for Outremont (Mrs. Pépin), for Mount Royal (Mrs. Finestone)? Were they hiding in the quarters of an arrogant Senate overcome by Trudeaumania, Mr. Speaker?

MUNICIPAL AFFAIRS

INVESTMENT PLAN PROPOSED BY CANADIAN FEDERATION OF MUNICIPALITIES

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, in November, 1984, the Tory Government abolished part of the Regional Industrial Development Program which allowed the development of municipal infrastructures. We know that many municipalities have older infrastructures but due to the lack of financial resources and government programs, they cannot make the required improvements. Therefore the situation is worsening.

According to a review made by the Canadian Federation of Municipalities, a sum of $15 billion will be required before the end of the decade to bring the present facilities back to a satisfactory condition. The Federation has therefore proposed to the federal Government an investment plan for public works that would provide maximun economic benefits and thousands of jobs. Needless to say, my party through its leader has supported the project deemed essential to the survival and the cleaning of our lakes and rivers.

As for the Ontario Liberal Government, its response was to implement a new program called Lifelines which will enable Ontario municipalities to receive financial assistance for waterworks and sewage disposal systems. However, it cannot act alone. The federal Tory government must show some leadership with respect to that issue and has a duty not only to support but also to implement the investment plan proposed by the Canadian Federation of Municipalities.

* * *

[*English*]

PHARMACEUTICAL INDUSTRY

BILL C-22—DEMONSTRATION ON PARLIAMENT HILL

Mr. David Orlikow (Winnipeg North): Mr. Speaker, we live in a democratic society. Canadians have the right and the duty if they so feel to express their views on any subject, to write, to phone or to talk to their Members of Parliament. I support that right.

We have today a demonstration outside this building by people who have come here to urge Members of Parliament to support Bill C-22, and they have every right to do that.

Some Hon. Members: Hear, hear!

• (1415)

Mr. Orlikow: Members of the House should know that the people who are outside are employed by drug companies. They were given the day off from work to come here. At least one company closed its operations for the day. Their expenses for coming here were paid for by the drug companies. There is nothing wrong with that, Mr. Speaker, they have every right to

do that. But Members should know the conditions under which they are here. They were paid for and supported by the multinational drug companies.

* * *

[*Translation*]

PHARMACEUTICAL INDUSTRY

IMPORTANCE OF ADOPTING BILL C-22

Mr. Marcel R. Tremblay (Québec-Est): Mr. Speaker, just as my colleague the Hon. Member for Lévis (Mr. Fontaine), I shall speak loud enough to make my voice heard in the other place.

Today, outside of this great House where democratically elected representatives meet—

[*English*]

Mr. Speaker: The Hon. Member has the floor, and I would ask all Hon. Members to extend him the usual courtesy.

[*Translation*]

Mr. Tremblay (Québec-Est): —Canadian men and women have gathered to tell non-elected Liberal senators: Pass the Bill!

[*English*]

"Pass the Bill".

[*Translation*]

I take it upon myself to convey to this House the comments they have made to Conservative Members:

Bill C-22 is very important to us since it means saving our jobs in the pharmaceutical industry.

[*English*]

It is important to protect the integrity of patents. R and D should grow in Canada. We should keep the profit for reinvestment and regional development here in Canada.

[*Translation*]

Support research. Protect our jobs.

[*English*]

Bill C-22 means jobs. Bill C-22 means investment. The health of Canadians depends on Bill C-22. Canada needs Bill C-22.

They have a message to deliver, and they have delivered it.

[*Translation*]

Is that sufficiently clear, Mr. Speaker?

[*English*]

We Tories are all behind these participants.

Some Hon. Members: Hear, hear!

ORAL QUESTION PERIOD

[*English*]

LABOUR RELATIONS

RAIL STRIKE—ADJUSTMENT PROGRAMS FOR LAID OFF WORKERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Prime Minister.

Our grain sales are in peril, the western Canadian economy is in jeopardy, there are 30,000 commuters stranded in Toronto, and another 15,000 in Montreal. The Government of the Prime Minister must take responsibility for the situation, because in its haste to achieve deregulation of the transportation industry, it failed to put into place adjustment programs for the workers who necessarily lose their jobs.

I ask the Prime Minister why are there no programs to provide adjustment assistance for workers who are losing their jobs in the railway and other transportation industries, which is a fundamental cause of this particular strike?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, it is unfortunate that the Leader of the Opposition is incorrect factually.

I will refer to CN, as it is a Crown corporation. CN has a program which is certainly one of the best in all of the industry in Canada with respect to job security and employment security.

A person with a minimum of eight years service with CN, who is laid off as a result of technological, organizational, or operational change, is eligible for guaranteed employment. I will not go into all of the details.

A person with a minimum of two years service with CN is eligible for employment security under the income maintenance agreement which includes retraining to become qualified to fill other vacancies within the railway, lay-off benefits, severance pay, early retirement if the person is the correct age, and the rest.

Within CN there is already quite a generous plan to cover these situations.

DEREGULATION OF INDUSTRY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Minister of Transport made similar arguments and a similar speech before the rail workers in Moncton, and it did not solve the problem. The Minister did not deliver.

[*Translation*]

Mr. Speaker, the railway system in Canada is having difficulties because of the Conservatives' poorly implemented deregulation process. The Government could have averted this situation by providing for ways to help workers affected by deregulation. It is one of the most important themes voiced during this strike.

If the Government and the responsible Minister introduce back to work legislation, will they at the same time announce and implement programs aimed at helping workers adjust to the deregulation-provoked situation?

• (1420)

[*English*]

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, this situation of the railways has no more to do with deregulation than the hon. gentleman has to do with the moon. No one likes to hit someone when they are down, but in any event the whole process of deregulation was started by the Hon. Member for Winnipeg—Fort Garry in 1984.

The facts are that in North America the nature of the transportation system is changing and, with deregulation or without, employment in the railway industry has been decreasing. That is because the railways no longer carry the same percentage of traffic they carried in the past, and I can give a number of other reasons. It is not deregulation that causes this situation. We have a situation where the parties are now bargaining. There is mediation. Why the Right Hon. Leader of the Official Opposition would attempt to stir this all up at this particular sensitive moment is simply beyond me, but I can understand the trauma he is suffering from at the moment.

Mr. Turner (Vancouver Quadra): I could be provoked into examining the Hon. Minister psychologically but that would take too long, would be too uncertain, and too indeterminate.

Some Hon. Members: Oh, oh!

MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): The Minister can exercise his usual bravado in attempting to skirt around the answer, but he has a responsibility for having ducked the fundamental reason why the parties are at loggerheads at the moment, namely, the failure of the Government in the railway industry, the trucking industry and the airline industry to provide sensible programs for worker adjustment so that the convulsions necessarily following upon deregulation could have been anticipated so that the workers concerned could have had a feeling of security.

That is an issue in this strike. That is an issue the Government has to face. When will the Minister announce some programs for adjustment of transportation workers? And when will he restore some of the programs the Government has already cancelled?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Hon. Leader of the Official Opposition seems to be annoyed at me because my picture was in the paper today lifting the arm of a certain person who shan't be named because of the effect it might have on his temper.

The hon. gentleman also forgets. What was he doing all the years he was a director of Canadian Pacific? Why did he not introduce these revolutionary policies? Why is he waiting for the Government? He had his opportunity when he was a director of CP.

This is a matter of collective bargaining and for collective bargaining. We are proud that our Crown corporation, CN, to whom we delegate to the board of directors, the capable management and the right to manage that corporation. It is a leader in this area in Canada, and we can be proud of it. If it can improve its system and survive economically, it will do it.

[*Translation*]

RAILWAY EMPLOYEES—JOB SECURITY—GOVERNMENT POSITION

Hon. André Ouellet (Papineau): Mr. Speaker, I have a question for the Minister of Labour.

While the Minister of Transport is talking of collective bargaining, could the Minister of Labour indicate whether a bill has already been drafted to force railway workers back to work without giving them any job security guarantee?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I am pleased to advise the House that the both sides have been meeting since 9 o'clock this morning in the presence of mediator Carson and Bill Kelly, my Associate Deputy Minister.

Mr. Speaker, I strongly urge the two sides to reach a negotiated agreement. But I can also assure the House and all Canadians that, if ever I have reasons to believe that these negotiations are likely to fail, I will be ready to act.

RAILWAY EMPLOYEES—EMPLOYMENT GUARANTEE—GOVERNMENT POSITION

Hon. André Ouellet (Papineau): Mr. Speaker, I have a supplementary question to put to the Minister. He says he is willing to act. Could he give us the assurance that if he must introduce a bill, that bill will not force railway workers to return to work without giving them the job security that is absolutely necessary in the circumstances?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I would like to point out to the House that right now, parties are the masters of their own fate at the bargaining table, and I encourage them sincerely to come to a negotiated settlement.

• (1425)

[*English*]

TRADE

CANADA—UNITED STATES NEGOTIATIONS—U.S. OFFICIAL'S MEMORANDUM

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Prime Minister. I now have a U.S. Commerce Department memo from William Cavitt who is identified as co-ordinator of the U.S.-Canada free trade area negotiations, in which he says:

> —the negotiations are focusing on those programs which provide financial assistance to a specific firm or industry. The U.S. negotiators are asking the Canadians to end these subsidies at both the federal and the provincial levels.

Will the Prime Minister confirm this U.S. focus and will he admit that small businesses in sectors from Newfoundland to British Columbia would be severely damaged by this?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend refers to the fact that apparently he has a memo from some United States functionary in regard to free trade talks and he asks for a comment. I would have thought that he would have wanted to comment on the report the Economic Council of Canada released this morning which indicates that a free trade agreement with the United States would produce 350,000 new jobs in Canada.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I would urge my hon. friend to look at the report which indicates a positive impact in just about every sector of our economy. Moreover, this very significantly produces large economic gains in a balanced way across the country.

We are trying to make sure that the tremendous growth we have experienced is shared more equally. We want to see Newfoundland, Nova Scotia and New Brunswick get the kinds of breaks that are now prevailing in southern Ontario and elsewhere in the country.

I know my hon. friend would want to join the Government of Canada and Ambassador Reisman as he pursues his initiatives in Cornwall this week in supporting the kinds of concepts endorsed by the Economic Council of Canada. He should perhaps pay a little less attention to information coming to him from American functionaries.

Mr. Langdon: Mr. Speaker, in fact I have read the council's report, commented on it already, and identified it as hocus-pocus which has no basis in fact whatsoever because its assumptions are completely false.

Some Hon. Members: Oh, oh!

Mr. Speaker: Would the Hon. Member put his question, please?

SERVICE INDUSTRIES

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I would like to raise a supplementary question with the Prime Minister by going back to Mr. Cavitt who, in this memo, indicates very clearly that services, especially in sectors like the insurance industry, are a key focus of concern, something which the Economic Council ignores.

• (1430)

Will the Prime Minister not concede that focusing on services will hurt women's employment especially because 83 per cent of their jobs are in the service sector?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there was an article on August 1 by Linda Diebel of the Montreal *Gazette* which began as follows: "When Victor Fingerhut of the U.S. speaks, New Democrats listen."

Some Hon. Members: Oh, oh!

Mr. Mulroney: "Mr. Fingerhut is a prominent Washington consultant and adviser." I urge the Hon. Member to stop celebrating everything coming from the U.S. and start believing in Canadians.

Some Hon. Members: Hear, hear!

Mr. Mulroney: I do not know Mr. Fingerhut but he sounds like a nice guy.

I just want to tell my hon. friend that before he dismisses a study by Judith Maxwell of the Economic Council of Canada he should look at the impact of free trade by 1995. It says that the GNP will be up as a result of a free trade agreement by 3.3 per cent. Inflation will be down by 5.7 per cent. Productivity will increase by seven-tenths of a per cent. Real wage rates will be up by 3 per cent. Disposable income will be up by 3.1 per cent. Income up by almost 7 per cent. Unemployment down by 1.3 per cent. That has to be good news, even for the New Democrats and Mr. Fingerhut.

Mr. Speaker: Perhaps the Hon. Member and the Right Hon. Prime Minister have read to each other enough Economic Council reports so we can get to a specific question and specific answer.

ECONOMIC COUNCIL REPORT

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, will the Prime Minister now admit that the Economic Council report to which he referred as endorsed by the Council has not been approved by the Council, was not put before the Council's governing board, and therefore is not an official statement—

Some Hon. Members: Oh, oh!

Mr. Langdon: —of the Council whatsoever?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I suppose it becomes official when Mr. Fingerhut approves it.

This is a very serious matter. Judith Maxwell is a very distinguished Canadian economist who heads the Economic Council of Canada, an organization which for some decades has been known for its impartiality and professionalism. It has produced a report which says the Economic Council of Canada has just completed new research indicating that free trade with the U.S. could create as many as 350,000 new jobs in Canada by 1995. Surely that should be good enough as at least a modest ray of optimism even for someone like the Hon. Member who persists in failing to realize that jobs depend upon the kind of arrangement we are seeking with the U.S.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MINISTER OF JUSTICE OF PEOPLE'S REPUBLIC OF CHINA

Mr. Speaker: I wish to draw to Members' attention the presence in the gallery of His Excellency Zou Yu, Minister of Justice of the People's Republic of China.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF MINISTER OF JUSTICE OF PRINCE EDWARD ISLAND

Mr. Speaker: I also wish to bring to Members' attention the presence in the gallery of the Hon. Wayne Cheverie, Minister of Justice for Prince Edward Island.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

TAX REFORM

INQUIRY WHY GOVERNMENT PERSISTS IN FOOD TAX

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to my friend the Right Hon. Prime Minister. According to a Department of Finance survey, 71 per cent of Canadians oppose this Government's option to tax bread, milk, butter.

I have here, Mr. Speaker, on the initiative of the Official Opposition, petitions with 25,000 signatures that were collected in a very short period of time. They come from across Canada, and those people also oppose your option to tax bread, milk and butter. Over the weekend, the leader of the Quebec Conservative Caucus said it was stupid to uphold a decision to tax bread, milk and butter.

I have a very simple question for my Right Hon. friend the Prime Minister: Can he explain why he insists so obstinately on taxing food, when the majority of the people oppose that?

The Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, in the absence of my hon. friend yesterday I specifically answered that question raised by one of his colleagues, the Hon. Member for Papineau. The answer has already been given.

But since he is now in this House today, he might perhaps tell us where he stands on the matter of non-elected Liberal Senators who are now in the process of denying Montrealers 1 300 jobs and $700 millions of investments.

Mr. Malépart: Mr. Speaker, in answer to the Prime Minister's question, if he wants to solve the problem in the Senate, let him stop bragging across the land and table in this House a bill on an elected Senate, and I will support that.

INQUIRY WHY GOVERNMENT WILL NOT DENY POSSIBILITY OF TAX ON FOOD

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): To get back to my question, now that the problem of the Senate is solved, the people, Canadian families are against its option.

Will the Prime Minister now have the courage to tell Canadians and Quebecers alike why he still intends to slap a tax on bread, milk and butter? Why not say right now—sooner or later he will backtrack as in the case of old age security pensions—that there can be no question of taxing bread, milk and butter?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, now there is an interesting and momentous statement on the part of the Hon. Member.

Yesterday I replied to the question of the Hon. Member for Papineau. The question, the suggestion was false yesterday, and it is still false today.

Still, important statement from the Hon. Member for Montreal—Sainte-Marie. He fails to respond to the claims of people in Quebec and Ontario with respect to the 1,300 jobs and he is asking me to introduce a bill to abolish the Senate.

Mr. Malépart: An elected Senate!

Mr. Mulroney: I have already proposed to the House, in March 1985 I believe, I have formally said so and I repeat today that if I had the support of the Leader of the Opposition, the Liberal leader, we would be in a position to proceed immediately with the abolition of the Senate. The NDP leader has endorsed my position, but the Liberal leader withheld his consent because he would rather keep the non-elected senators.

[*English*]

THE SENATE

ABOLITION—PRIME MINISTER'S POSITION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also directed to the Right Hon. Prime Minister. On the weekend he indicated that in the discussions leading up to the Meech Lake Accord he had suggested to the Premiers that the Senate be abolished. The Premier of Ontario is reported to have said in response that: "He mentioned it as a throw-away comment, more or less out of the blue. Nobody took it particularly seriously."

In light of the comments he has just made, is he serious about abolishing the Senate? If so, can he explain to the House and the people of Canada if he intends to pursue this with the Premiers at the first opportunity?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, in response to, I think, a question from the Leader of the NDP in February or March of 1985 in this House I said that if we could have the approval of the Right Hon. Leader of the Opposition we would proceed that very day or the very next day with regard to a resolution abolishing the Senate. As I recollect, the Leader of the Opposition declined to provide his consent at that time, I think for obvious reasons.

• (1440)

With regard to the First Ministers' Conference, the question of the Senate arose and, without any disparaging allusions to any of the good people who sit there, I put forward the view that I believed that at a conference like that we should consider the abolition of the Senate and/or its reconstitution in a more democratic manner. I put that out for consideration by the Premiers. At the time they thought that there was some value in it but that perhaps, because of its complexity, it ought to be referred to our first constitutional meeting.

If my hon. friend is speaking on behalf of his Party, and if the Leader of the Opposition will undertake today to meet so that we can arrange for a resolution to go before both Houses to provide for the abolition of the Senate, I can assure him that I will bring it in as quickly as I can.

REQUEST THAT PRIME MINISTER INTRODUCE ABOLITION MOTION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my supplementary question is directed to the Right Hon. Prime Minister. He knows, as he has indicated, of the very clear support of our Party for abolishing the Senate. The Government brings in resolutions, motions, and Bills weekly. Would he demonstrate his leadership on this issue and bring a resolution to the House of Commons, at its earliest convenience, to begin the constitutional ball rolling which would eventually result in the abolition of the Senate?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, if my hon. friend is as fervent as he says he is in his clear support for abolishing the Senate, why is he supporting the Senate in its frustration of the House of Commons on Bill C-22?

Some Hon. Members: Hear, hear!

Mr. Fulton: You are the one who is supporting it.

Mr. Mulroney: I think *Hansard* will reflect that I put forward the matter for consideration by the House. In fairness, my hon. friend's Party responded quickly to that. My recollection is that the Leader of the Opposition was disinclined to follow through at that time. It may very well be that there will be a change of mind.

Since that time I have undertaken with the First Ministers a constitutional process which we believe will lead to a very informed and improved Senate. That was a year and a half after we first raised the matter in the House of Commons. The First Ministers agreed with that process. We are now engaged in it, and will follow through with the full support of my hon. friend.

REQUEST THAT PRIME MINISTER INTRODUCE MOTION TO PROVIDE FOR AN ELECTED SENATE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a proposition for the Senate. I will direct a question to the Prime Minister. He knows that a resolution to abolish the Senate would not gain the consent of the provinces. He has already talked to them about that and they treated the question as a facetious one.

Two years ago the Prime Minister neglected an opportunity when he had his then Minister of Justice bring a resolution before the House which was debated only two hours, one hour by the then Minister of Justice and one hour by myself, during which time we put forward the proposition for an elected Senate.

The Prime Minister has made Senate reform through abolition, election, or changing the nominating process, virtually impossible through the unanimity clause in the Meech Lake Accord.

The Prime Minister does not need my consent or that of the NDP or anybody. He has a huge majority in the House of Commons. Would he accept my offer to bring in a resolution for an elected Senate which would give the regions of the country better representation in the Parliament of Canada? If he does that he will get our unanimous consent immediately.

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, this gets more and more interesting.

Mr. Turner (Vancouver Quadra)): More and more relevant.

Mr. Mulroney: I think that is a very interesting suggestion. Because of its seriousness it requires—

Mr. Fulton: Backpeddling pretty fast.

Some Hon. Members: Oh, oh!

Mr. Mulroney: It is clear that the Leader of the Opposition feels, as I do, that the Senate is being abusive of the House of Commons.

Mr. Ouellet: No, no.

Mr. Mulroney: I will be happy to respond to that. I can assure the hon. gentleman of my good faith and that of the Leader of the NDP. Perhaps as an indication of his good faith, his leadership, and his commitment to true Senate reform, he could instruct the non-elected Liberals in the Senate today to pass Bill C-22.

Some Hon. Members: Hear, hear!

REQUEST THAT MEECH LAKE ACCORD BE REOPENED

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the right hon. gentleman has an opportunity to introduce a motion at any time. I have suggested to him that abolition of the Senate will not gain the consent of the provinces.

Mr. Clark (Yellowhead): Does MacEachen agree?

Mr. Turner (Vancouver Quadra): Yes, the Liberal caucus is on record in favour of an elected Senate as is the Liberal Party. If the Prime Minister brings in a resolution to that effect and can assure us that he will reopen the Meech Lake Accord to make it possible—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): Another condition.

Mr. Turner (Vancouver Quadra): Under that Accord the unanimous consent of the provinces is now necessary. If the Prime Minister can bring his provincial counterparts onside he will have our support 100 per cent here and 100 per cent in the other place in favour of an elected Senate.

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, this is an historic and significant announcement by the Leader of the Opposition. He says that he can deliver 100 per cent of those Liberal Senators. I think that is good news for Canada.

Some Hon. Members: Hear, hear!

Mr. Gray (Windsor West): Your bluff has been called.

Mr. Mulroney: More seriously, I hope my right hon. friend will reconsider his suggestion, of which he seemed to speak approvingly, that this would necessarily involve the reopening of the Meech Lake Accord.

Mr. Turner (Vancouver Quadra): You have unanimous consent.

Mr. Mulroney: That is a very disturbing comment by the Leader of the Opposition. He apparently looks forward to Thursday with some concern.

Mr. Nunziata: Quit being a jerk. You can't abolish the Senate without changing the Accord.

Mr. Mulroney: I think Canada has appreciated the leadership of the Leader of the Opposition, the Leader of the NDP, and the Leader of the P.C. Party with regard to the Meech Lake Accord.

In 1985 I proposed in this House, and was supported by the Leader of the NDP, the complete abolition of the Senate of Canada and was ready to bring in a resolution that day. I am still resolved to that. If my hon. friend will support the abolition of the Senate we will do that and attempt to persuade the Premiers that that having taken place we can reconstitute together an elected Senate which is much more representative of the people of Canada and much more democratic. However, that would require a substantial change in the position of the Leader of the Opposition.

SENATE REFORM—LIBERAL PARTY SUPPORT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, this is an interesting exchange. The Leader of the Government has suggested that he can bring unanimous provincial consent to bear on this issue, which provincial consent he needs under the Meech Lake Accord. He has also made it far less likely that we will get any meaningful Senate reform because he has transferred the appointment process to the provinces.

Mr. Clark (Yellowhead): That's a falsehood. Why don't you tell the truth, John?

Mr. Turner (Vancouver Quadra): When he had an opportunity to advance a style of Senate reform in this House two years ago when the then Minister of Justice introduced it he did not proceed with it despite the co-operation of this side of the House to move toward an elected Senate. If he will give us some meaningful Senate reform and an elected Senate, he will have this Party 100 per cent behind him. He must bring the provinces onside as he now needs all the provinces onside.

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, with regard to Meech Lake we were able to bring all of the provinces onside representing the entire country and four different political Parties, three of which are in the House of Commons. I think that is a tribute to the maturity of all Members of the House and the leadership of all political Parties.

I think it is imprudent of the Leader of the Opposition to start suggesting amendments to the Meech Lake Accord. I think that runs counter to everything his Quebec Leader has said.

Mr. Nunziata: How can you abolish the Senate if you don't amend Meech Lake?

• (1450)

Mr. Speaker: Order, please. I will ask the Right Hon. Prime Minister to complete his answer and, while doing so, I would ask all other Hon. Members to listen to the answer and extend the usual courtesy.

Mr. Mulroney: Mr. Speaker, I think the record will show that in 1985 I proposed the abolition of the Senate. Inasmuch as the Leader of the Liberal Party did not respond, we then proceeded further to the Edmonton declaration last summer to begin the Meech Lake process, which resulted in a new constitutional accord which has been endorsed by the Leader of the Liberal Party, the Leader of the Opposition. That process, in itself, carries with it a provision for constitutional meetings, including the item of Senate reform.

Inasmuch as the Leader of the Liberal Party failed in 1985 to give us the approval, I was then, as Prime Minister, obliged to bring this matter forward to the constitutional conference of the Premiers. It is now on the agenda.

I have publicly committed, here in the House and elsewhere, to bring forward a comprehensive project for Senate reform—

Mr. Lapierre: Bring it.

Mr. Mulroney: —including the election of Senators. Meanwhile, because it speaks to the notion of democracy and our desire for more democracy in the other House, I think my right hon. friend could provide leadership to the country in regard to his perception of a democratic Senate by instructing the non-elected Liberal Senators to respond to the will of the elected Members of the House of Commons.

Some Hon. Members: Hear, hear!

* * *

IMMIGRATION

BILL C-84—COMPLIANCE WITH CHARTER OF RIGHTS AND FREEDOMS

Mr. Dan Heap (Spadina): Mr. Speaker, my question is directed to the Minister of State for Immigration. As the Minister knows, several reputable Canadian legal authorities have warned that Bill C-84 most likely offends against the Canadian Charter of Rights and Freedoms by infringing both on the rights of refugee claimants in Canada and on the rights of Canadians who help them.

Therefore, has he or his senior Minister obtained a Justice Department report stating that Bill C-84 does comply with the Charter and, if so, will he table it in the House? If not, why not?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, this kind of myth has been perpetrated by the Hon. Member, that somehow this Bill offends the provisions of the Charter of Rights and Freedoms of Canada. That contention is false. The fact is that we have been working in the Department of Justice with my colleagues in Employment and Immigration to make sure that this complies, each provision of the Bill complies with the Charter of Rights and Freedoms. Due process is involved in this particular legislation and provides for government under the rule of law and under our Charter. I wish the Hon. Member would not mislead the country by posing the question over and over again.

REQUEST FOR REFERRAL TO SUPREME COURT

Mr. Dan Heap (Spadina): Mr. Speaker, if everything is as right and shipshape as the Hon. Minister has just stated, then in view of the widespread doubts by constitutional authorities across the country, will the Minister refer this Bill to the Supreme Court immediately for an advisory opinion as to whether it is constitutional?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, we have a House of Commons in which people are entitled to put forward their points of view. This is the place where policy decisions should take place. We should not try to transfer our responsibilities to the courts. A vast majority of Canadians want a fair and effective immigration policy. Why does the NDP stand in the way of the majority of Canadians in this particular area?

Some Hon. Members: Hear, hear!

REQUEST FOR AMENDMENT OF LEGISLATION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. This morning the Minister of State for Immigration stubbornly and arrogantly refused to amend proposed Section 95(1) and Section 95(2) which would make a priest or any other Canadian genuinely helping refugees liable to huge fines and/or imprisonment. Given that the churches and organizations do not encourage or condone refugee abuse, why did the Government place under the letter of the law a priest or nun offering humanitarian assistance in the very same category as the sleazy smugglers and consultants? Will the Prime Minister, for the sake of Canadian sense of justice—

Some Hon. Members: Order.

An Hon. Member: Sit down.

Mr. Marchi: —make an eleventh hour intervention to distinguish legally between the abusers who should be

punished by the law and the thousands of Canadians who legitimately aid refugees and should not be treated like potential criminals?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, for the last ten years it was not an offence to counsel or transport people to our border points. It was an offence to evade the legitimate border controls.

Nobody is above the law. The law must be respected by all. We will stop abuse. We will stop profiteering, stop racketeering, and we will finally have a process that is fair and just and gives an open determination to everybody in need of protection.

Some Hon. Members: Hear, hear!

MINISTER'S POSITION

Mr. Sergio Marchi (York West): Mr. Speaker, Bill C-84 is Rambo-style legislation which makes Ronald Reagan look progressive.

Some Hon. Members: Oh, oh!

Mr. Speaker: In view of the hour, I would ask the Hon. Member to put his question directly.

Mr. Clark (Yellowhead): It is before the committee.

Mr. Marchi: Take it easy, Joe, you are before a lot of things.

Mr. Clark (Yellowhead): I am ahead of you.

Mr. Marchi: I want to ask the Minister—

Mr. Clark (Yellowhead): Order.

Mr. Ouellet: You are not the Speaker.

Mr. Speaker: The Hon. Member will put his question clearly and briefly.

Mr. Marchi: My supplementary question is directed to the Minister of Justice. Given that constitutional experts have predicted innumerable court challenges, why does the Minister refuse to tender and make public the Department's legal opinion on the constitutionality, as has been done with previous legislation? Rather than trying to drag the piece of legislation to a slow and agonizing death in the court system, why does he not refer a judicial review to the Supreme Court of Canada immediately so that this House and Canadians can afford themselves of a proper constitutional response, rather than having—

Some Hon. Members: Order.

Mr. Marchi: —this piece of legislation become tied up in six months time?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I like to receive the benefit of advice from people, but not from somebody who has recommended, as a matter of public policy on behalf of the Liberal Party of Canada, that we create detention camps for refugees and immigrants coming to this country.

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: This Bill is in accordance with the provisions of the Charter of Rights and all the safeguards incumbent in that Charter. If the Liberal Party wants to fly in the face of overwhelming public opinion to have an effective immigration and refugee system for the benefit of refugees and immigrants in this country, then it better lie on his shoulders.

* * *

[*Translation*]

PHARMACEUTICAL INDUSTRY

RIGHT OF ELECTED REPRESENTATIVES—GOVERNMENT POSITION

Mr. Richard Grisé (Chambly): Mr. Speaker, my question is directed to the Minister of Consumer and Corporate Affairs or to the future Minister of Health.

Mr. Speaker, representatives of the Canadian pharmaceutical industry are worried about their future and that of their industry. Does the Minister recognize the fact that these representatives have democratic rights?

[*English*]

Can he assure the people of this industry and all Canadians that the Government will make all efforts to provide some $600 million in investment in the Montreal area and to create some 1,300 jobs to which the New Democratic Party and the Liberals are opposed?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this is the first time in my 15 years around here when there have been picket signs in support of the Government and opposed to the Opposition.

Some Hon. Members: Hear, hear!

Mr. Andre: They should be there. Because of the undemocratic actions in the other place and the shameful support of those actions by the New Democratic Party and Liberal Party, there is a possibility that this Bill could be killed, putting in jeopardy their jobs and the future of high tech research and development in this important area in Canada.

I hope many more thousands of Canadians come out and tell the NDP and Liberals that they should stop jeopardizing Canada's future in this way.

Some Hon. Members: Hear, hear!

CANADA POST CORPORATION

RURAL POST OFFICES

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is directed to the Minister responsible for the Post Office. Some time ago the Minister promised genuine consultation before the closure of any rural post offices. A new pattern of consultation is emerging now. A good example is in Wilno, Ontario. In Wilno, the post office meets with families individually rather than in public meetings. There, a response is demanded in two weeks rather than in the 90 days required. There, the keeping open of the existing post office is not an option. There, members of communities are not allowed to opt for the continued operation of their existing post office.

• (1500)

Would the Minister characterize this type of approach to consultation as intimidation and economic blackmail, as people in rural Canada are calling it? If not, what does he call it?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, of one thing I am sure. It is that the Hon. Member's description of what is happening is totally false.

As indicated, the country is changing. Demographics are changing. We are becoming more urbanized. There is a need to get with it and to recognize that we are nearing the end of the 20th century. We have to make alterations to the way the mail is delivered in order that we can continue to deliver the mail, improve service and keep the price of stamps down.

There is a commitment that there will be at least 90 days' discussion with the people and MPs affected before any changes are made. There have been some slip-ups in one or two cases. I have instructed the Post Office, and it has already taken action, to delay, to ensure that there is that full 90 days of discussion. But it is up to the management of the Post Office to manage and to do it effectively and sensitively. I have every confidence it will continue to do that.

[*Translation*]

Mr. Keeper: Mr. Speaker, the Minister has referred to what I said as being entirely false, but that is exactly what he did in the community of Wilno in Ontario.

REQUEST FOR EXPLANATION OF OFFER MADE TO NEW POSTMASTER

Mr. Cyril Keeper (Winnipeg—North Centre): Mr. Speaker, my question for the Minister is this: When the Post Office offers the new Postmaster one-fifth of the revenue for the same work as before, does the Minister think this is a genuine offer or an offer that is doomed to fail?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Post Office has a mandate from this House, approved by the New Democratic Party when the

Crown corporation was created, to operate in a fiscally responsible way and to operate as efficiently, as effectively, and as productively as possible.

The Hon. Member seems to be suggesting that the Post Office should continue to pay way higher than market prices, higher than necessary, and continue to deploy services that are no longer required because of changes in demography. Apparently, any change to the New Democratic Party represents a frightening prospect which it wants to avoid at all costs.

Mr. Keeper: It is an attack on rural Canada.

Mr. Speaker: Hon. Members will have noted that the Right Hon. Leader of the Opposition asked three questions in the second round. In view of the hour that leaves one question for the Hon. Member for Churchill.

Mr. Murphy: Mr. Speaker, that is a logical conclusion.

* * *

CANADA LABOUR CODE

PAYMENT OF MATERNITY BENEFITS

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Minister of Labour.

As he is aware, for some time now I have been concerned about the fact that women on maternity leave and people on child care leave who are entitled to paid benefits by their employers are not receiving those benefits. We have asked for remedial legislation. I would like the Minister to affirm to the House that that will happen, and happen soon.

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as I have already indicated to my hon. colleague, as a matter of fact by letter dated July 30 if my memory serves me right, that is one option being looked at. It is being studied, and I will be consulting with the Hon. Member very soon to look at the consequences that such a change might bring.

GOVERNMENT ORDERS

[*Translation*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(*a*) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(*c*) and 8, because this House believes that amendments 1(*a*) and (*b*), 2(*a*) and (*b*), 3,

4(*a*) and (*b*), 5(*a*) and (*b*), 6, 7(*a*) and (*b*), 9 and 10(*b*) and (*c*) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(*a*) and (*b*) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(*a*) and (*b*) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(*a*) and (*b*), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(*a*) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(*b*) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(*a*) and (*b*), 10(*b*) and (*c*) arise out of amendments 1(*a*) and (*b*), 2, 3, 4(*a*) and (*b*), 5(*a*) and (*b*), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(*c*) be amended to read as follows: "(*c*) Strike out lines 35 to 42 and add the following:

(2) For the purpose of section 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(*a*) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(*b*) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I am glad to see that the Prime Minister is still here. Before speaking about Bill C-22, I would like to challenge him to solve a problem. Bill C-22 is not a problem caused by the Senators. If the Prime Minister has the courage of his convictions, since he has said that he has no need for the support of the Opposition with his majority, let him table his Bill in this House and we shall debate it.

As for Bill C-22, it is not a matter of having a debate between the House of Commons and the Senate. What is sad in this whole debate, Mr. Speaker, is that if we look at today's demonstration—I have nothing against the demonstration; I went to meet those people—we find that they are all employees of the industry, and it is no surprise to learn that they were given a day off and sent on a luxury bus to Parliament Hill. I am not blaming those people for having accepted to make this trip to save their jobs.

The next thing we shall hear in this fight about patent protection, is that, next week, the generic companies will put up some money, close up shop and give a day off to their employees so that they can come here in luxury buses and demonstrate on the Hill.

In fact, this is a job war between two types of companies, the multinationals and the others, and if the latter had the opportunity to become multinationals, they would behave just like the first. However, what we have to remember as Parliamentarians and representatives of the Canadian people, is what the consequences will be for Canadian men and women.

In this case, we are talking about the health of individuals. Everyone in Canada supports research, not only scientific research, but all kinds of research. If we want to promote research, instead of financing the Western banks when they go bankrupt, instead of giving money to the rich, we should put back some money in university research, create jobs and innovate to cure the sick and give them back their health.

However, the Conservative Government says: No, here is what we are going to do, the multinationals have asked for a ten year protection, and we are going to give in to blackmail and do as they wish. We, Liberals, refuse to do so. This is not how we operate. Such a simple concept as saying that it would be better to increase taxes on everything to create jobs, something as stupid as saying . . . A PC Member may rise and say: Well, since jobs are being lost in the funeral home industry, we are going to encourage euthanasia to create jobs. Come on! As if this was a principle upon which we could play with people's health, Mr. Speaker.

Instead of stubbornly maintaining its position or organizing a demonstration . . . I referred to the representatives of multinationals. These people know what bargaining is all about. They should say: What is this all about? Now, there is no protection. While I am talking, the people of the Conservative Opposition could protect jobs, they want us to cry out . . . When you abolished the quotas to protect jobs in the footwear industry, was it because they were not university people? Are you going to protect these jobs because they are university people? They are certainly well paid. But when you were asked to protect the jobs of the men and women working in the Quebec footwear and textile industries, either in the Eastern Townships or in some Ontario regions represented by Conservative Members, you said: No way. We are negotiating free trade with the Americans.

But now, there are big American guys with pockets full of dollars who say that you have to protect the brains. But whose brains? This depends on the years you have spent in school.

Mr. Speaker, I suggest that we, as Members of the Liberal Party, have a position. It is my friend the Hon. Member for Saint-Michel who was the first to open the debate on this issue. Also, the previous Liberal Government had requested an independent inquiry by specialists who claimed that, to protect research, security, create jobs and prevent undue increases in the prices of medicine, a four-year protection was enough. All additional years on top of the first four were what is called "gravy", additional money in the pockets of multinationals.

I am not here to blame multinationals, for the heads of such corporations are sincere. They say: Claude, I have that much money to invest. But we remember that not so long ago, some oil multinationals in Western Canada told this Conservative Government: If you change the energy policy, we are going to invest so much money. Everybody was honest and sincere at the time. Then suddenly the oil crisis occurred and they said: Sorry, I just cannot.

• (1510)

Right now there is nothing in the legislation as put forward by this Tory Government that guarantees jobs to Montrealers, of which I am one. And I know very well the new jobs that will be created will not necessarily be for people in my constituency of Sainte-Marie. But I am here to defend the interests of the people in Sainte-Marie, and if I bow to the multinational corporations blackmail, or on the other hand if I yield too much to generic companies, I will not protect consumers in my constituency of Montreal—Sainte-Marie and elsewhere in Canada.

Mr. Speaker, the Prime Minister who was supposed to be a top-notch mediator could have taken this opportunity to prove his talent, because since the beginning, almost three years now, it has been failure and catastrophe. Mediator my foot, the outcome was nil. But it is my feeling and my deep conviction that in order to protect the interests of consumers, which comes first, and when we refer to consumers we are referring to people who buy, not candies but drugs because they have some ailment. This is a matter of survival. I know this is not a great concern of Conservative Members, because they even slapped a 12 per cent tax on drugs, even on syringes used by people with diabetes in order to survive.

Certainly we must have compassion. It is of vital importance to ensure that those people can afford to buy drugs. Some will suggest this is a matter for provincial governments. But who pays for Provincial Governments, who pays for employer-employee health insurance? The middle income taxpayer always gets clobbered. Three million Canadians are not protected by any form of insurance. Today, I beg the Prime Minister to sit down with the multinationals and say: Just one minute! You had your way with me once when I was President of Iron Ore. You had me close down the place and tip-toe out of the picture, but this time I won't be had.

In the bill—you're asking for 10 years; at present you have nothing, so let's opt for a middle course. Let's make a deal, let's negotiate. We'll go for five years in the bill. And five years down the road we will review the impact on consumers, the impact in terms of profitability and job creation. At that time and given that experience, we will be in a position to reconsider our decision and either renew for another five years, increase the protection to seven years or decrease it to three years. It seems logical to me and probably to managers of corporations and I even invite my friend Robert Bourassa, from Quebec. I know for a fact that Ti-Louis Laberge does not sleep around with the multinationals just to generate employment, and neither do Mr. Larose and Jean Doré, the Mayor of Montreal. I know these people well enough to know that they want to protect employment, yes, but not if it means choking to death those who suffer from illness in Quebec. That is how I feel and I invite the Conservative Members, who are quick to jump on the bandwagon as we remember from the old age security de-indexation saga. These fellows had really found their way to the heart of all senior citizens. I recall that the Hon. Member for Brome—Missisquoi (Mrs. Bertrand) had said at the time that the Government was not bound by its promises. Not telling the truth to just about anybody was of no great consequence. But today, 79 percent of the population does not trust that Prime Minister any more.

There is something else I want to say. The Senate has a role to play in that matter. There is no doubt in my mind right now that the Senate accomplished a part of the job they are assigned under the Constitution. The Conservative Government is the one to blame. The Prime Minister has been making statements in every part of the country. He has bragged in Alberta, he has bragged in Quebec: "We will abolish the Senate, we will do such and such a thing to the Senate." Back here, he behaves like a lamb and does nothing. One day, he talks of abolishing the Senate. But what are we to make of a Prime Minister who says the Senate is an undemocratic institution? His chief negotiator on constitutional affairs is a senator. Because nobody was brilliant and competent enough in the Conservative caucus for that job, the Prime Minister had to seek somebody from an undemocratic body. When one does not believe in an institution, one does not appoint to it friends such as Bazin and others connected with the whole Oerlikon affair. How can we explain this and how can the people trust a Prime Minister who does not speak clearly and frankly? That is why I invite those Members over there who are reasonable to bring the Prime Minister to his senses.

I think a large majority of Quebecers are for it. I do not want to be dishonest, to play the same game as the Prime Minister and the Minister of Consumer and Corporate Affairs and try to make believe all Quebecers are in favour.

I could give you a whole list of people and organizations on record as being squarely and totally against Bill C-22, like the NDP. I do not share that view. I can take my responsabilities.

However, you cannot, as the Conservatives claim, make people believe that all associations of senior citizens or consumers are for that Bill. It is not so. If Hon. Members do not lie, they are poorly informed. There are people who totally disagree. But the vast majority—I was at the Economic Summit in Montreal, but neither the Hon. Member for Beauce (M. Bernier) nor the Hon. Members from Alberta were there. At this Summit were members of municipal governments, union representatives, senior citizens that I know very well, and officials of the provincial government. In principle, people for Metropolitan Montreal, and I support them, are for job creation, for protection of job creation.

But job creation in Montreal, Mr. Speaker, is called Space Agency. We do not necessarily want jobs immediately if it means higher prices for those who are sick. There are other actions that the Government should have taken to create jobs in the Montreal area. The situation has been going on for three years: Montreal East is in ruins, the shipyards are desperate. The Government wakes up suddenly. As a Montrealer, I cannot accept it for the good of the whole population of Montréal—Sainte-Marie, I cannot support the Conservative Party and allow that 10 year protection.

All the experts have clearly shown that a five-year protection for patents is more than enough for the companies to recover their investment. Second, in spite of all that has been said and with the best will in the world, and I believe that these people do want to invest, there is no guarantee that they will. We all remember the promises made by the Conservatives. Who can still believe the Prime Minister?

We all recall the de-indexation of old age security pensions. The Prime Minister had sworn that he would re-establish full indexation of old age security pensions, and he did the exact opposite. The same happened for family allowances. A report of this Government stated that the changes to the family support programs such as family allowances and the child tax credit would not be used to reduce the deficit. It was written in black and white. We had the word of the Minister of National Health and Welfare. Once more, we were misled. The Minister of Finance took nearly $2 billion from the family support programs to reduce the deficit. Then, there was the case of the banks which went bankrupt.

Even more recently, the Government has talked about imposing a tax on food, that is on bread, milk and butter. As I said earlier, according to the polls, 71 per cent of Canadians are against this idea. Within a very short time this summer, 25,000 people throughout Quebec and Canada signed a petition asking the Government to abandon this idea. Even the members of the Conservative caucus, not because they believe in this, but because they know that the public has put pressure on them to do so, have asked the Prime Minister to give up this idea.

• (1520)

Once again, we see the Prime Minister (Mr. Mulroney) dragging his feet, unable to state clearly his options and unwilling once more to take action. But I can tell you, Mr. Speaker, that the national petition and awareness campaign is not over yet as far as we are concerned. If the Prime Minister had clearly stated today his opposition, we would have ended that campaign but now, we are going to keep it up throughout Canada.

And as I travel all across the main regions of Montreal to speak about patent and job protection, I can see that it is not the people who are complaining and are asking for that protection. Of course and it is quite understandable that those company owners should ask for that protection. What I dislike in this debate is the fact that—and it is normal in the case of competitors of that company that they too should ask for a lesser protection—one of them is trying to hoodwink us but I was not born yesterday and I know that for those people, money is the bottom line—and it goes for both sides, and the only thing they are interested in.

But for us, as parliamentarians, our role is not to make a choice between those companies. I agree that with their free market philosophy this is how the Conservatives would put it. I would like the Conservative members who will later comment and ask questions to tell us why in the regions of Quebec, Beauce, the Eastern Townships or the South shore, they did not fight to maintain jobs and the protected quotas in the shoe industry? Why didn't they fight for and protect the interests of their constituents who were asking for it? Why are the Conservatives crawling before the multinational drug companies and giving them that ten year protection?

We know perfectly well that drug prices will go up because the Government would not otherwise pay back several million dollars to provincial governments. In fact, where there is a provincial drug plan the provincial or the federal Government will have to raise taxes and taxpayers will end up footing the bill anyway.

Mr. Speaker, I did not hear many Conservative Members from the Montreal area—in fact those who still behave themselves have kept pretty quiet and the rest are involved in scandals. I wonder how many of them have not yet been dragged in some shaddy deal?

I would like the Hon. Member for Beauce (Mr. Bernier) to tell me, for instance, how many senior citizens in his area feel that as in the case of the proposal to de-index old age security pensions, government members wanted to make us believe that senior citizens were for it. But when the Prime Minister backed down, everybody admitted to be against it . Well, I am suspicious of anyone who on two or three occasions has already, unintentionally, perhaps because of poor judgment, misled the Canadian people. Following public meetings and demonstrations, finally, the Government had to recognize that the Official Opposition was right.

Next week, on September 4, this Government will celebrate its third anniversary. I realize that those three years have been passing too fast for those in power. I also realize that those three years have been disastrous. But they have been particularly bad for the people.

If the university report is any indication, low and middle income families are the people who have been despicably attacked and deprived of a sizable portion of their purchasing power. This Bill as it is now drafted, Mr. Speaker, would strike another hard blow at these people, again the elderly and middle income families.

In conclusion, Mr. Speaker, I would point out that when the provincial Government of Quebec pays for drugs, most of the time the list of drugs covered includes only generic products. This is something the Conservative Members should keep in mind.

Mr. Leblanc: Mr. Speaker, the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) poses as the champion of the poor, yet now that we want to promote a sector of activities where wages are high, where we seek to push them higher still, the Member for Montreal—Sainte-Marie keeps saying that we are working against poor people. Mr. Speaker, Mr. Bourassa, the Premier of Quebec and Quebec's Opposition Party voted a unanimous resolution in Quebec's National Assembly on Bill C-22. The Hon. Member said earlier that Mr. Bourassa was his friend. That may be true, but the feeling may not be mutual.

Mr. Speaker, I just don't understand those Liberal and NDP Members who are trying to defend the poor and at the same time prevent jobs from being created. I don't know what they can be thinking of. Maybe they think jobs and money grow on trees. As far as I know, jobs and money come from the private sector. They keep telling us we are helping the multinationals. That is not true. We are helping people, men and women, to find jobs in areas where they can earn a decent salary, a very decent salary, instead of trying to find jobs for the poor. I think Canada is a country where there is more to do than just draw water and tighten screws on the assembly line. Canada also has an educated labour force that is capable of doing research and development. That is what we are trying to promote, and that is how this country is going to get rid of part of the poverty that exists today. We have to look at the fundamentals instead of just skimming the surface and trying to use the poor as a way to criticize the Government. We want to raise the standard of living of everyone in this country.

The Hon. Member for Montreal—Sainte-Marie is not addressing these fundamental issues honestly. He refuses to acknowledge that we as a Government are acting in good faith by promoting well-paying jobs. Just because we want to help people in Canada get better salaries, that does not mean we are playing favourites with the private sector and the multinationals. I think it is better to have research done in Canada than in the United States or Europe.

Well, in the area of medicinal drugs, the competition is international. If we want to maintain our competitive position and create jobs in this country, we must carry out research here. We should not abandon all this research to other nations. That is what the Liberal Party did some ten years ago. It allowed all investors, inventors and researchers to move to the United States or elsewhere. As the Minister of Labour (Mr. Cadieux) reminded us this morning, when the Liberals adopted this legislation about ten years ago, they completely cleaned out the buildings in Montreal West, buildings which have remained completely empty ever since. It is entirely unacceptable. And this mistake, of course, the Liberals today are unwilling to accept it, and they do not want to admit to the Canadian people that they did make mistakes.

Well, they are now caught at their own game. Of course, we are defending ourselves on this level. Moreover, Mr. Speaker, it is the Liberal Party, with its majority in the Senate, which is paralyzing the democratic system. And all this issue of the Senate interfering with the discussion is nevertheless an excellent example of what is happening today and demonstrates to Canadians that our democratic system is somewhat outdated.

Well, Mr. Speaker, I thank you very much and I ask the Hon. Member for Montreal—Sainte Marie to be honest and to explain to the Canadian and Quebec people why he is so anxious to keep only small jobs in Quebec. He should be proud to say that at last in Quebec our people are going to get involved in advanced technology and earn reasonable salaries, thereby making it possible for the Quebec economy to function better.

Mr. Malépart: Mr. Speaker, I am greatful to the Hon. Member for Longueuil for his comments. They give me an opportunity to reply. I know that we have remarkable brains and competent people in Quebec and the rest of Canada.

However, I should like the Hon. Member for Longueuil (Mr. Leblanc) to tell me why he supported his Minister when he cut funds allocated to research, not only medical research but also applied research, high technology and robotics. Why is the member, who knows that we have trained young people who are capable of leading research projects, why is the Hon. Member for Longueuil encouraging the Tory Government, the Minister of State for Science and Technology (Mr. Côté) to cut funds allocated to research?

Secondly, I should point out to the member for Longueuil that we agree on minimum protection. He was misleading the Canadian people, because he is uninformed, when he said that the Quebec Legislative Assembly has supported Bill C-22. The Legislative Assembly supported a principle which is the protection of patents and not Bill C-22 as such but some kind of protection against the brain drain at the level of research and we agree on that issue. However we disagree when the government—and I wonder if the Hon. Member can tell me what are the reasons—wants to crawl and grant a 10-year protection.

If we granted five years, companies would do some research introduce new products and after five years it would be reviewed. Those people would have the same benefits but it would be a wiser decision than if we stupidly sell ourselves short and grant a 10-year protection.

I conclude on the answer to his other question dealing with democracy and the Senate. Could the Hon. Member for Longueuil tell me, since he does not believe in the Senate, why he supported his leader when the latter appointed Mr. Bazin to the Senate? Since he was elected, that prime minister appointed seven or eight senators. When you do not believe in something—why did he waste taxpayers' money? Those people earn some $45,000—the seat, the secretaries. If I do not believe in an agency, I will not appoint someone there because what is involved is Canadian taxpayers'money—all that for pork-barrelling.

Second, again for the benefit of the Hon. Member for Longueuil, why—and I conclude on this, Mr. Speaker, why did his Prime Minister appoint a Senator as Minister? Is it because no one else is competent enough? But when you do not believe in an agency, when you do not believe in the people who are there—sorry, one does not appoint them to that kind of function.

The Acting Speaker (Mr. Paproski): There are two minutes left to the Hon. Member for Portneuf (Mr. Ferland).

Mr. Ferland: Mr. Speaker, as the saying goes, often one had better be deaf rather than hear what the Hon. Member for Montreal—Sainte Marie (M. Malépart) just said. I wonder if his constituents will be very happy to hear what he just suggested. The Hon. Member referred earlier to the Space Agency, which involves some 40 jobs, while we are talking of some 10,000 jobs in the Montreal area, many of which would be for young people whose parents laboured on small wages so that they could get degrees, so that they could have a better life. Here is what the Hon. Member for Montreal—Sainte Marie in effect just said to his own constituents: Look, it made no sense labouring all your lives. Send your children to the United States. This is what the Hon. Member for Montreal—Sainte Marie just said, Mr. Speaker.

It is unacceptable that a Member claiming to represent a poor constituency, a constituency of workers, people who led hard lives, tell his constituents their children should live the same kind of life. Certainly people in Montreal—Sainte-Marie will not be pleased to hear that their Member of Parliament does not defend their young people, those 10,000 jobs in Montreal. That is unacceptable from a Montrealer, a Francophone, Mr. Speaker.

Mr. Malépart: Mr. Speaker, this is really sad; and I sympathize with the people in Portneuf who are aching to elect someone who deserves to represent them.

What happened when his government closed down the Gulf refinery in the east end of Montreal, when his Government tried to close down Vickers, Canadian Steel Wheels and all that? The Member for Sainte-Marie, acting with and on behalf of his constituents, fought hard to protect those jobs. But for the Hon. Member, It is not quite the same: he thinks that jobs can be created at the expense of sick people. Why does the Hon. Member nod when his Minister slashes funds allocated to universities where young people could do research and earn good money? The Conservative Government simply washes its hands and is attempting to have the sick pay for employment creation. This is not only unacceptable, it is inhuman.

• (1530)

[*English*]

Hon. Bob Layton (Lachine): Mr. Speaker, I am pleased to join in the debate this afternoon because today is the day on which, for the first time in very many years and, according to one expert who has been here that long, for the first time in over 15 years, there has been a demonstration by Canadians as positive, constructive and democratic as the one we see held in front of the House of Commons today.

Mr. Lapierre: And paid for by the multinationals.

Mr. Layton: I want to congratulate the men and women who have taken the time to come to Ottawa, the five or six hours by bus from Toronto or the two or three hours from Montreal, to demonstrate before this institution that they have rights as well and that—

Mr. Rossi: And so did the elderly people when they came around.

Mr. Layton: The activity of our Senate is totally unacceptable. The people are telling us to quit stalling and pass Bill C-22.

It is a pleasure and an obligation to participate in debate on Bill C-22, the Patent Act legislation. My riding of Lachine in the Montreal region is home to 42 per cent of the Canadian pharmaceutical industry. In fact, 48 per cent of all pharmaceutical research and development is done in the Montreal area. I would love to take my colleagues on a tour of some of the very fine facilities which have been built and established in the west end of Montreal.

Over the years, the international community has seen Canada as a place where it is good to do business. It is ready to do business here but today it sees that any research and development work done by our scientists in our laboratories will be discarded. It is no wonder that the best of our graduate students will look for employment elsewhere.

Montreal depends on this industry and its growth. Driving down Highway 2-20 or the Trans-Canada Highway, one cannot help but appreciate the presence of the pharmaceutical industry, such good corporate citizens as Nordic Labs, Merck Frosst, Sandoz, Ciba-Geigy, Burroughs Wellcome, Beecham Labs, Pharmacia, Rhone-Poulenc, Ayerst McKenna and others. These companies have collectively pledged to invest

nearly $600 million in capital and research if Bill C-22 passes. This is an immense investment in my riding.

Mr. Lapierre: Put it in the Bill, put it in the Bill.

Mr. Layton: These companies are not—

The Acting Speaker (Mr. Paproski): Order, please. I would hope that the Hon. Member for Shefford (Mr. Lapierre) who has been here for a long time would at least give the Hon. Member the courtesy of listening to his speech. There will be questions and comments afterwards and I will be glad to recognize him at that time.

Mr. Layton: Thank you, Mr. Speaker. These companies are not all U.S. multinationals as claimed, they are from Switzerland, Great Britain, Germany and France. They are international companies that have invested here in Canada. All these companies are saying that Canada should come up to speed with respect to its patent protection legislation, to provide the kind of protection for intellectual property which is the standard in the western world. However, we are not proposing this legislation for them. Bill C-22 when passed will be for Canada and for all Canadians.

Health care in Canada will be improved. Three thousand high-tech jobs will be created over the next 10 years if this Bill passes. Research and development that has never been done in Canada will now be done here. The brain drain of our young generations will end. New patent protection for inventors will cause more innovation throughout Canada.

As I met with and spoke with many of my fellow Canadians in front of the House of Commons at noon today, I heard comments like the following: "Save my job", "Copycats cost jobs", "What about the health of Canadians?" "Why must I go south to pursue a career in the pharmaceutical industry?" "R and D will save our brains", "R and D will save our lives". One lady was going through the crowd singing a poem that had been written. It went:

[*Translation*]

"On top of the Hill, an old senator stands. He should stop being foolish, and say after me: Save our jobs, Mr. Turner."

• (1540)

[*English*]

Some Hon. Members: Sing it!

Mr. Layton: I do not remember the tune, fellows, sorry.

These statements come from real people, seniors, people with families, young students looking to the future. With its provisions for price controls and assurances of investment in new facilities and equipment for R and D, how can anyone claim this Bill is not good for them? We owe it to future generations to provide them with a high-tech environment for research and development in this field so they can remain in Canada and pursue their future goals.

How can we allow a non-elected politically appointed body to block a Bill passed by this duly elected House of Commons? It is vital to development of the industry. The Senate is in effect choking drug investment in Canada. Some 1,300 new jobs are projected for Montreal alone. These are the most challenging and rewarding kind of jobs, the kind of jobs Montreal and Quebec desperately need.

In a report prepared by the consultative committee on the development of the Montreal region, Chairman Laurent Picard, who was our guest at the constitutional committee this morning and spoke about the importance of the Meech Lake Accord, said that the development of the biotechnological and pharmaceutical sectors was most important for the future of Montreal. I ask the opposition Parties and the Liberal Senators from Quebec, how can they stand in the way of this legislation which is so critically important to Montreal? They will have to answer to the people of our region, indeed Canadians from all regions where research and development is being done and where many jobs and opportunities are at stake.

One of the most important, if not the most important, reasons that our Government, led by the Prime Minister (Mr. Mulroney) and the Minister of Consumer and Corporate Affairs (Mr. Andre), want this legislation passed is to improve health care benefits for Canadians. Consumers are not going to suffer because of this legislation. On the contrary, they will benefit. This is especially true with respect to improved health care. This Government is deeply committed to maintaining a system that gives Canadians access to the medical care they need. Nothing in the original Bill opposes that sacred principle. In fact, it encourages the type of research that will lead to discoveries of drug therapies for diseases that are still a major cause of death today. Bill C-22 will speed development of new therapies. It will improve the quality of our health care system and reduce hospital care.

The Senate committee's proposals will result in a much smaller increase in R and D. The Senate proposed royalty pool would not bring Canadian expenditures up to world levels. Moreover, money from the so-called royalty fund would go primarily to the largest companies as opposed to hospitals, universities and small biotechnology firms. That would mean far less clinical research in Canada and fewer occasions for health care professionals to learn about and work with the new medicines, and consequently less opportunity for Canadians to benefit.

Canada has a real opportunity in Bill C-22 to participate in the exciting discoveries being made in many areas but only if the Senate proposals are rejected. All Canadians will benefit. The sick will benefit from improvements in therapy and the healthy will benefit from the reduction in health care expenditures which are often the result of pharmaceutical improvements.

A recent poll shows that 82 per cent of Canadians support the pharmaceutical Bill. Close to 3,000 energetic Canadians

are with us today on Parliament Hill demonstrating that support. Yesterday the Canadian Medical Association gave its overwhelming support for the Bill. The Canadian Kidney, Diabetes and Cardiovascular Associations all support the Bill. The Montreal Board of Trade and Chamber of Commerce support the Bill. Why is it only the Senate and the Opposition, trying to gain political points at the expense of Canadians and future jobs, who do not want this Bill?

Let us adopt a new system, one that protects consumers by regulating prices of all drugs as well as protecting existing jobs and creating new ones. That is what Bill C-22 does. The drug prices review board will use the Consumer Price Index as part of the law in establishing allowable drug prices. Use of this indicator would have saved Canadian consumers between $50 million and $200 million in 1983 alone, not only on generic drugs but also on drugs for which there are no generic equivalents. The board will monitor prices of all patented drugs, not just the price of drugs subject to generic competition which represent only 20 per cent of the drug market. As a result, under the new law more drugs will be monitored to ensure fair prices.

Our Government will review the new policy after four years and Parliament will conduct an in-depth study and review in the tenth year. In addition, the drug prices review board will submit annual reports to Parliament on the progress of this policy.

It should be noted that over 85 per cent of all Canadians and almost 100 per cent of senior citizens are covered by private and public health care plans which pay for most, if not all, of the cost of their prescription drugs. My riding of Lachine is made up of many senior groups and youth groups. This Bill will help both of them with better health care and benefits for the sick and a chance for Canadian technologists to have a high-tech Canadian job in years to come.

As a representative of the Montreal region, I cannot allow any further delay of this Bill. Economic development and actual lives may be at stake. I strongly urge all of us in this place and in the Senate to co-operate fully and endorse a Bill vital to Montreal and all Canadians. Let us not make lost jobs a bitter pill to swallow. Let us pass C-22 without further delay.

As a final note, and this comes from the experience of meeting the people who take the time to come up to express themselves on Parliament Hill, Canadians have a right to be proud of their pharmaceutical industry and the people who work in it. Those who visit the centres where our pharmaceutical products are prepared and packaged note the care and concern for the cleanliness and perfection of their processing. They are a key part of our national health care system and as good as there are anywhere in the world. Our pharmaceutical industry has made a wonderful and remarkable contribution to all Canadians, but particularly to our senior citizens who quite naturally depend more and more on the system and its life-supporting products. Let us pass Bill C-22.

[*Translation*]

Mr. Lapierre: Mr. Speaker, I want to congratulate the Hon Member for his speech and tell him at the same time that I am very disappointed to see how easily he has bought the arguments put forward by foreign multinationals.

The Hon. Member throws around figures about thousands of jobs; he is talking about 3,000 jobs, his colleague the Member for Portneuf (Mr. Ferland) about 10,000 jobs and the Prime Minister (Mr. Mulroney) about 1,300 jobs. You know, Mr. Speaker, I think Conservative Members are all mixed up in their figures. They are mixed up because they have no strong commitment from any pharmaceutical company.

I invite the Hon. Member, instead of attacking the Senate who is really warning the Government about the imminence of a fatal mistake for the Canadian population, to learn rather from the wisdom of the Senate and negotiate more firmly with the foreign multinationals.

I think the Hon. Member for Lachine (Mr. Layton) went overboard in his comments on our drug industry, because 95 per cent of drug patents granted in Canada are foreign patents. They say they are not passing this legislation to please the Americans, Mr. Speaker, but you know as well as I do that this legislation was specially requested by the President of the United States, that the bill is a form of blackmail in the free trade talks, that the Americans made it a condition and that the Government is bending over backward to oblige them.

Mr. Speaker, if this legislation has so many good points, then I don't see why the Government does not put its agreements with the multinationals directly in the legislation. Why doesn't the Government make . . . You know, these things are negotiated. With the protection the Government is going to give the foreign multinationals, they will be able to make exorbitant profits. The companies claim they will reinvest those profits in Canada, but this Government is too weak-kneed to demand specific commitments.

I wish more companies would locate in the riding of Lachine or elsewhere. However, if I were the Member for Lachine, and we know the location is well suited to this kind of industry, I would demand that the Minister of Consumer and Corporate Affairs produce something in writing, not just pretty speeches. That is why this legislation is inadequate and incomplete, and I would ask the Hon. Member for Lachine why he does not demand firm commitments. He would be able to go back to his riding and tell his constituents: Sure, drugs will be more expensive but we will have economic spin-offs A, B, C, and D. Today, he is merely echoing the demands of the multinationals, without really knowing what he is talking about and what it means for his riding.

Mr. Layton: Mr. Speaker, the Hon. Member for Shefford asked about investment guarantees. There are, I admit, plans and projects that are ready to be implemented. We don't need guarantees because there is a procedure for regulating projects as well as prices. A kind of control.

We have the assurance that the industry is ready to act. We have a Bill before the House, and we must give them the right to invest. As an engineer, I realize a vacuum was created in recent years, and nature detests vacuums. There will certainly be investment, and some of it is guaranteed.

• (1550)

[*English*]

Mr. Kempling: Mr. Speaker, I want to ask a question and make a comment. The Member for Shefford (Mr. Lapierre) said that we should put in the legislation the commitments of the drug companies. Can he tell us one piece of legislation which has ever been passed in this House which contained that sort of thing? I do not think he can. I have been here a lot of years and have never seen that happen.

Furthermore, the Member knows that the pharmaceutical companies have to make an annual report to the House and that there is a four-year review by Cabinet and a ten-year review by Parliament. I am quite happy with the commitment made to us by the pharmaceutical industry.

In addition, the Member for Shefford said that 95 per cent of the patents issued in Canada go to people outside of Canada. That is the very reason for this legislation. We want this legislation so that more patents can be issued in Canada. I do not know of one generic drug company that spends five cents on research and development in Canada.

I would like to make a comment on prices as well. I have heard it said many times by members of the Opposition that the prices of drugs will go up. I would like the Member to name the drug, tell us what the price is today, and tell us where it will go. The Member for Shefford does not know what the drug is because the drug has not yet been developed. He does not know what the price is because it has not yet been established. How can he say that the price will go up if the drug has not yet been developed and the price has not yet been established? Would the Hon. Member for Lachine (Mr. Layton) comment on that?

Mr. Layton: The Government received a major report on the drug industry from Dr. Eastman in which he made many proposals, many of which are included in the Bill. It is of particular interest to me that the very doctor who undertook the study and declared that certain things ought to be done is willing to serve as the chairman of that drug prices review board.

What better assurance can we have of an honest commentator than the very man who recommended these changes in our pharmaceutical law? In the future, Canadians will continue to be as proud as they are today of the pharmaceutical industry which will continue to invest and produce products which give us a better life.

[*Translation*]

Mr. Ferland: Mr. Speaker, first, I would like to congratulate my colleague for Lachine (Mr. Layton) and say that he knows what he is talking about. Earlier, the Hon. Member for Shefford (Mr. Lapierre) made a joke and said that a figure of 10,000 jobs in Montreal was a bit ridiculous. However, I would like to tell the Hon. Member for Shefford that he should read the many articles which have been written about this in the Montreal newspapers, because when we speak about 1,300 jobs in Montreal, we are talking about 1,300 direct jobs in research activities, but when you have 1,300 scientists, you also have all the people who work with them, the technicians and so on, and this means whole teams of people who work around the scientists themselves.

When the pharmaceutical industries speak about 1,300 jobs, they mean 1,300 direct jobs, but to those have to be added all the indirect jobs, and we all know that, in high technology, there is a much greater number of indirect jobs than of direct jobs.

I would like to know what my colleague from Lachine thinks about the position of the Liberals and the New Democrats in refusing to have a price review board for all generic products.

Mr. Layton: Mr. Speaker, to reply to my colleague, it seems to me that members of the Opposition, and this includes the Official Opposition and the New Democratic Party, have always been afraid that the controls provided under this Bill would not be applied. I find it typical that they would refuse to have confidence in the performance of our leaders. As for me, I am confident that the price review board will do its job for all Canadians. I am confident that this method of accounting to Parliament will guarantee reasonable prices for all Canadians.

[*English*]

Mr. Lewis: Mr. Speaker, I want to compliment my hon. friend on his comments. He certainly understands the essence of why we are trying to pass Bill C-22. My hon. friend will know that there has recently been a change in NDP policy. The New Democratic Party used to be against the Senate and wanted it abolished.

Mr. Fulton: Still are. Abolish it.

Mr. Lewis: Just last week the House Leader of the New Democratic Party (Mr. Riis) was quoted as saying: "We would assume the Senate would see the wisdom of stopping this Bill as well". He then went on to say, "—but the fact is that they do some good work some of the time".

How does my hon. friend think the people in his riding will feel about the New Democratic Party's proposition that the unelected appointed Senate should have the right to stop this particular Bill and in fact any Bill passed by the democratically elected House of Commons of this country?

Mr. Layton: Mr. Speaker, I can say without any hesitation that the residents of my riding are as shocked and upset with the performance of the Senate in this regard as are the 3,000 people who paraded in front of the Parliament buildings today. They represent a mass view that there is the right in our

parliamentary system for the elected majority in this country to govern, and it is not for the Senate to obstruct.

• (1600)

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart)—Unemployment Insurance—Inquiry why elderly worker with collective pension plan is penalized—Inquiry why there are two classes of elderly workers in Canada—Inquiry why certain category of elderly workers is penalized; the Hon. Member for Winnipeg North (Mr. Orlikow)—High interest rates charged to credit card users—Intervention by Illinois State Treasurer; the Hon. Member for Fraser Valley East (Mr. Belsher)—Refugees— Reports of possible arrival of Tamils from Germany.

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, I must say that the comments of my hon. friend with respect to the Senate are fascinating. Logically, I expect that there will be no further appointments to this devastating, undemocratic, difficult and unacceptable body in the future. I am sure the Prime Minister (Mr. Mulroney) will be deeply disappointed. I am sure that the Prime Minister's friends will be even more deeply disappointed. I am interested to hear this strong position put by the Hon. Member.

The question of the Senate is very much a red herring as we carry forward this debate. The reality is that the Senate has typically, throughout our parliamentary history, occasionally brought back amendments to the House of Commons for us to consider. We have accepted amendments in some cases, such as in the case of transport deregulation Bills earlier last week. Of course, the Government accepted those amendments from the Senate without any of these diatribes against the right of the Senate to operate within our present constitutional framework.

I say to the Government, as it starts to play with fire on this issue, that there is a serious possibility that it will get itself into constitutional problems from which it will be very difficult to extricate itself. It is the Government's choice to make this debate about a piece of legislation which is, itself, most

devastating for most Canadians, a debate about the constitutionality of the Senate. I believe it is playing with fire and will live to regret it.

With that as a prelude, as trade critic for our Party, I want to say a few words about the connection between this Bill and the free trade negotiations which are taking place. First, let me say that it is quite clear that the pressure which started from the Pharmaceutical Manufacturers Association of Canada began well before the election of the Government. For instance, I have a copy of a detailed study on pressure groups and the federal Government, looking at the case of pharmaceutical lobbies and compulsory licensing. It is written by Mario Iacobacci. He makes it quite clear in this study that the previous Government faced a very strong lobby from the PMAC. That strong lobby has continued and we have seen more manifestations of it today.

It is interesting to note that the pressure being applied by the multinational drug companies not only took the form of pressure on Members of Parliament and cabinet Ministers through the PMAC, but took the form of pressure through the United States trade representative, William Brock at that time.

For instance, one source quoted in this study indicates:

> Brock's influence on this issue has been fairly strong. When it was raised at the recent Brock—Kelleher meeting, it was named as the first of three items on the agenda in terms of importance.

Let me reiterate that this pressure started well before this Government came into office. There is a remarkable quotation from the present head lobbyist for the PMAC, Judy Erola, who at that time was a member of the Liberal Cabinet. She indicated the following:

> When I came in it was a foregone conclusion that there would be changes to the Patent Act . . . If I had been in at the beginning I would not have had (compulsory licensing) reviewed. I would have looked at tax incentives . . . If I had been Minister before, I would not have entertained any changes to the Patent Act, but the can of worms had already been opened.

As the author of the study goes on to say:

> This exceptionally candid statement attests to the very important constraints that prevented at least this Minister, if not others, from dealing with the compulsory licensing issue in the way she deemed most appropriate.

It is important to recognize as well that this pressure from the United States to amend our drug patent laws has continued and has strengthened as the free trade negotiations have become part of the economic agenda of this country. For instance, if we look at the declaration from the Quebec summit of the Prime Minister and the President of the United States in March, 1985, there was agreement reached at that point on "co-operation to protect intellectual property rights from trade and counterfeit goods and other abuses of copyright and patent law".

In briefings which took place at that time, it was indicated that pharmaceuticals were one key part of what was being discussed in that particular item of the Quebec summit declaration.

Just as recently as this past weekend, we have had precisely the same kinds of indications in the press that make it quite clear that the United States is very interested in what happens to Bill C-22 and has tied that interest to what it is likely to do with respect to free trade negotiations. I quote from a story from *The Globe and Mail* which states: "Demonstrating resolve on C-22 will become important two months from now if the Canada-U.S. free trade negotiators come up with a tentative pact, which both Governments will then have to sell politically at home". The source for this article is then quoted as saying: "The White House isn't going to expend a lot of its political capital with Congress to sell a trade deal with Canada if we don't show we can pass a Bill like C-22 with our big majority". That very strongly suggests that what we have here in front of us is an example of *quid pro quo*.

• (1610)

We have a Government which prior to the fact is making commitments to the United States that it will carry out changes to our Patent Act in order to establish not what the recommendations of the detailed reports suggested but instead a 10-year monopoly on drug patents. In short, it will be 10 years in which drug companies, mainly from the United States but also from other countries as well—and I agree with the Hon. Member from Lachine on that point—will have the freedom to bring forward price changes which they can justify to a price review board. This will permit them to increase very, very significantly, I am certain, their profits and therefore the prices which Canadians have to pay, whether they pay them through taxes, medical care premiums or direct payments at the drugstore. That type of *quid pro quo*, that type of sell-out of our country, is simply not acceptable to this Party. It is something which we have fought throughout this debate from the moment it was introduced in the House until now. We will continue to fight it regardless of the fact that the amendments which happen to be the subject of discussion at the moment are from the Senate.

It is important to make several additional points in order to add to this sense of sell-out on the part of our Government. First, it is important to say that we have in front of us a Bill which does nothing to establish a monitoring agency which will see to it that the drug companies come through with the commitments which they have been announcing with such fanfare across the land. This includes companies which have made signed commitments, such as Firestone of the United States in the case of Hamilton, and which have backed off those commitments. What can we expect when we not only have nothing in the Bill in the way of commitments but we have nothing in it in the way of attempts to monitor the commitments which have supposedly been made?

Second, we have to look very hard at the question of jobs as suggested by the Minister and as suggested by the pharmaceutical companies themselves. In fact there have been detailed examinations of these jobs, the supposed 300,000 high-tech jobs which will be provided by this legislation. There

are indications that in fact only 1,148 of those jobs will be jobs in the professional category in the industry itself. Another 652 will be classified as technical. One would expect that these would be reasonable jobs, but they are not high-tech jobs. Finally, 620 jobs turn out to be cleaning jobs, jobs for animal keepers, statisticians, clerks, et cetera. So much for the 3,000 jobs which have been promised by the industry.

So we do not really have a commitment which holds any water in terms of providing any faith to be placed in these companies by the Government or by the Canadian people. This Bill which has been with us for a long time makes me think of the fact that prior to its introduction Canada existed as a country which was a leader in the industrialized world. It was not the only country taking such a lead. There are other countries, such as Italy, whose pharmaceutical patent laws are much looser than those of this country. We were taking a lead to see to it that in an industry dominated by multinational companies it would be possible to give a fair break to the consumer and the taxpayer. That lead was an important example to the rest of the world with respect to what could be done. It could still provide an important example to the rest of the world of what could be done if we permitted compulsory licensing to continue with the same freedom which we have permitted in the past.

Members forget that there were repeated attempts made to deal with drug prices before 1969. It proved impossible to bring those prices down. But with the legislation which was passed to provide for compulsory licensing it proved possible to bring prices down for the consumer and to give to Canadian producers a chance to enter the drug industry despite the patent conditions held by the multinational drug companies.

I consider it a great shame that with this piece of legislation Canada is moving from being a leader, a leader attempting to obtain both research and lower prices for consumers, to being a follower, a follower of the United States. We are becoming followers of the United States in the context of an abject attempt to reach a free trade agreement, but also a follower in the sense of simply accepting what the United States has done in terms of patent legislation affecting drugs.

• (1620)

If it takes the Senate to force us to have another look at this Bill, this is the one occasion, and I hope it is the single occasion in my life, in which I have to offer praise to the Senate. I think that we have received a set of improvements from the Senate. Frankly, it is not a set of improvements which are exactly what I would like to see, but at least it is an approach which is better than the one taken by the Government.

I urge the House to take the Bill to defeat what the Conservative Government is attempting to do, and to give back to Canada a sense of leadership, independence, and freedom from pressure from the United States.

[*Translation*]

Mr. Nic Leblanc (Longueuil): Mr. Speaker, in fact, for the past few weeks, we have witnessed an attempt on the part of both Opposition Parties to send the message to the Canadian people that the Americans are forcing us to pass this bill.

I think that Canadian women and men will not fall for it because they know better and they realize that promoting research and development in our country will only result in increased competition with R & D in the U.S. It is nonsense to believe that the Americans would be in favour of reducing research activities in this country. In my opinion, it is quite the opposite. The United States of America, as other nations, want to do research and development in their own country because it creates a great number of well-paid jobs. For instance, in my riding, there is a company called Pratt and Whitney where about a thousand people work on the assembly line while some 6,000 employees are involved in research and development.

Therefore, it is hard to believe that the U.S. would like us to do more research and development in Canada. And it is preposterous to try and sell that line to the Canadian people. Therefore I hope and I am convinced that Canadians will realize that the arguments put forward by the Official Opposition are utter nonsense and totally unfounded.

So, when we talk about price increases, let us remember that this bill provides for a board to review drug prices and to make sure that they will not increase faster than the cost of living. This is clearly provided for in this bill. It has been very well explained by the Minister and I cannot see why the Opposition still persists in misleading the Canadian people by predicting a 15 to 20 per cent price increase.

I wish that the Hon. Member for Essex—Windsor (Mr. Langdon) would for once tell the truth and read the wording of this bill exactly as it is. Let him speak the truth and stop playing politics.

This bill is very important for job creation. Our Party wants to create jobs, but we are prevented from doing it.

Mr. Langdon: Mr. Speaker, I simply want to say two things. First, our Party is not against research and development. Our policy is to encourage research but we also want the people to get their drugs at a reasonable price. I must say that they are many ways and systems to do and support research. I think that about 60 per cent of that research, is supported by Canadians as taxpayers. It is not a matter of being for or against research and development. We are in favour of research but we think that it is possible to have it done mainly by Canadian companies.

Second, I wish to raise the question of prices. As I said, there is an agency that will control price changes. But the important issue is the original price set by the drug manufacturer. If this price is set very high, it is very hard on Canadian consumers.

[*English*]

Mr. Lewis: I am tempted to ask my usual question about the Senate, but I do not think that I will.

I note from the *Canadian Parliamentary Guide* that my hon. colleague has a Ph.D. Does he feel that a doctoral thesis should be protected by copyright, which is analogous to a patent? Does the Hon. Member believe that Ph.D. students should be allowed to use his research and quote extensively from his thesis without attribution or compensation?

If so, in what manner does my hon. friend distinguish from that proprietary right of a thesis, and the proprietary right of a patent?

Mr. Langdon: I fear that this indicates that the Parliamentary Secretary does not have a Ph.D.

It is not at all the pattern that people attempt to protect their Ph.D. thesis. In fact, if the Hon. Member wanted to inquire into my Ph.D. thesis, he would find that it was quoted in a fair number of places.

Mr. Lewis: Without attribution?

Mr. Langdon: Without any payment of royalty, or copyright coming to me.

Mr. Lewis: Without attribution?

Mr. Langdon: The point is whether there is any attribution of funds taking place. In the case of Ph.D. theses, of books, and of virtually anything that is intellectual property, it is quite possible for this intellectual property to be used by somebody else. Yes, with attribution, but not with payment. This is where the drug companies have managed to sell a snow job to the Canadian people by suggesting that it is intellectual property that they are selling.

• (1630)

An Hon. Member: To the Tories, not to the people.

Mr. Langdon: Just to the Tories, I concede. Certainly, to the Tories.

Mr. Lewis: It is not intellectual property.

Mr. Langdon: It is intellectual property.

The Acting Speaker (Mr. Paproski): There is time for one short question from the Hon. Member for Portneuf (Mr. Ferland).

[*Translation*]

Mr. Ferland: Mr. Speaker, I see that my respected colleague for Essex—Windsor (Mr. Langdon) is always very loyal to his Marxist-Leninist-Trotskyist policy. However, I would appreciate it if he explained how come he, a great proponent of socialism, supports the Senate in its struggle to abolish the Review Board that would aim at controlling, for the first time in this country, 100 per cent of the value of generic drugs in Canada and would be chaired by someone whom the Official Opposition has been harping on about since the beginning, Dr. Harry Eastman.

Mr. Langdon: Mr. Speaker, there was reference to socialism, Marxism, and now they refer to Marxism-Leninism. That is really something. But I can say, as a social democrat, as the representative of many people who want no price increase from this Government, as a Member of Parliament, I must state it is important to scrutinize all Bills that are introduced in this House. This Bill must be scrutinized if we are to protect our constituents. When I look at—

The Acting Speaker (Mr. Paproski): I am sorry, but the period for questions and comments is over. Debate. The Hon. Member for Edmonton West (Mr. Dorin).

[*English*]

Mr. Murray Dorin (Edmonton West): Mr. Speaker, I want to thank you for the opportunity to participate in this most important debate. We are bringing to the forefront some of the most fundamental issues before the Government of Canada today. We are exposing some of the fundamental differences between our approach and that of the opposition Parties. We have before us a proposal by the Government to change the Patent Act with respect to the laws surrounding the production of pharmaceuticals. It has been passed by the House of Commons but blocked by the Senate which wishes to retain the *status quo*.

[*Translation*]

Mr. Speaker, you could get out of this House right now and see a crowd of people before Parliament—more than two thousand people. I never saw a larger crowd. They are here to support Bill C-22. They know this represents investment and jobs, jobs in Montreal, Toronto, Edmonton, and across Canada. Those people are here to tell the Senate, those non-elected liberals, to stop obstructing the legislation. They want a pharmaceutical industry in this country, they want the research and development and the jobs this will create.

[*English*]

I support Bill C-22 because it will be good for the economy of Alberta. It will be good for Alberta universities and their research capabilities. It will be good for Alberta companies and for Alberta health care.

We have spoken in this House before about the importance of western diversification and the importance of introducing new industries in the West which will reduce our dependence on world prices of oil and grain. Bill C-22 is another piece of legislation which fits well into this Government's series of initiatives to encourage western research, development, marketing and industry.

My province has been making a concerted effort to diversify its economic base and to date has had limited success. Because Bill C-22 is so important to this diversification effort, it comes as no surprise that the Alberta provincial Government has

been an active supporter of the Bill. It has chosen to focus its attention and its diversification efforts in the fields of telecommunications, petrochemicals and biotechnology because these are areas in which Albertans have already proven their capabilities.

Fibreoptics and cancer research are only two of the areas in which we excel. The provincial Government showed its commitment to biomedical research with the establishment of the Alberta Heritage Foundation for a medical research endowment fund created by former Premier Peter Lougheed.

The province has committed itself to research as one aspect of diversification. We, the federal Government, have committed ourselves financially to the diversification of the West, and we are now given the chance to commit ourselves again. Alberta has a strong commitment to biotechnology but we have not seen the success we would like to see in the growth and development of pharmaceutical research. Why is that? Bio-technological research is in the grey zone of drug patent law, so it is not inhibited in the same way as pharmaceutical research. Bio-tech firms differ from pharmaceutical manufacturers in that they manipulate existing biological materials rather than synthesize man-made chemicals.

Because there has not been patent protection, it has been difficult to transform basic research into products that can be sold on the market. We cannot sell our drug research to larger companies because they are not protected if they decide to sell what they can develop from that research. We cannot secure the type of investment capital that is needed in research because we cannot sell the research results which are generated.

As you see, Mr. Speaker, Alberta drug research companies are caught in a vicious circle. They cannot sell the results. They cannot get money. If they cannot get money, they cannot continue research.

If our fledgling drug research industry is to grow, we need the patent protection this Bill offers. If the federal Government will provide the patent protection, Alberta research centres can thrive. We have the technology, the scientists and the potential. All we need is the patent amendments that this Bill proposes.

Alberta's economic development Minister, the Hon. Larry Shaben, commented in the *Calgary Herald* on January 8 that this Bill will allow Alberta to build a petrochemical based drug industry. He said:

> We believe very strongly that there is a terrific potential which is close to being realized of establishing jobs—highly skilled jobs, manufacturing companies and capabilities in that area.

We are committed to those companies. There is an argument advanced by persons opposing this Bill that the Bill does not include safeguards, that it does not prescribe how companies must spend their research and development money, that it does not offer guarantees in legislation—

Mr. Riis: On a point of order, Mr. Speaker, I looked around the Chamber and I do not believe we have a quorum to enable us to proceed.

The Acting Speaker (Mr. Paproski): Let me see.

Mr. Riis: There does not seem to be a quorum.

The Acting Speaker (Mr. Paproski): The Members behind the curtain, are they in the House or out of the House?

There is no quorum so I ask that the bells be rung.

And the bells having rung:

• (1640)

The Acting Speaker (Mr. Paproski): We shall resume debate as I see a quorum. The Hon. Member for Edmonton West (Mr. Dorin) has the floor.

Mr. Dorin: Mr. Speaker, I find it unfortunate, and I will not take it personally, that certain Members of the House chose to rush for the lobby and out of sight a few moments ago. It is rather childish behaviour—

Mr. Prud'homme: Mr. Speaker, I rise on a point of order.

The Acting Speaker (Mr. Paproski): Before I recognize the Hon. Member, I would just like to say to the Hon. Member for Edmonton West (Mr. Dorin) that he should not reflect on the presence or absence of Members in the House.

Mr. Prud'homme: Mr. Speaker, rightly so, you have reminded the Hon. Member that he is not to comment on that. We could easily comment too by saying that a Government that has 211 Members could certainly keep a quorum in the House, but I think the Member—

Some Hon. Members: Oh, oh!

Mr. Prud'homme: Please allow me to finish. The Deputy House Leader may not have mentioned Hon. Members in particular but he surely did mention Parties and I think that is the equivalent of mentioning names.

I thank you, Mr. Speaker, for having kindly and gently reminded the Hon. Member that he should proceed with his speech. The rules are there at our disposal to use in any way we see fit. I think the Hon. Member should continue and we will listen to him, but we will apply the rules as well.

Mr. Lewis: Mr. Speaker, I rise on the same point of order.

The Acting Speaker (Mr. Paproski): It is debate, it is not really a point of order, and I would like to hear the speech of the Hon. Member for Edmonton West (Mr. Dorin). I do not think it is necessary to carry on with this. The Hon. Member for Edmonton West has the floor on debate.

Mr. Dorin: Mr. Speaker—

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): Mr. Speaker, I rise on a point of order. I would think it important when debating a Bill like Bill C-22 that the opposition Parties, both Liberal and NDP—

Mr. Riis: That's not a point of order.

Mr. Gray (Bonaventure—Îles-de-la-Madeleine): — understand that we want the Bill to go through and that they agree with it.

The Acting Speaker (Mr. Paproski): That is debate. The Hon. Member for Edmonton West has the floor on debate and I would like to hear the Hon. Member.

Mr. Dorin: As I was saying, Mr. Speaker, there has been an argument advanced by persons opposing this Bill that the Bill does not include sufficient safeguards, that it does not prescribe how companies should use research money or offer in the legislation guarantees for research and development.

The Minister has repeatedly outlined commitments of over $1 billion in research and development that will take place in Canada and that jobs will be created. People say that there is no guarantee that that will happen, but I say that we have more faith in Canadians and what Canadians will do than that.

Mr. McCurdy: You have faith only in the Minister.

Mr. Dorin: I also have a lot of faith in the Minister, if the Hon. Member would like to know. The Minister has been doing a very good job.

We heard those arguments back in the fall of 1984 and the spring of 1985 when we were proposing to deregulate the price of oil. The socialists said then that we should legislate conditions to go along with the elimination of the various penalties and taxes that they had helped to impose. The industry told us that those dollars would go into exploration, development and the creation of jobs, and we accepted that on good faith. The result was that in 1985, the oil patch had the largest year ever. Unfortunately, subsequent events were such that that could not continue.

We have learned a lesson from that experience which is relevant here. Again, there are commitments from Canadians wanting to do research and development, to build a pharmaceutical industry and to manufacture pharmaceuticals in Canada that they will go ahead with their plans and provide that investment and those jobs. We take them at their word, and we do not accept the arguments of the NDP that the Canadian industry and workers must be bound by legislation in order to see growth and prosperity. In fact, we believe the opposite is true. Given the appropriate environment and an amount of good faith from the Government, Canadians will respond in a creative and industrious fashion and we will see investment, research, development, jobs and, in this case, new drugs and new hope for the people of Canada.

We have seen that record referred to by the Organization for Economic Co-operation and Development which announced a week ago that Canada had the best job-creation record in the western world. It commented on the positive policies of the Government in that regard.

When we create a better climate for research companies, we encourage them to expand and to hire Canadian-trained researchers. We protect them when they want to market the products they have developed and we benefit from the economic and technological growth they create.

In summary, by helping these companies to grow, we are helping the western economy to grow. I cannot imagine why opposition Parties are opposed to growth in the economy and particularly in the western economy.

I mentioned that Bill C-22 is good for Alberta companies. I would like to talk about three Alberta-based companies and to outline benefits they will see if Bill C-22 is passed.

Biomira Inc. is an Edmonton company which spends $3 million per year on the research and development of a cancer vaccine. Its President, Gordon Politeski, knows that his company will benefit. If this Bill is passed, he plans to expand his research program, but if it is not passed, he is seriously considering relocating to the United States or another country which grants the patent protection which pharmaceutical research deserves.

Chembio-Med is 100 per cent-owned by the University of Alberta and has 50 employees. It is expected to grow quickly if the Bill is passed. Synphar Pharmaceuticals is a new company which has 20 employees. It hopes to grow to 250 by 1990. I mention these companies because they will be hiring at the scientist and researcher levels. These are levels where there were previously few opportunities. All three firms rely on the passage of Bill C-22 to expand.

There will be new companies as well. The Calgary Research and Development Authority, a group which is sponsored by the City of Calgary, the Chamber of Commerce and the University of Calgary, was formed to foster research and a research-based technology industry in that city. Mr. Croft, the President of that organization, explained to the legislative committee studying this Bill that biological and genetic research now being developed at the University of Alberta and the University of Calgary could provide the basis for a new high-tech sector. This could only occur after the system of allowing companies to copy new pharmaceuticals is changed.

I would like to refer to Mr. Croft again because one of his statements summarized the difficulties faced by Alberta companies. He argued that the inhibiting nature of compulsory licensing is demonstrated by the absence in Alberta of small pharmaceutical research firms, even though the province has become an emerging centre of other high-tech firms.

Bill C-22 is also good for Alberta universities. There is a commitment, dependent on this Bill, of $100 million to the University of Alberta and $32 million to the University of

Calgary. Alberta has the third-largest amount of research and development expansion after Ontario and Quebec. Approximately 30 per cent of the money the passage of this Bill will bring into the economy will go to Canadian universities.

The *Calgary Herald* explained that Alberta hospitals, universities and research centres stand to gain $100 million in private grants for drug research in the next 10 years if this Bill is passed. Those are private grants, not government money. That is a tenfold increase over what is now being spent.

• (1650)

We can see the effect in how well Alberta universities can compete. The University of Calgary's researchers have a proud list of pharmacological projects, including research into anti-cancer drugs such as Interferon and new anti-diabetic agents.

Passage of Bill C-22 will be good for Alberta health care as it will be good for health care across the country. All Members of this House know the Bill does not affect drugs currently on the market. It applies only to drugs which may be invented in the future. I therefore find it reprehensible that Members of this House who know better are attempting to use scare tactics on senior citizens and others by suggesting that somehow this Bill will increase the cost of drugs they use. That is totally false. Any suggestion like that is an attempt to mislead the public. This Bill seeks to create an environment where we can increase scientific research and development in drugs and health care and build an industry to produce and sell those drugs.

It is useful to compare the original Bill and the Senate version with respect to jobs and cost to consumers. I know the Consumers' Association of Canada has not supported this Bill. I spoke to the President of that association, one of my constituents, earlier today. However, I would like to point out that the original Bill will result in a $1.4 billion investment in new research and 3,000 jobs. The Senate's royalty scheme would produce a fund of between $140 million and $225 million. Similarly, over 10 years, according to the Eastman report, the cost to consumers would be in the neighbourhood of $700 million to $1.1 billion. The Senate proposal does not include a drug prices review board. We can only conclude that the Senate's proposals are far more detrimental to the consumer than the Government's legislation and they have nowhere near the economic benefits of the original Bill.

This Bill is not about drugs, it is about jobs. We can allow research and development to be done in the U.S., Japan and Europe and buy the products they produce, or we can develop our own industry. This Bill is also about democracy and whether or not an unelected institution can thwart the will of elected representatives.

Some Hon. Members: Abolish it!

Mr. Dorin: I would like to continue but I think I have come to the end of my time. I thank you for this opportunity.

The Acting Speaker (Mr. Paproski): Questions or comments.

Mr. Orlikow: Mr. Speaker, I would like to ask the Member several questions. First, can he explain to Members of the House why in the years until 1969, when we did not have this legislation which supposedly stopped the drug companies from doing research—and if I am wrong I would like to hear from the drug companies—there was not a single important drug for serious illnesses developed by any Canadian company? The only important drug until 1969 was insulin developed at the University of Toronto medical college. If they did not do it before, why should we expect them to do more after we pass this legislation?

The Hon. Member also referred to his constituent who happens to be the President of the Consumers' Association of Canada. Does he not find it strange that that association, labour unions, seniors' organizations, farm groups like Keystone Agriculture in Manitoba, are all so gullible, ignorant and incompetent that they have been taken in by the biased misinformation they are getting from this side of the House? Or is it that perhaps they are right and the only people who are wrong are the Government and the industry?

Mr. Dorin: Mr. Speaker, I am not sure why our record in the development of drugs prior to 1969 was so bad. I can tell you one possible reason, however, and that is that a lot of Alberta universities and companies headed by aggressive entrepreneurs are ready to go as soon as this Bill passes, and we did not have that then. A lot of Albertans are poised to do that development if no one else wants to. Certainly we have opinions from other people. There is a wide variety of opinion. However, we must remember that they represent not necessarily the broader national interest of the country but their own particular interest. All these associations put forward a position reflecting the vested interests of their members.

I am a member of the Standing Committee on Finance and Economic Affairs which is now studying tax reform. It is rare that I have to look beyond the cover of a brief to know what a given group is going to be saying and what position they are going to be taking. The Hon Member knows that. Those people are paid, appointed or elected to put forward the view from the perspective of their association. They are doing their job and I commend them for it. We in this House are elected to evaluate all those views and make a decision on what is best for the country in the broadest sense.

Mr. Lewis: Mr. Speaker, I joined with the rest of the House in dismay when my hon. colleague talked about the people of Alberta being industrious and my friend from Windsor—Walkerville, in the NDP, laughed.

I wanted to ask my colleague a question. He will know that the traditional NDP policy has been to abolish the Senate. Yet last week the NDP House Leader was quoted as saying: "We would assume the Senate would see the wisdom of stopping this Bill". He then went on to say: "But the fact is they do

some good work some of the time". What does my colleague think his constituents will feel about an appointed Senate, with the support of the NDP, stopping this Bill which has been passed by the duly elected representatives of the House of Commons?

The Acting Speaker (Mr. Paproski): The Hon. Member for Edmonton West (Mr. Dorin) has 30 seconds.

Mr. Dorin: I heard the rumour that they did good work over there. I suspect that when it happened I must have been out or in my riding. My province is at the forefront of calling for Senate reform, and any change from abolition on up would be a step forward.

The Acting Speaker (Mr. Paproski): It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

* * *

• (1700)

CRIMINAL CODE

MEASURE TO AMEND

On the Order: Private Members' Business

June 10, 1987—Second reading and reference to a legislative committee of Bill C-258, an Act to amend the Criminal Code (war crimes and crimes against humanity).

Mr. Gauthier: Mr. Speaker, I rise on a point of order. The Member for York Centre (Mr. Kaplan) whose Bill has been called at this time, has a conflict. The conundrum is as follows: Bill C-258 which is now before the House deals with the same subject matter as Bill C-71 which, the House will recall, was given second reading on August 20, last Thursday. The legislative committee on Bill C-71 is meeting at this time and the Member cannot be in two places at one time. He thought it was his duty to attend the committee on the government Bill rather than pursue his own initiative, Bill C-258.

Therefore, I request that his Bill fall to the end of the order of precedence and that the House be adjourned.

Mr. Lewis: Mr. Speaker, this being Private Members' hour it would be presumptuous of me to say that I am responding on behalf of the Government. However, I think I can safely say on behalf of members of my Party that we agree that the Bill was put forward by my colleague from the Liberal Party in good faith. The government Bill, C-71, encompasses all of the things in this Bill and goes much further.

In the spirit of co-operation, since we are trying to do the country's work, I wonder if my hon. colleague would see fit—

Mr. Riis: No.

Mr. Lewis: —to use this hour of House time to proceed with government business in order that legislation can be passed, or does he want to join my friend in the NDP and have a holiday for an hour?

Mr. Gauthier: Mr. Speaker, it would be presumptuous of me to call for the unanimous consent which must be given in order for the Government to proceed with Orders of the Day. Therefore, I will wait to learn what the indications of other Members of the House are.

The Acting Speaker (Mr. Paproski): Since the Hon. Member for York Centre (Mr. Kaplan) is not present to move the motion for second reading of Bill C-258 for which notice has been given, the order will be dropped to the bottom of the order of precedence.

Is there unanimous consent to carry on with Orders of the Day?

Some Hon. Members: Agreed.

Mr. Riis: No.

The Acting Speaker (Mr. Paproski): There is not unanimous consent. Is there unanimous consent to proceed with the adjournment debate?

Some Hon. Members: Agreed.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

UNEMPLOYMENT INSURANCE—INQUIRY WHY ELDERLY WORKER WITH COLLECTIVE PENSION PLAN IS PENALIZED—INQUIRY WHY THERE ARE TWO CLASSES OF ELDERLY WORKERS IN CANADA—INQUIRY WHY CERTAIN CATEGORY OF ELDERLY WORKERS IS PENALIZED

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, after a debate which clearly showed once more the indifference and lack of concern of this Conservative Government for the Canadian people, I would like to come back to a question which I asked the Minister of Employment and Immigration (Mr. Bouchard) about the unemployment insurance benefits of older workers.

Mr. Speaker, I believe that it is important to remind the Members of this House and those Canadians who are now listening to us in their homes that, in the past, when an older worker lost his job, accepted early retirement to protect the jobs of younger workers and continued looking for work even though he received benefits from the pension plan to which he had contributed, he was also entitled to unemployment insurance benefits. Unfortunately, in January 1985, this

Conservative Government decided to put an end to this practice, and without informing those who had applied for unemployment insurance benefits after taking an early retirement, the Government cut off their benefits.

After a hard fight of 17 or 18 months and with the support of thousands of older workers in the regions of Quebec City, Sherbrooke, Abitibi, Rouyn-Noranda, the North Shore, Montreal, and especially the Montreal—Sainte-Marie constituency, we were able to make the Government go back on its decision and reverse its position, just as we had done in the case of the partial de-indexation of old age security pensions

As of now, 46,000 older workers in Canada have been reimbursed the unemployment insurance benefits to which they were entitled and received an average of $10,000 each.

Unfortunately, and in this case, I asked my question to the Minister of Employment and Immigration (Mr. Bouchard), because of the silence and indifference of the Conservative and New Democrat Members who have done nothing about this issue, we have to continue our representations because there are 2,500 other workers in Canada who lost their jobs before January 5, 1986, and had accepted to take early retirement under the rules which applied at the time.

But unfortunately these people were known to have left their employers on December 31, 1985. New Year's is a holiday and the offices of employment centres are closed, so the Government does not want to do them justice quite simply because the men and women who went to see the Canada Manpower Centre staff to apply for unemployment insurance benefits were told by the officials: No, you are not eligible right now. Come back in three weeks or a month because you just got your severance pay. So they did come back, but today the Government refuses to reimburse them.

This is what I would like to know from the Member or the Parliamentary Secretary who will be answering my question: On the basis of what social justice principle does this Conservative Government maintain two classes of older workers? We have an older worker who has set aside part of his wages and transferred that part to an employer pension plan, and we have another older worker in another company who has saved up part of his income to contribute to a Registered Retirement Savings Plan. The result is that the latter is entitled to draw full unemployment insurance benefits, even if he is receiving $400 or $500 per week from his RRSP. Unfortunately for Canadians listening to us now who opted for early retirement, when they were hired, like our public servants and our military, they had to pay unemployment insurance benefits and contribute to an employer pension plan.

But when these people lose their jobs, and there are hundreds and thousands of people losing their jobs in the regions, they go to the Unemployment Insurance Office and they are told: No. The Mulroney Government will not give you your unemployment insurance benefits. The Conservative Government and Conservative Members say: No, we don't trust your word, we don't believe you. Go get another job. If you do find another job and you lose it, then you will be eligible. That is outrageous! It is completely outrageous, Mr. Speaker, to treat a worker like this.

Mr. Speaker, I wish the Minister's Parliamentary Secretary would tell us why, on the basis of what kind of social justice, his Government is proceeding in this way. How can Conservative Members meet older workers and still talk to them without shame? And this decision does not apply just to today's older workers, it applies to all workers.

Today, Conservative Members were pulling out all the emotional stops to save jobs, Mr. Speaker, but I think it is time justice were done.

Mr. Speaker, you are telling me my time has expired. I hope the Parliamentary Secretary has good news—not for me but for thousands of older workers who are awaiting the Government's decision. I hope he says his Government will reimburse all older workers and eliminate this discriminatory treatment of our workers.

• (1710)

[*English*]

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I am pleased to have this opportunity to respond to the question raised by the Hon. Member on March 31 concerning unemployment insurance and pensions.

Pension agreements constitute an essential part of an employee's earning package. It is the Government's view that pension income is paid as compensation when regular earnings are no longer forthcoming and that persons who have retired from the labour market should not look to unemployment insurance as a supplementary source of income in retirement.

The unemployment insurance regulations regarding the treatment of pension income were introduced on January 5, 1986. However, as the Hon. Member will recall, on December 5, 1986, the Government announced its intention to amend the regulations. The Bill which the Minister of Employment and Immigration (Mr. Bouchard) recently introduced in the House will enable persons in receipt of pension income to requalify for full unemployment insurance benefits if they take a job after their retirement and they work long enough to qualify for unemployment insurance benefits.

Furthermore, the Minister of Employment and Immigration indicated to the House on March 18 that persons who had applied for unemployment insurance prior to January 5, 1986—those people who applied under the previous rules—will have their entitlement to unemployment insurance benefits determined under the previous rules. It should therefore be obvious that the Government has bent over backwards to ensure that persons taking early retirement are treated equitably and fairly.

The Hon. Member implies that there is no fundamental difference between an employer-sponsored pension plan and a regular Registered Retirement Savings Plan. However, this simply is not correct. Pension plans are a term and condition of employment generally requiring contributions by both employer and employee to finance future pensions. Thus, they take the form of deferred employment earnings.

A Retirement Savings Plan, on the other hand, is based predominantly on a voluntary, individual savings decision. It is only one among many ways that an individual may accumulate savings.

I want to conclude by affirming the Government's resolve to treat all persons, including older workers, equitably and fairly under the unemployment insurance system while, at the same time, reinforcing the fundamental role of unemployment insurance as a scheme for temporarily replacing lost employment income.

REFUGEES—REPORTS OF POSSIBLE ARRIVAL OF TAMILS FROM GERMANY

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, on February 10 I asked the Minister of Employment and Immigration (Mr. Bouchard) what the Government planned to do to prevent further abuse of our immigration and refugee policies. My question was in response to a large influx of Central Americans coming across our Canadian border from the United States and also because of rumours that possibly more Tamils would land on our shores.

The Minister replied that he would introduce legislation to clear up the problem and he followed through with his plan. Shortly after our interaction in this House, he announced a series of very responsible administrative changes to the refugee claims system. These revisions increased our ability to help genuine refugees while deterring system abuse.

At that time, the blanket policy on admissions and non-deportation which applied to certain countries was cancelled. As well, people coming from those countries whose citizens required visas to visit Canada were required to have transit visas if they were travelling through Canada *en route* to another destination. I was encouraged by these measures but continued to press for legislation to meet the increasing number of claimants.

As we all know, people claiming refugee status landed on our shores in July. The Immigration Act of 1976 stated that anyone in Canada, whether here legally or illegally, be given the right to a determination of their claim by the Minister, and a redetermination before the Immigration Appeal Board of any claim rejected by the Minister.

The Ministers of Immigration were bound by law to allow these people to stay in Canada. Cries of "Ship them back" were absolutely out of the question. Canada is a law-abiding country.

Just two months before this, Bill C-55, amendments to the Immigration Act of 1976, had been introduced. The Opposition Parties strongly opposed the Bill, saying that it was too tough. I agree that it is tough, but it is fair. Even more important, it is necessary.

My constituency office in Fraser Valley East was inundated with calls and letters from Canadians who feel that those aboard the boat were jumping the queue, making it even more difficult for legitimate refugees to be processed through the legal channels. They asked me to pass on the message that Bill C-55 must be passed, and I did so gladly.

As a sovereign country, Canada must have the right to decide who comes into our country. Our laws must be strong enough to prevent further abuse. Too many people are now claiming entry who are not genuine refugees. I am satisfied that Bill C-55 and the recent legislation, Bill C-84, the deterrents and detention Bill, will make it clear to all people that Canada cannot and will not permit this abuse to continue. We will stop bogus refugees.

As a result of the request of our Prime Minister (Mr. Mulroney) to the Speaker of the House that Parliament be recalled, Bill C-55 and Bill C-84 have been read a second time and referred to legislative committees for examination. I trust that my hon. colleagues on both sides of the House will recognize the importance of these two pieces of legislation and will not attempt tactics to slow down the process. We have to rationalize our law toward refugees as soon as possible.

Bill C-55 remains committed to genuine refugees in need of our protection by establishing an independent body, the Immigration and Refugee Board. Cases will not be referred to this board when claimants are returnable to a safe third country, or if they fail to establish a well founded fear of persecution by not providing sufficient support of their claim, or if there are significant doubts as to the credibility of the evidence supporting their claims for this status.

The deterrents and detention Bill introduced this summer will substantially increase the penalties for traffickers of human cargo to a 10-year jail sentence and $500,000 fines. It will also impose heavier fines and penalties on transportation companies that bring undocumented people to Canada. The vast majority of improperly documented persons do not come in by the boatload, but actually by Canadian ports of entry on scheduled carriers. This means that we will have one law and this law will apply to all groups who overstep the rules. We cannot have two sets of laws for one situation.

As we have often heard, many who arrive illegally do not have any documentation. The deterrents Bill will require claimants to remain in detention for up to 21 days rather than seven if they do not possess proper documentation. If necessary, additional detention can be required until identity is proven. Since many Canadians expressed serious concerns about the background of certain refugees, this Bill will give the Government the power to remove people who pose a criminal or security threat to Canada.

I believe that these two pieces of legislation, Bill C-55 and Bill C-84, are absolutely essential and are supported by the majority of Canadians. It is imperative that we protect bona fide refugees. We must tell the world that Canada will continue to open her arms to real refugees but we will not allow our laws to be abused or thwarted, nor will we let our record of humanitarianism become a laughing matter.

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I welcome the opportunity to expand upon the reply given by the Hon. Minister of Employment and Immigration (Mr. Bouchard) to the Hon. Member for Fraser Valley East (Mr. Belsher) on February 10, 1987. I thank him for his comments on a subject that I know he holds very dear to his heart and on which he has worked very hard in our caucus.

In reply to the Hon. Member's question as to what we are doing to prevent further abuse of our immigration and refugee policies, I would draw the Member's attention to our recent efforts in this respect.

On February 20, 1987, this Government instituted control measures to stem the flow of illegal migrants posing as genuine refugees coming to Canada. These measures covered three primary areas. First, the cancellation of the existing blanket policy of admission or non-deportation of nationals of certain countries, which meant that all claimants, regardless of their country of origin, were treated in the same way. Second, the enforcement of existing provisions under the Immigration Act allowing us to better control the flow of refugee claimants from the United States. Pursuant to this measure, claimants remain temporarily in the United States until immigration hearings can take place. Third, the imposition of transit visas to stop illegal migrants from using the short stopover in Canada to claim refugee status.

These control measures, designed to discourage the arrival of economic migrants posing as genuine refugees, have been successful in that the number of arrivals has dropped dramatically. There were over 4,200 potential refugee claimants who appeared at Canada's ports of entry in February. This number was reduced to over 1,700 in March and stabilized at just over 1,600 in July, 1987.

• (1720)

The Government has also gone on to introduce two important pieces of legislation, Bills C-55 and C-84, which are presently in the committee stage, and to which the Hon. Member has alluded. His knowledge possibly exceeds mine in that area.

Bill C-55 establishes a new refugee determination system, indeed, a fair and efficient system which will result in the speedy resolution of refugee claims. This new Bill replaces the current eight-step process by a three-step system which will put an end to long delays and uncertainty for genuine refugees while speedily removing rejected claimants.

More recently the Government tabled Bill C-84 which embodies firmer deterrent measures designed to dovetail with Bill C-55 to provide immediate protection from abuse. The Bill strikes out the sources of the abuse by substantially increasing penalties for smugglers and strengthening security enforcement. Persons who arrive without proper documentation will be detained until their identities can be established; transportation companies carrying undocumented persons will be more heavily fined; and persons posing criminal and security threats will be swiftly removed.

With these measures we can better manage our borders, and deter abuse. We renew our abiding commitment that genuine refugees will continue to be welcomed in Canada.

CORPORATE AFFAIRS—HIGH INTEREST RATES CHARGED TO CREDIT CARD USERS—INTERVENTION BY ILLINOIS STATE TREASURER

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I rise to try to get the Government to act on the rip-off which major banks, retail companies and energy companies are forcing on hundreds of thousands of Canadians, mostly, or almost all of whom are in low or middle-income brackets.

The interest rate on unpaid balances of credit card users charged by the banks which operate Mastercard and Visa, those who operate the major retail chains such as Eaton's, The Bay and Sears, and the gasoline companies, vary from 16.5 per cent to 28.8 per cent. On top of that many of these institutions have instituted a user-fee of $1 per month or a transaction fee of 25 cents per transaction.

These rates came into effect in the early 1980s when the prime rate set by the Bank of Canada was almost twice as high as it is today. At that time I suppose it was necessary for these companies issuing credit cards to set their rates in the 20 per cent or more range, which is what they did. The prime rate set by the Bank of Canada, the rates which banks charge and the rates which they pay to depositors have come down substantially. Yet the banks and the other organizations such as retail chains and energy companies have stubbornly refused to bring down their interest rates.

It took repeated speeches, repeated questions, an inquiry by the Finance Committee of the House of Commons, as well as a threat by the Minister of State for Finance (Mr. Hockin) before the banks which operate the major credit card groups such as Mastercard and Visa brought down their rates somewhat a few months ago. The retail chains and gasoline companies simply ignored the complaints and the advice of the parliamentary committee. They are ripping off the public.

There are other groups which have done a much better job than the ones I have already mentioned. For example, credit unions in Saskatchewan and Ontario are offering a Mastercard tied to the over-draft rate of 12.5 per cent. This is 6.1 per cent less than the other credit card companies charge, except Canada Trust which recently cut its rate. As well, they charge no other fee. The credit card companies touted out all manner

of excuses for not being able to cut rates. However, as I indicated, they did cut rates a fraction back in February. Just as soon as the bank rate went up a few weeks ago, the companies began to increase their rates.

The parliamentary committee which studied the question made a number of recommendations. I would like to refer to one, one to which the Minister of State for Finance should pay attention. This recommendation appears in the report of the parliamentary committee and is dated March, 1987. It is the committee's sixth recommendation. It states that although the committee recommends that ceilings on interest rates not be imposed at this time, present money market rates indicate that there should be a substantial downward movement in credit card interest rates and other related charges. In the event that major Schedule A banks do not take action, at least to the extent of the action taken by the Toronto-Dominion Bank, then the Minister of Consumer and Corporate Affairs (Mr. Andre) should investigate to determine if there is anti-competitive behaviour and take appropriate action.

I can tell the Minister what the action should be. The State Treasurer of the State of Illinois took action. He wrote to five or six of the major banks in his state, asking them to lower their interest rates. He told them that if they did not, he would move the state funds which the banks held to other banks. They complied and interest rates in February of this year in that state were at 13.8 per cent. Not only that, the Treasurer introduced a Bill into the State Legislature which provided for an amendment to an Act in relation to the rate of interest. It imposes a ceiling on credit card revolving credit interest rates at the amount of 3 per cent over the prime rate established by the largest bank in Illinois. It provides for such a rate to be adjusted every six months.

We could take the same action here. We could introduce legislation which would tie the interest rates charged to people who do not pay their unpaid balances when they receive their statements to a fixed percentage over the interest rate set by the Bank of Canada.

This is an important matter. Members of Parliament, people who are in the upper-income brackets who use credit cards, pay whatever balance they owe when they receive their statements. They are able to do that. But there are hundreds of thousands of Canadians who find that they cannot do that, and they let it ride. They are being hit with charges of anywhere from 18 per cent to 28 per cent. That is reprehensible. It ought not to be permitted. If the companies involved will not take action voluntarily, then I call upon the Government to bring in legislation which will prevent them from doing this.

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I would like to thank the Hon. Member for his intervention in this regard. I should point out that the Hon. Member has raised an issue that has been discussed many times in the House, namely, the spread between the Bank of Canada rate and the other lending rates in the market-place.

As the Hon. Member knows, on May 26, 1986, the House of Commons issued an order to the Finance Committee to study the present interest rates charged by credit card companies. The Finance Committee tabled its report in March of this year. The Government welcomes the report. At this time, I would like to commend the committee members for their efforts in reviewing this important topic.

The report contains seven recommendations. For most readers the report's principal findings would probably be that there was some room for the level of credit card interest rates to be reduced. Based on the information that was provided by the credit card companies, the House Finance Committee estimated that credit card companies could lower their charges to consumers by about 3 per cent through a combination of lower interest rates, user fees, and longer grace periods.

• (1730)

In April, the major banks lowered their customer charges along the lines of the report's recommendations. Some, but not all banks have recently announced that they will be increasing their credit card rates by just over .5 per cent in October. I would note that since April the prime rate has increased by 125 bases points, from 8.75 per cent to 10 per cent.

While there is undoubtedly a linkage between the bank rate and other interest rates, such as the chartered banks' prime lending rate and credit card interest rates, I would note that it is not an exact or inflexible relationship. The committee's report found that there is not a direct one-to-one relationship between short-term interest rates like the Bank of Canada rate, and the credit card rates. The rates charged by credit card companies reflect a number of considerations and influences. A change in the bank rate does not automatically warrant a change in the credit card rate.

The recommendations of the report deserve careful study. Hon. Members should note that several of the recommendations require federal-provincial consultations. In this regard, the Minister of Consumer and Corporate Affairs (Mr. Andre) has established a working group with his provincial counterparts to review the whole issue of cost of credit card disclosure for all types of consumer lending, and the harmonization of federal and provincial requirements.

I believe that the House Finance Committee's report shows that credit cards perform a useful function, but that there is a need for more information so that consumers can take advantage of the existing competition in the market-place. I would remind the Hon. Member that the Government has already started the process of modernizing and strengthening our financial system.

On December 18, 1986, the Minister of State for Finance (Mr. Hockin) tabled the policy paper entitled "New Directions for the Financial Sector". The proposals will allow more players into the market-place, which will benefit not only borrowers but also savers who provide funds to financial intermediaries.

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly, this House stands adjourned until tomorrow at 2 p.m. pursuant to Standing Order 3(1).

The House adjourned at 5.33 p.m.

HOUSE OF COMMONS

Wednesday, August 26, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

ROAD SAFETY

NEED FOR EQUAL PROTECTION FOR ALL AUTOMOBILE PASSENGERS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, 4,630 Canadian men and women lost their lives in 1985, and 258,000 of our fellow citizens were injured in highway accidents—262,630 road victims altogether. In the same year, 46,333 people died from malignant tumours and 58,331 from heart diseases. The road made more victims than these two illnesses combined.

Considering the money we spend on medical research to save lives, it seems to me that North American car manufacturers could easily install safety belts, an initiative which does not require research since the technology already exists.

Since 1969 European cars makers have been installing shoulder safety belts for rear-seat passengers.

I would urge all Canadian men and women to sign the petition I am circulating so that North American manufacturers will understand that time has come to provide all passengers—front—and rear-seat occupants alike—with the same protection in case of road accidents. The money saved in hospital care could be earmarked for research in and development of cures for heart conditions, cancer and other diseases.

* * *

REGIONAL ECONOMIC DEVELOPMENT

PERFORMANCE OF ABITIBI—TÉMISCAMINGUE REGION

Mr. Guy St. Julien (Abitibi): Mr. Speaker, August 21, 1987, was a memorable day for the people of Abitibi. About 1,500 people from various towns and villages in the area, as well as from New Quebec, applauded the Prime Minister of Canada (Mr. Mulroney) and his wife Mila, the Ministers from Quebec and Conservative Members at Saint-Sauveur Church Community Hall in Val-d'Or, where everyone was invited to a corn roast.

The Prime Minister praised the Abitibi-Témiscamingue region's record for the lowest unemployment rate in Quebec: 6.9 per cent compared with 18.6 per cent in 1984.

The Prime Minister and Mrs. Mulroney signed the City of Val-d'Or's guest book at the request of the Mayor, Mr. André Pelletier, in the presence of the aldermen. On the same occasion, the President of the CRDAT provided information on the most pressing problems affecting Abitibi-Témiscamingue.

Mr. Speaker, our region has deserved the attention it has received from a Conservative Government and it will continue to receive that attention with Brian Mulroney as Prime Minister of Canada.

This is a Government that listens to the people.

* * *

• (1405)

[*English*]

FISHERIES

BRITISH COLUMBIA TROLLER FLEET—SALMON CATCH ALLOCATION

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, the Minister of Fisheries and Oceans (Mr. Siddon) has praised the troll fleet in the Gulf of Georgia because it can be selective in the species of salmon that it harvests. He has said that it should be maintained. But his actions speak louder than his words.

This year's allocation of salmon was set below the minimum needed for many trollers to survive. Now, to add insult to injury, trollers are being shut down before they have been able to catch even this quota. In the meantime, other gear types are being allowed to fish for a good sockeye run. Trollers see this as rank discrimination that has nothing whatever to do with conservation.

In the interests of maintaining this small but vital section of our Pacific fishery I call upon the Minister to take a second look at the situation and to ensure sufficient allocation of fish and sufficient days' fishing so that the Gulf trollers can survive.

S. O. 21

TRADE

CANADA-UNITED STATES NEGOTIATIONS—ECONOMIC COUNCIL'S PROJECTION OF BENEFITS

Mr. Alan Redway (York East): Mr. Speaker, hardly a day goes by that a senior citizen on a fixed income does not complain to me about the high cost of living. Understandably, they do not believe the inflation statistics when they see prices increasing each week at the supermarket. Because of that seniors in my riding, and seniors all across the country, should take a careful look at the new study by the Economic Council of Canada which states that consumers would be the first to win from free trade with the United States. Lower import prices would give them more to spend.

The Economic Council of Canada has good news for Canadian workers as well. According to its report, free trade with the United States would create at least 189,000 new jobs, and possibly as many as 350,000. The manufacturing sector alone would gain 42,000 jobs.

The study goes on to state that free trade would stimulate our economy fairly and evenly across the country but, because of their size, Quebec and Ontario would net about 60 per cent of the economic benefits.

Let us hope that the CBC will inform Canadian seniors and workers about this new study instead of ignoring it as it has done up until now.

* * *

PHARMACEUTICAL INDUSTRY

BILL C-22—PRINCE EDWARD ISLAND LEGISLATURE'S OPPOSITION

Mr. George Henderson (Egmont): Mr. Speaker, the Government of the Prime Minister (Mr. Mulroney) has knuckled under pressure from the American drug lobby. Bill C-22 is another pawn, another attempt to get a free trade ride with a lame duck President. Senior citizens, the sick and the disabled will bear the brunt of this give-away.

On March 10, 1987, the P.E.I. Legislature unanimously passed the following resolution:

> WHEREAS the Government of Canada has introduced amendments to the Patent Act which will inexorably over time result in an increase in the price of prescription drugs;
>
> AND WHEREAS the Province of Prince Edward Island has recently introduced a Drug Cost Assistance Plan which strives to reduce the cost-burden of drugs for senior citizens;
>
> AND WHEREAS increased prescription costs will adversely affect this Plan and indeed all other citizens of our Province who require drugs from time to time;
>
> THEREFORE BE IT RESOLVED that this Assembly urge the Prime Minister in the strongest possible terms not to proceed with this Bill.

[*Translation*]

TRADE

ADVANTAGES OF FREE TRADE

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, the reputable Economic Council of Canada gave its official assessment yesterday of the bilateral trade talks with the United States. Signing the agreement would mean 189,000 new jobs. In addition, the ECC expects Canadians will become more efficient and more competitive, with, as a result, 350,000 new jobs. Of the 36 industrial groups recognized by Statistics Canada, 30 will benefit significantly from free trade. These benefits will also be felt at the consumer level. The ECC expects prices to drop by 5 per cent to 6 per cent.

When an organization like the Economic Council of Canada, a strictly autonomous organization with an excellent staff, speaks out in favour of our trade talks with the United States, adding its voice to that of business, and specifies the considerable benefit to the consumer, it is becoming embarrassing for articulate politicians to be against free trade.

Mr. Speaker, in the days to come we shall see whether the Liberals and the Socialists are indeed articulate politicians.

* * *

• (1410)

[*English*]

THE MINISTRY

ALLEGED PAYMENT FOR ARRANGING MEETING WITH MINISTER

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, last year a Conservative cabinet Minister resigned amid allegations that a $5,000 fee had been charged for a reception where Quebecers could get a chance to meet with members of the Mulroney Cabinet. Today it was reported that Bill Jarvis, President of the Progressive Conservative Party, had charged a fee of $1,200 to arrange a meeting between the Inuit Broadcasting Corporation and the Secretary of State of Canada (Mr. Crombie).

Canadians are now asking why some people have to pay to get the ear of the Government when only yesterday the Prime Minister (Mr. Mulroney) himself—

Some Hon. Members: Oh, oh!

Mr. Speaker: We have had some difficulty before with statements by Members which amount to what could be taken as allegations of wrongdoing by any Member of this House. I have had to indicate that it is not appropriate to make those allegations in statements by Members.

I regret very much interrupting the Hon. Member. I do not know what more the Hon. Member might have had to say, but I just wonder if, under the circumstances, she would co-operate

and perhaps consult with some of her colleagues, keeping in mind what I have said. Perhaps some of the substance of what she wants to bring to the Chamber could be brought at another time.

* * *

CANADIAN BROADCASTING CORPORATION

NON-COVERAGE OF DEMONSTRATION SUPPORTING PASSAGE OF BILL C-22

Mr. Stan Graham (Kootenay East—Revelstoke): Mr. Speaker, the mandate of the publicly funded CBC is to bring to Canadians accurate, fair and unbiased reporting of national affairs. I have observed many occasions on which the CBC has conveniently and with ulterior motives either ignored or exaggerated issues in a conscious effort to promote its socialist beliefs.

Never has there been a more blatant abuse of the CBC's mandate than that which was demonstrated yesterday by the CBC's deliberate choice to ignore the more than 2,000 Canadians demonstrating in support of Bill C-22.

CBC TV made a deliberate decision to remain silent and prevent Canadians from being properly informed of a major national event. This irresponsible, biased approach to reporting is totally unacceptable.

This lack of accountability falls squarely on the shoulders of the President of the CBC, Mr. Pierre Juneau, and for this reason I demand his immediate resignation.

* * *

[*Translation*]

TAX REFORM

INVITATION FROM LIBERAL PARTY TO OPPOSE TAX ON FOOD

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, a poll conducted on behalf of the Department of Finance shows that 71 per cent of Canadians are against the proposal of the Conservative Government to tax bread, milk and butter.

We are campaigning to make people aware of this issue, and to date 25,000 people have signed a petition urging the Conservative Government to drop this project.

Last weekend the pathetic Quebec Conservative caucus asked the Prime Minister (Mr. Mulroney) to reconsider this stupid idea. Since the Prime Minister has refused to withdraw this measure and wants to go ahead with his suggestion aimed at taxing bread, milk and butter, I would simply tell all Canadians that the Liberal Party is pursuing its awareness campaign and urging them to sign petitions to force the Government to reconsider such an idiotic decision.

* * *

[*English*]

PHARMACEUTICAL INDUSTRY

BILL C-22—SENATOR'S REPORTED OPPOSITION TO GOVERNMENT SPONSORED LEGISLATION

Mr. Bob Horner (Mississauga North): Mr. Speaker, the passage of Bill C-22 has been blocked for the time being by the Senate. The Senate says that if this Bill is passed, drug prices will rise. The Senate says that innovative drug companies cannot be trusted to bring forward the money for jobs and for the research and development which they have promised. The Senate says that a generic drug industry cannot survive side by side with an innovative industry under this Bill. These are false and misleading statements. *The Toronto Star* today reports the real reason for the Senate's rejection of Bill C-22.

• (1415)

Senator Philippe Gigantès, Deputy Liberal Leader in the Senate, has said, and I quote:

> I will continue to oppose any legislation that might make Brian Mulroney look good.

Some Hon. Members: Oh, oh!

Mr. Horner: If that is the logic behind Mr. Gigantès' action, then it is clear that he knows implementation of Bill C-22 will not only make this Government and the Prime Minister (Mr. Mulroney) look good, it will make them look great.

Some Hon. Members: Hear, hear!

Mr. Horner: Canadians will not be hoodwinked by a small group of Liberal-appointed Senators who have no right to frustrate the will of the electorate and in the process kill the chance for progress in medical technology and jobs all across Canada. We are on to you, Senator!

* * *

LABOUR RELATIONS

RAIL STRIKE—MINISTER'S POSITION CRITICIZED

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, as we all know, the Parties involved in the rail negotiations are still meeting and I am certain we all hope a settlement can be reached. However, I want to register my disappointment with the remarks yesterday by the Minister of Transport (Mr. Crosbie) who appeared to take sides on the issue when he came

to such a spirited defence of the existing job security arrangements at CN. It is those very arrangements that the rail unions want improvements in and they are bargaining over that.

It was very inappropriate in my judgment for the Minister of Transport to appear to take the company side. It gives one pause as to just what kind of back to work legislation we might get if it comes to that.

I also want to say it was unfortunate that the Minister tried to maintain that what is going on with the rail strike is unrelated to deregulation. In their arguments at the negotiating table the railways themselves are saying this is related to deregulation, and for the Minister to say otherwise shows either a great deal of incompetence, or something else.

* * *

CANADIAN BROADCASTING CORPORATION

NON-COVERAGE OF DEMONSTRATION SUPPORTING PASSAGE OF BILL C-22

Mrs. Mary Collins (Capilano): Mr. Speaker, it was gratifying yesterday and equally so today to see the thousands of people out on the lawn of Parliament Hill demonstrating in support of Bill C-22.

Some Hon. Members: Hear, hear!

Mrs. Collins: Such a visible show of support on the Hill for the efforts of our Prime Minister (Mr. Mulroney) and Government is unprecedented in my time here. Even so, CBC TV did not consider it newsworthy enough to report on *The National* news last night. That would have enabled Canadians across the country to see this kind of support.

Mr. St. Germain: Socialist International.

Mrs. Collins: I can assure my colleagues that, but for the great physical distance between British Columbia and Ottawa, the people of my province would also be here to demonstrate their support. Why? Because British Columbians know that hundreds of jobs will be created in that province as a result of Bill C-22. They know these will be the best kind of jobs, research jobs in the high-tech pharmaceutical industry. Already over $121 million has been committed for pharmaceutical research and development in British Columbia.

It is frightening to think that these investments are in serious peril because opposition Members and Senators delay and dilly-dally with this vital legislation. Let the Members of the other place open their ears and hear the chants on the Hill, from British Columbia to Newfoundland: Bill C-22 must go through!

Some Hon. Members: Hear, hear!

QUESTION PERIOD

[*Translation*]

THE SENATE

GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Prime Minister.

We on this side of the House are in favour of an elected Senate. The New Democratic Party advocates the abolition of the Senate. What formula does the Prime Minister support at the present time?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the formula mentioned in Part VI of the Meech Lake Accord where it is provided that annual conferences of the First Ministers shall be convened once a year, commencing in 1988. Section 2 reads as follows:

• (1420)

[*English*]

> (2) The conferences convened under subsection (1) shall have included on their agenda the following matters:
>
> (a) Senate reform, including the role and functions of the Senate, its powers, the method of selecting Senators and representation in the Senate;

PRIME MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister is desperately climbing back to high ground. On April 19, 1985, in an interview with *The Globe and Mail* the Prime Minister said he opposed an elected Senate. On June 7, 1985, the Prime Minister and the Minister of Justice introduced a motion to limit the powers of the Senate. The Prime Minister refused to take part in debate on that motion and then killed it at the end of the day.

Yesterday in this House in the space of 15 minutes the Prime Minister said he wanted to abolish the Senate, reconstitute it, abolish it again, abolish it quickly, follow the constitutional process, improve the Senate, abolish it again, then that he wanted it on the agenda for a constitutional conference, and then that he wanted to reform it. Finally, at the end of the afternoon, he said he wanted to elect it.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): Even for the Prime Minister that is a *tour de force*. Would he tell us briefly what his position is at this moment, 2.22 p.m?

Mr. Clark (Yellowhead): You are counting the hours, are you, John?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, that enumeration sounded as confused as Michel Robert's position on the leadership of the Liberal Party.

Some Hon. Members: Hear, hear!

Mr. Mulroney: When the President of the Liberal Party was in the private sector he was a member of the Macdonald Commission and in favour of free trade. On July 12 he wanted to—

Some Hon. Members: Order, order!

Mr. Gauthier: The Senate is the question.

Mr. Speaker: Perhaps the Right Hon. Prime Minister would save those remarks for a question which deliberately raises the issue. Perhaps he could come back to answering the question the right hon. gentleman asked him.

Mr. Mulroney: Mr. Speaker, I apologize, but inasmuch as the Leader of the Opposition was suggesting the existence of alleged contradictions in my position, I thought he would welcome the reference to Mr. Robert who has made some very grave and serious implications which bear upon the Meech Lake Accord.

Some Hon. Members: Order, order!

Mr. Ouellet: There is a question of privilege here.

Mr. Kaplan: This is a real class act.

Mr. Waddell: Tell us your latest position on the Senate. That is the question.

Mr. Mulroney: The Member for Vancouver—Kingsway is asking for the latest position on the Senate. I would like to appoint him, because the NDP is trying to squeeze him out of his riding.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Right Hon. Prime Minister has clearly answered the question, but it was not the question put by the Right Hon. Leader of the Opposition.

MEECH LAKE ACCORD

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister recited the Constitutional Accord signed at the Langevin Building. Under that Accord he is obliged to fill Senate vacancies from a list presented by the provinces.

Is it the Prime Minister's intention to keep his word to his provincial counterparts and appoint to the Senate the people they present to him? Or is it his intention to keep his word which he gave yesterday to the House of Commons that he will abolish the Senate? Or will he keep his word to the regions of the country that he is in favour of an elected Senate? Which two of those three promises does he intend to break?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend was present in the House when I was asked by the Leader of the NDP on March 5, 1985, the following:

> —will the Prime Minister give us his assurance today that he will propose to the provinces the correct, democratic action, which is to abolish this abominable institution?

That was in reference to the Senate. I responded that I would give that assurance—

• (1425)

Mr. Broadbent: It is a good description.

Mr. Mulroney: It is a good description by the Hon. Member. I responded that:

> I would give that assurance to my hon. friend if the Leader of the Opposition would stand up right now and say he seconds that motion.

That was on March 5, 1985, and the Leader of the Opposition remained in his seat and declined to give the kinds of approval—

Mr. Gauthier: He spoke on it.

Mr. Turner (Vancouver Quadra): I spoke on it in this House. You did not.

Mr. Mulroney: They asked a question, Mr. Speaker.

Mr. Gauthier: Well, answer the question.

Mr. Mulroney: I was asked a question about it. I responded two years ago in regard to the House. Since that time, because nothing had taken place, the Edmonton round began. The First Ministers suggested that the constitutional conference be devoted to bringing Quebec into the Constitution. In the course of that major effort, which has been supported by the three political Parties in the House of Commons, we managed to agree upon a formula which brings Quebec into the Constitution.

A second provision of that provides for Senate reform pursuant to objective criteria that we set out. As a result of that, the Edmonton meeting of First Ministers having been held last year, the meeting of the Premiers will take place in Fredericton and I have written to the chairman: "Now that the process of ratifying the constitutional Accord is underway, I want to advise you formally that I shall put forward, on behalf of the Government of Canada, a comprehensive proposal to reform the Senate at our first Constitutional Conference to be convened prior to the end of 1988".

Some Hon. Members: Hear, hear!

Mr. Mulroney: I can tell my hon. friend—

Mr. Ouellet: It is a speech. This is Question Period.

Mr. Mulroney: If I may just conclude, Mr. Speaker, inasmuch as it interests the Leader of the Opposition and the Leader of the New Democratic Party, I would be happy to instruct the House Leader of the Government to meet with the

House Leaders of the Opposition Parties so that, prior to the next constitutional conference, the Parliament of Canada can put a united front together in terms of Senate reform which I think would be in the interest of all Canadians.

ELECTED SENATE PROPOSAL

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, we have another example of a new dance craze in the Conservative Party. It is called the Senate shuffle; one step forward, three steps backward, and 15 steps sideways.

The Prime Minister confirmed in his last statement that his position is that he wants to abolish the Senate. In light of that statement that he just made 50 seconds ago—he should not forget it that quickly—when one considers that three out of four of the western Premiers, including two Conservatives, the all-Party Senate and Commons Committee, as well as the Committee of the Alberta Legislature have come forward with major proposals for an elected Senate which more effectively represents the regions, why does the Prime Minister insist upon this position of abolishing the Senate when he knows an elected, accountable Senate is absolutely essential for the full participation of the western regions of the country?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend misstates the case very substantially. I proposed in the House of Commons my own preference, supported by the Leader of the New Democratic Party, which was in 1985 that we proceed collectively at that time to abolish collectively the other House.

Since that time, pursuant to a request of the First Ministers, I got together with them on behalf of all parliamentarians of Canada and sought a new formula which would unite Canada, and it was called the Meech Lake Accord. Everyone in the House, by and large, supported that.

Because the Liberals refused to deal with the Senate in 1985, when we reached the Accord in 1987 one of the provisions in that allows for First Ministers to deal with Senate reform at our first constitutional conference in 1988. Surely, if the Member from Winnipeg is supportive of the Meech Lake Accord, he will support the second proposition in the Meech Lake Accord which is Senate reform at the next meeting in 1988.

• (1430)

Mr. Axworthy: Mr. Speaker, the Prime Minister is turning a dance craze into a whirling dervish. Now we don't know where he stands on anything.

Some Hon. Members: Oh, oh!

Mr. Speaker: I think I probably speak on behalf of all Members in indicating to Hon. Members that it is my feeling that the preambles are getting very lengthy indeed.

Mr. Ouellet: What about the answers? Come on.

Mr. Speaker: I shall be watching them. I am sure that, if the preambles are shortened, Hon. Ministers will co-operate in shortening the answers.

PRIME MINISTER'S MESSAGE TO PREMIERS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Let me put a very straightforward question to the Prime Minister, something he probably—

Mr. Crosbie: That is unusual.

Mr. Clark (Yellowhead): You are incapable of doing that.

Mr. Axworthy: I know we won't receive a straightforward answer, but let us try. The Prime Minister said yesterday he wants to reform the Senate. Is the Prime Minister prepared today to telex the provincial Premiers, who are meeting this weekend in Saint John, clearly stating that this House will go on record, as the Right Hon. Leader of the Opposition said yesterday, in endorsing a Senate reform package with an elected Senate more effectively representing the regions? Will the Prime Minister telex the Premiers asking if they are in agreement with that position and then we can get on with the business of making sure the regions of this country are effectively represented at the national level?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, if my hon. friend had been listening to the answer, he would have heard in response to the Right Hon. Leader of the Opposition I have already done that. I have conveyed the message to Premier Hatfield who is chairing the conference of Premiers on the process of ratifying the Constitutional Accord now under way:

> I want to advise you formally that I shall put forward, on behalf of the Government of Canada, a comprehensive proposal to reform the Senate at our first Constitutional Conference to be convened prior to the end of 1988.

That I have said very often will be the kind of proposal which, I can assure my hon. friend, will make the institution more democratic, and which I think he would agree would stop the kinds of statements we saw today where Senator Philippe Gigantès said that he will continue "to oppose any legislation that might make Brian Mulroney look good".

Some Hon. Members: Order.

Mr. Mulroney: That is a shame and disgrace to parliamentarians and to the Liberal Opposition.

Some Hon. Members: Oh, oh!

[*Translation*]

POSITION OF NEW DEMOCRATIC PARTY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. Only a few minutes ago the Prime Minister indicated his desire for a Senate reform that would reduce the powers of the Senate. At the same time, the Leader of the Opposition has made it clear that his party is against the concept of an unelected Senate. The

Premiers are having a meeting during the weekend in Saint John. Considering the objectives of all three Parties, would the Prime Minister send the following clear message to the Premiers at Saint John: That we, gathered here in the House of Commons, wish to adopt the motion presented by the former Minister of Justice and that the Prime Minister supported a few moments ago. We can immediately adopt this resolution, whose purpose is to reduce the present powers of the Senate. Thanks to this motion, we could immediately start the very important process of Senate reform.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I would ask my hon. friend to remember that considering the fact that we are committed to the Meech Lake Accord—we made that commitment on June 3—there are certain procedures to be followed. And that is perfectly normal.

I have already advised the Premiers that acting on behalf of the Canadian Government, I intend to table a comprehensive proposal on Senate reform. Furthermore, today I have advised the House Leaders of the other Parties that the Deputy Prime Minister is prepared to meet with them to find out whether we can agree on a formula, perhaps unanimously, for tabling this constitutional proposal. It will be a great day for Canadian democracy, and I invite my hon. friend, the Leader of the New Democratic Party, to pledge his co-operation.

[*English*]

REQUEST THAT PRIME MINISTER SEEK SUPPORT OF PREMIERS TO CURB SENATE POWERS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Prime Minister knows that the process about which he is talking is one that can in fact take a number of years, even if it is begun in good faith by the Premiers of the provinces and the Parliament of Canada. I would like to suggest to the Prime Minister something that could be attractive to all the Premiers now, all of whom are on record, to my knowledge, as opposing the existing powers of the present Senate, as are the Parties in the House of Commons.

Since it requires only seven of the Premiers to agree at this point before the Meech Lake Accord is agreed upon, will the Prime Minister make an immediate request to the Premiers, independent of the Meech Lake Accord agreement, to take action now, which they could do in the next 48 hours, to support the resolution that was introduced by the Minister of Justice two years ago and which then had the Prime Minister's support? That, surely, could be a major first step in Senate reform.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend is right, it could have been when he and I agreed on it in 1985 and we could not get the Leader of the Liberal Party to agree.

Mr. Broadbent: We can do it. We can do it now.

Mr. Mulroney: No, no. No, it cannot today.

Mr. Axworthy: You have a majority.

Mr. Mulroney: It cannot today. The Leader of the New Democratic Party says this proposition would be attractive to all Premiers now. That is not the case.

Mr. Turner (Vancouver Quadra): Why?

Mr. Axworthy: Why not?

Mr. Mulroney: Because, pursuant to the Edmonton initiated round the question of the powers and the future of the Senate came up at Meech Lake, and it was agreed unanimously during the course of that round that the Senate, indeed, would be reformed pursuant to an agreed upon clause that is in the Meech Lake Agreement. To violate that clause would be to violate the Meech Lake Agreement. So my proposal to my hon. friend is this—

Mr. Ouellet: Today you realized you were wrong yesterday.

Mr. Blaikie: Shut up over there.

Mr. Mulroney: My proposal to my hon. friend, who has been very consistent in this area, both of constitutional reform and *vis-à-vis* the Senate, is that he authorize his House Leader to sit down with the Deputy Prime Minister so we put together an unanimous package of Senate reform that the Prime Minister of Canada can then bring to the Constitutional Conference in 1988, which would be subject to parliamentary review and debate prior to the Constitutional Conference. It seems to me that would be very much in keeping with our democratic traditions and would be excellent for the House of Commons.

REQUEST THAT RESOLUTION BE PLACED BEFORE HOUSE OF COMMONS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, whatever happens down the road that will require, as the Prime Minister knows, unanimous agreement from all the provinces. Surely it is consistent with the spirit of Meech Lake, if I can put it that way, and consistent with the expressed will of the Premiers who have talked about this in public, if we pass a resolution in this House, supported by the Government and at least the New Democratic Party—we could do this within 24 hours—that would at least reduce the existing powers of the present Senate. That would be a first major step toward democracy. After that we could move toward the much more substantial reform about which the Prime Minister talks. Will he at least do that?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my hon. friend submits a resolution to reduce the power of the existing Senate. We have in train, now in place within months, a procedure which will allow us all to operate very profound and fundamental reforms of the Senate. I have asked my hon. friend today for his co-operation in trying to put forward a package that would be unanimous, representing all Members of the House of Commons, in view of the kind—

Mr. Turner (Vancouver Quadra): What?

Mr. Axworthy: What is it?

Mr. Mulroney: He asks what is it. I have already indicated, if my hon. friend will listen, that it is the intention of the Government of Canada to submit a comprehensive program for Senate reform which is a necessary corollary to our undertakings at Meech lake.

I point out to my hon. friend, who has been supportive not only of the idea of Senate reform, but supportive of the Meech Lake Agreement, something I think my hon. friend knows. Having signed the Agreement and having had that approved by all Members of this House of Commons pursuant to June 3, the Prime Minister and the Government of Canada have bound themselves to respect the provisions of that Agreement. That Agreement provides for comprehensive Senate reform to be considered by the First Ministers in 1988.

Some Hon. Members: Order.

Mr. Mulroney: That is what I plan to do. I hope I will have the full support of the Leader of the New Democratic Party and, hopefully, the Liberal Opposition.

• (1440)

PROVISIONS OF MEECH LAKE ACCORD

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Prime Minister.

Why does the Prime Minister feel that today he is bound by the Meech Lake Accord, but yesterday he was not and he could propose a dramatic Senate change?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the question is baseless, inaccurate, and misleading.

Some Hon. Members: Oh, oh!

ABOLITION PROPOSAL

Hon. Bob Kaplan (York Centre): Today the Prime Minister states that my Leader is not entitled to propose any Senate reform other than the Meech Lake Accord. Yesterday the Prime Minister himself proposed a totally different change: abolition. Why was the Prime Minister allowed to do it yesterday, and my Leader, and the Leader of the NDP not allowed to do it today?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, when the matter of abolition came up in 1985, the Leader of the Liberal Party declined to endorse what the Leader of the NDP and I were interested in proposing.

Personally, I am very doubtful about the value of a non-elected Senate, particularly when it is causing the loss of thousands of jobs in Toronto and Montreal.

I want the Liberals to deal with that anti-democratic feeling in their own Party first.

PRIME MINISTER'S POSITION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, in respect to trying to understand the position of the Prime Minister with regard to Senate reform, I remind him that yesterday he stated to the Leader of the Opposition that he was prepared to "—undertake today to meet so that we can arrange for a resolution to go before both Houses to provide for the abolition of the Senate—"

That was the position of the Prime Minister yesterday. Why is he preoccupied today with a process which he says is in train that yesterday he was prepared to derail completely? Why one position yesterday, and another today?

This is a very serious matter, and I think that the House and the people of Canada deserve a more coherent response from their Prime Minister.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there is no problem with the abolition of the Senate. There is no problem whatsoever. The Leader of the NDP and I discussed this at length in 1985. What the Leader of the Opposition said yesterday—

Mr. Ouellet: The same old record, repeat the same things as yesterday.

Mr. Mulroney: I would invite you to check *Hansard*.

What the Leader of the Opposition was referring to yesterday was a reform project, and replacing the Senate with an elected Senate. That is at variance with the undertaking of the Meech Lake Accord, wherein we have agreed with the provinces to meet in 1988 to reform the Senate in that manner.

If we have the undertaking of the Leader of the Official Opposition, because yesterday he said that he would deliver the Liberal Senate, and if he is prepared to say today that he will deliver the Liberal Senate in support of a resolution which will result in the immediate abolition of the Senate, that is something that I would be very interested in having the House Leaders meet to discuss immediately.

CURBING SENATE'S POWERS

Mr. Bill Blaikie (Winnipeg—Birds Hill): The Prime Minister has acknowledged that the process which he has in mind may take some time. There will be a constitutional conference in 1988. There is no guarantee that there will be unanimous agreement at that conference, therefore the process could go on for some time.

Why is the Prime Minister unwilling to consider the proposal of the Hon. Member for Oshawa that the House take steps within its power under the present amending formula which would only take seven provinces constituting 50 per cent or more to limit the powers of the Senate, which the Prime Minister now states that he wishes abolished and replaced? Why can that measure not be taken in the meantime?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have indicated already my support of the idea of the Leader of the NDP. I have responded fully in regard to the abolition. I would be happy to discuss this with the First Ministers. I raised it myself. I put forward for the First Ministers' consideration the abolition of the Senate, and I was prepared to come back to the House of Commons and seek your permission and endorsement, inasmuch as the Leader of the NDP and I had already had that discussion.

In terms of the abolition of the Senate, I believe in its present capacity it is undemocratic, and it does not reflect the needs and the values of the people of Canada. I was ready to propose its abolition at that time. Since that time, with the support of all Members of the House of Commons, I signed an undertaking in terms of Senate reform for the future.

I am happy to bring forward a program of Senate reform. I invited the Leader of the NDP, and the Leader of the Liberals to delegate their House Leaders in order that we could bring forward a comprehensive program for Senate reform.

* * *

LABOUR RELATIONS

RAIL STRIKE—PREPARATION OF LEGISLATION TO END WORK STOPPAGE

Hon. André Ouellet (Papineau): Mr. Speaker, my question is directed to the Minister of Labour.

Yesterday the Government gave notice of legislation to deal with the rail strike. Does this mean that the Minister has lost hope of a negotiated settlement?

Hon. Pierre H. Cadieux (Minister of Labour): On the contrary, Mr. Speaker.

JOB SECURITY ISSUE

Hon. André Ouellet (Papineau): If the Minister believes and has hope that there will be a negotiated settlement, what types of munition has he given his chief negotiator, Mr. Kelly, who is very well-known and very experienced in this area? I have been informed that the feelings of the workers are that Mr. Kelly is in an impossible situation, because he has absolutely no room to manoeuvre.

Will the Minister indicate to us if Mr. Kelly has in hand, or in his pocket, a deal that will allow the workers the same type of employment security that exists, for instance, in the Ontario Northland Railways for their employees?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I wish to repeat an answer that I gave yesterday to a similar question. I gave the answer in French, so I will read the translation:

Mr. Speaker, I would like to point out to the House that right now, parties are the masters of their own fate at the bargaining table, and I encourage them sincerely to come to a negotiated settlement.

REQUEST THAT MINISTER MEET NEGOTIATORS PRIOR TO INTRODUCING LEGISLATION

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is also directed to the Minister of Labour. I too hope that negotiations will conclude successfully.

Yesterday in the House the Minister of Transport gave a very passionate defence of the present CN position on job security. Workers feel that they are in jeopardy in terms of getting an impartial and fair piece of legislation through this House.

If negotiations break down, will the Minister guarantee to meet with both sides prior to introducing legislation in this House?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I would like to repeat the answer that I gave a moment ago.

The parties are at the table, they have their own fate in their hands. I encourage them to come to a negotiated settlement. If they do not, I will act quickly.

MINISTER'S POSITION

Mr. Rod Murphy (Churchill): The words of the Minister of Transport make it difficult for both sides to feel that they will get a fair shake from the Cabinet.

I again ask the Minister, not to delay legislation, but to assure both sides that they will have an audience with him prior to his introducing legislation in the House. Will the Minister do that?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I think that the best fair shake the parties can have is the one they presently have at the table where they have their own fate in their hands, and where they can negotiate the terms of their own collective agreement. I encourage them to do that. If they don't, and if they fail, I will act quickly.

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AIR CANADA

FUTURE OF CROWN CORPORATION

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Prime Minister. It concerns the future of Air Canada.

Last spring the Minister responsible for privatization told the House that Air Canada was under consideration by the Government as a target for privatization. At that time the Minister promised the people of Canada, and the management

of Air Canada, that a decision would be forthcoming this summer.

In light of the urgent need for the management of Air Canada to make plans for fleet replacement from now until the year 2000, can the Minister of State for Privatization, or indeed the Prime Minister himself, tell Canadians and the House what decision the Government has made with respect to Air Canada?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, I am not in a position to explain to the House a decision on Air Canada, because none has been taken.

As I have pointed out to the House a number of times, the situation in regard to Air Canada, as with Petro-Canada and Radiochemical Company is under review. We will make a decision when consideration has been given to all relevant issues.

These are complex matters, and they are important to many people, including the company. We will make the correct decision when we are ready to make it.

• (1450)

PRIVATIZATION—REPORTED PRINTING OF BROCHURES

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the Minister's answer sounds like the Prime Minister's description of his position on the Senate—somewhat confused. Will the Minister be forthright with respect to this question? The fact of the matter is Air Canada has printed 25,000 brochures explaining the Government's decision to privatize Air Canada. Obviously there has not been a decision made here. Either one was made and it was reversed, or Cabinet has not made a decision.

In the event that the Prime Minister has vetoed the position of the Minister of Transport and the Minister of State for Privatization in consideration of looking consistent on this question, is the Government prepared to subsidize Air Canada, to rebate to Air Canada the tremendous cost and expense it has incurred in printing brochures to explain a position which has now been reversed by the Prime Minister of Canada?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, I am not employed by Air Canada. It prints brochures as it may see fit. I am the Minister of State for Privatization. I have answered the question already. I would be very interested in knowing where the Hon. Member stands on this issue.

THE SENATE

CURBING OF POWERS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I wish to address my question to the Prime Minister. A few minutes ago in reply to the Hon. Member for Winnipeg—Birds Hill the Prime Minister suggested that he would be prepared to consider a proposal I made earlier, namely, that a request go to the Premiers to look at taking action now under the existing amending formula which would require just seven provinces to agree to the resolution that the Government itself introduced to reduce the existing powers of the Senate.

Would the Prime Minister clarify that suggestion since the Government proposed it, since we are in agreement with it, and I hope that the Official Opposition would agree? Is he now saying that he would be prepared to have this message relayed to the Premiers who will be meeting tomorrow, to get their response to that quite specific kind of reform of existing powers?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I have indicated to the House that I have already written to the Premiers indicating the intention of the Government, as agreed, to bring forward a comprehensive proposal in regard to Senate reform.

Because of the interest in the matter, most recently yesterday and the day before, I indicated that, clearly, a comprehensive, unanimous expression of the House of Commons is better than one arrived at unilaterally. Thus I have instructed the Government House Leader to be ready to meet with the Opposition House Leader and the House Leader of the New Democratic Party to work out the modalities that would perhaps give rise to an expression of opinion on this important matter. Therefore, as Prime Minister of Canada I could go forward on behalf of all Members of Parliament to express a single view of the reform of the Senate which, clearly, all of us want.

POSITION OF PREMIERS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I do not want to question the Prime Minister's sincerity on this very important subject. However, considering that the Government has expressed its will on the limited type of reform that I am now addressing, and for which I have indicated our support; and considering that even with the goodwill of all the parties concerned it could take a number of days to discuss a more comprehensive resolution, will the Prime Minister please contact the Premiers to see if they will agree to this simple resolution? All they have to do is say no. They are meeting there for two days.

If they believe that it is inconsistent with Meech Lake, which I do not, then they can say no. Or, if seven of them believe in limited and specific restriction of powers of the Senate, and if they want to move in that important way toward

democracy, then all I can say is that all Canadians will be cheering them on.

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, in the various discussions that I have had with the First Ministers there is general agreement on one thing. It is that the present Senate as constituted is profoundly undemocratic and must be reformed.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: And Bill C-22 proves it!

Mr. Mulroney: I think that what we see going on today with Bill C-22, the Senate depriving the creation of thousands of jobs in Ontario, Quebec and across the country, is an indication of the anti-democratic nature of the Senate.

Mr. Keeper: So do something!

Mr. Speaker: I think all Hon. Members would want the Chair to try to guide the answers back to the actual question, although the matter which the Right Hon. Prime Minister raises has of course been the subject of exchange. I think that the question that the Leader of the New Democratic Party put was fairly clear. I think that the Right Hon. Prime Minister has met that question.

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MULTICULTURALISM

APPLICATION TO ESTABLISH TELEVISION STATION

Mr. Sergio Marchi (York West): Mr. Speaker, my question is for the Minister responsible for multiculturalism. In the minutes of the Conservative caucus agenda of last Wednesday, August 19, under the name of his own Parliamentary Secretary, the Hon. Member for Duvernay, it states:

> The request from MTV which is before the CRTC should be blocked. This action would be viewed favourably by Quebec ethnic groups.

Given that the Toronto MTV application endeavours to establish a nation-wide multilingual, multicultural television station, and without getting into the particulars of the application, can the Minister tell the House whether or not he agrees with the views of his Parliamentary Secretary who advocates that the Government politically block this application? Can he explain why ethnic groups in Quebec would oppose such a broadcasting initiative?

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, I was not at the caucus meeting last Wednesday. I do not know the material to which the Hon. Member refers. Since he has the minutes perhaps he could send them over to me. I will take a look at them and if there is any wisdom or light I can shed on the question he has raised, then I would be only too pleased to do so.

Some Hon. Members: Hear, hear!

VIEWS ATTRIBUTED TO PARLIAMENTARY SECRETARY

Mr. Sergio Marchi (York West): Mr. Speaker, since the Minister was not at the caucus meeting I would like to address a question to his Parliamentary Secretary. The Parliamentary Secretary said yesterday in a public interview that he agrees and does not retract the comments which are clearly attributed to him in the minutes of that caucus meeting. Therefore, I would like to ask the Parliamentary Secretary whether his views to block the CRTC application reflect the views of the Government and the Minister of Communications? If so, do you not think that it is most inappropriate for you to interfere politically with the—

Some Hon. Members: Order, order.

Mr. Speaker: Order, please. I will simply help here a bit. First, when the Minister is here it is not appropriate that the Parliamentary Secretary answer. Second, I know that the Hon. Member does not intend to use the personal pronoun "you" in his question. However, the question is there, the Minister is here, and I would ask the Minister to see if he can answer it.

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, again I have to say that I do not have the material. I have not yet spoken to the Parliamentary Secretary. The only thing I can suggest is that the Hon. Member may want to exchange caucus minutes with me, and I will do what I can with respect to conversations between those who are involved.

With respect to the substance of the matter, the matter is of course an important one and I will take it under that light and within that consideration.

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FINANCIAL INSTITUTIONS

PRINCIPAL GROUP BANKRUPTCY—REQUEST FOR PUBLIC INQUIRY

Mr. Simon de Jong (Regina East): Mr. Speaker, my question is for the Minister of State for Finance. This evening in Edmonton thousands of angry Principal Group investors are meeting to demand a full and public inquiry. They want to get at all the facts concerning the role of provincial and federal Governments in the collapse of Principal Group.

Since the Governments of Alberta, Saskatchewan, and British Columbia have all rejected calls for a public inquiry, is the Minister prepared to do what the investors want and establish a public inquiry to investigate fully the collapse of Principal Group?

Hon. Tom Hockin (Minister of State (Finance)): Mr. Speaker, absolutely. The Government of Alberta is conducting a public inquiry. It is a full and open public inquiry. I gather the Premier of that province has gone further and said that if in any way the Government has made some mistakes it will act in such a way as to compensate.

ALLEGATIONS OF MISREPRESENTATION—PROGRESS OF INVESTIGATION

Mr. Simon de Jong (Regina East): Mr. Speaker, the inquiry that is occurring in Alberta is restricted. I will address my next question to the Minister of Consumer and Corporate Affairs.

On August 12 the Minister of State for Finance assured me that he would inform the House shortly of the results of an investigation concerning the allegations of misrepresentation. Is the Minister of Consumer and Corporate Affairs now prepared to tell us if that investigation has been completed and if charges are being considered?

• (1500)

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as I indicated, the Marketing Practices Branch under my Department conducts these investigations under a mandate given it by Parliament, not by me. It has involved the RCMP in this investigation. It had indicated two or three weeks ago that it was expecting to be done by the end of August and it will be making recommendations or not making recommendations to the Attorney General based on that investigation. As the Hon. Member understands, I have no right to interfere with that investigation and I do not intend to do so.

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MUNICIPAL AFFAIRS

ONTARIO'S LIFELINE PROGRAM—REQUEST FOR FEDERAL FINANCIAL ASSISTANCE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, my question is addressed to the Minister of State for Finance. As the Minister probably knows, sewers, beaches and the general water quality across Canada are badly in need of attention. Since its election, the Government has paid no attention to them at all.

Recently the Government of Ontario asked Ottawa to participate in its Lifeline Program, a program designed to clean up our waters, by assuming one-third of the costs of the program. Ottawa said no. Will the Minister reconsider Ottawa's negative decision and ensure Ottawa's participation in Ontario's Lifeline Program to the extent of one-third of its costs?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am not directly aware of the details of this Lifeline Program to which the Hon. Member has referred. In his preamble he referred to the broader question of municipal infrastructure. I think the position we made clear in this House is very well understood and I do not think I need to make any further comment on that.

MINISTER'S POSITION

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, this is a very disappointing answer. It is my understanding that the Ontario Minister of the Environment has put this proposal to the Government of Canada through the Minister of Finance.

If the Minister of Finance can find money to subsidize nuclear submarines, surely he can find money to repair and improve the quality of water. Therefore, my question simply is why is water quality not a major priority of the Minister?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, water quality is a a major priority of the Minister of Finance and of this Government. I think the Hon. Member has put into his question a number of elements that relate to the broader question of municipal infrastructure. I am quite prepared to look at the Lifeline Program and its constituents to see whether things do qualify for federal funding. However, if it falls under the question of municipal infrastructure, that question has been raised on a number of occasions and I think the Hon. Member is aware of the position taken on it.

Mr. Speaker: The Hon. Member for Vancouver East will have a single question and that will be the last one in Question Period.

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CHILD CARE

GOVERNMENT POLICY

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is directed to the Minister of National Health and Welfare. Why is child care such a low priority of the Government? Why have there been so many postponements? First there was the postponement from June 30 and then the "Dear Shirley" letter. Now we understand that the Minister has sent messages to provincial Ministers asking for another delay. What is the problem? Why can we not at least have the Minister table the national objectives for child care, or does he not have any?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, child care is not a low priority of the Government. That has been stated very clearly, not only in terms of a program the Prime Minister has very clearly endorsed and led, but additionally there are moneys being spent at the present time. We know that the amount must be increased and these issues are being dealt with by Cabinet. I think fair-minded people recognize their complexity in terms of provincial jurisdiction and the ability to pay which varies from province to province. These considerations are being examined very

clearly. It is a high priority on the Minister's agenda. It is not a low priority for us, it might be for her.

ROUTINE PROCEEDINGS

[*English*]

COMMITTEES OF THE HOUSE

COMMUNICATIONS AND CULTURE—GOVERNMENT'S RESPONSE TO FIFTH AND SIXTH REPORTS OF STANDING COMMITTEE

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, pursuant to Standing Order 99(2), I have the honour to present the Government's response, in both official languages, to the Fifth and Sixth Reports of the Standing Committee on Communications and Culture.

[*Translation*]

The fifth report, dated April 27, 1987, is entitled "An Interim Report on the Recommendations of the Task Force on Broadcasting Policy: Specialized Services and some—

[*English*]

Mr. Speaker: Order, please. The Hon. Leader of the NDP (Mr. Broadbent) and the Right Hon. Prime Minister (Mr. Mulroney) are quite unintentionally standing between the Hon. Minister and the Chair. Would the Hon. Minister please continue?

[*Translation*]

Miss MacDonald: Mr. Speaker, the fifth report, dated April 27, 1987, is entitled "An Interim Report on the Recommendations of the Task Force on Broadcasting Policy: Specialized Services and some Proposed Legislative Amendments", and the sixth report, dated May 6, is entitled "Recommendations for a new Broadcasting Act".

[*English*]

PRESENTATION OF REPORT OF LEGISLATIVE COMMITTEE ON BILL C-71

Mr. Bill Attewell (Don Valley East): Mr. Speaker, on behalf of the Hon. Member for Québec-Est (Mr. Tremblay), the Chairman of the legislative committee on Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976, and the Citizenship Act, I have the honour to present the Bill to the House without amendment.

This is an historic moment. While it is over 40 years late, this Government had the moral courage to study the issue of alleged war criminals living in Canada through the Deschênes Commission and to present Bill C-71 to provide legislation to prosecute any war criminals or those who have committed crimes against humanity in the past or who do so in the future.

PETITIONS

REQUEST TO CHANGE ALLEGED DISCRIMINATORY PROVISIONS OF UNEMPLOYMENT INSURANCE REGULATIONS

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, I have the honour to present petitions on behalf of the residents of the Labrador coast and the communities of Nain, Rigolet, Makkovik, Hopedale, Postville, Cartwright and Cape Charles, all calling upon the House and the Government to change the discrimination which now exists in the unemployment insurance regulations; whereas, fishermen on the Labrador coast cannot continue to collect unemployment insurance benefits up until the time they go fishing, namely, the beginning of July, and must forsake those benefits in the middle of May. The petitioners call upon the House to change this discrimination.

[*Translation*]

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, it is again my duty today to table a petition signed by residents of Canada who now avail themselves of their ancient and undoubted right thus to present a grievance common to your petitioners in the certain assurance that our Honourable House will therefore provide a remedy. The petition reads as follows:

Whereas since September, 1984, the federal Government has imposed upon Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack food, candies and soft drinks;

Whereas the federal Government in its tax reform proposal is studying the possibility of imposing a general tax on goods and services, including food;

And whereas food constitutes a vital element to every-day life, and whereas the imposition of this tax would have the effect of penalizing certain categories of taxpayers, for example, the aged, families, the unemployed, low income taxpayers, and youth;

Therefore, the petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

REQUEST TO REJECT BILL C-22

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have here petitions with a total of 406 signatures, including 161 from the Asbestos and Danville area, 25 from Sherbrooke, 80 from the Montreal Metropolitan area, 109 from the cities of Toronto, Scarborough, Almonte, Kingston, Brampton, Etobicoke in Ontario, and finally 26 from Calgary in Alberta.

Mr. Speaker, I am pleased to table these petitions so that the people who have signed them an add their voices to the attention of a great many Canadian men and women and ask the Parliament of Canada to turn down Bill C-22 which would certainly increase the prices of medicinal drugs.

• (1510)

[*English*]

CHILD ABUSE—REQUEST FOR LEGISLATIVE ACTION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I have the honour to present a petition signed by a large number of residents of Burnaby, Richmond, Delta, Vancouver and North Vancouver. They were particularly inspired by my constituent Pat Stephens, who raised serious concerns over the present provisions of the Criminal Code regarding child abuse. They ask that more severe sentences be given to offenders, that all child sexual abusers be tested for AIDS, that authorities forward information regarding child sexual abusers and their new addresses to the Police Department of the city they move to, and that a minimal amount of time elapse between the laying of charges and the date of sentencing, thus lessening the emotional strain on the victims of such abuse. My petitioners call upon Parliament to take effective action on this important matter.

REQUEST FOR EXTENSION OF ISOLATED TAXATION BENEFITS

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, in my continuing efforts to have isolated taxation benefits extended to the communities of Meadow Lake, Dorintosh and Rapid View in northwestern Saskatchewan, I have not only the duty but the honour to present 10 further petitions containing hundreds of signatures of residents of those communities who call upon Parliament to consider the extension of isolated taxation benefits to those communities which should be included in the new schedule when it is tabled.

* * *

QUESTIONS ON THE ORDER PAPER

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I would ask that all questions on the Order Paper be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

BUSINESS OF THE HOUSE

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, on a point of order, I would like to ask the Parliamentary Secretary to the President of the Privy Council (Mr. Lewis), in light of the remarks of the Hon. Member who tabled the report from the legislative committee on Bill C-71 respecting war criminals, whether the Government is prepared to call that Bill for third reading today. We in this Party are prepared to proceed immediately with third reading of this important legislation without further debate. I have discussed this matter with my friend and I hope the Opposition House Leader would be prepared to agree as well.

Mr. Prud'homme: We are on Bill C-22 now.

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I agree with my friend. In keeping with the normal practice I will be glad to discuss this matter with the House Leaders of the other two Parties, and if that is agreeable to them, we will proceed to do something as soon as possible.

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed from Tuesday, August 25, consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, as I said on the resumption of Parliament for this so-called emergency session, it is clear the real reason we were called back, only for the thirteenth time since Confederation, has nothing to do with the refugee situation. It has everything to do with the absolutely obscene desire of the Government of Canada to bow to American pressure to amend our drug patent legislation and dramatically raise drug prices in order to maintain the free trade negotiations with the U.S. That is the reason and it is a cop-out, as well as a cave-in to the American pharmaceutical industry and the U.S. trade negotiations.

[*Translation*]

It is indisputable that Bill C-22 before the House, as introduced by the Government, will increase by several hundred million dollars a year the prices paid by Canadian men and women for their medicinal drugs. That is an indisputable fact. No matter what the Government and the Minister of Consumer and Corporate Affairs (M. Andre) may say, they cannot change that fact. Well, as we could have expected, the Government is trying to have us believe that the prices will not increase, while we all very well know that they will.

[*English*]

Does the Government really think that Canadians were not listening when the leading authority on this issue, Dr. Harry Eastman, stated repeatedly that there is no doubt whatsoever in his mind that drug prices will rise as a result of this Bill? Let me quote from his November, 1986, interview on CBC's *As It Happens*. Dr. Eastman had this to say:

The entry of generics which push down prices would be somewhat delayed and therefore the average prices would be higher than they would be under the present legislation.

The Minister of Consumer and Corporate Affairs (Mr. Andre) says that is not true. When pressed he repeatedly makes an argument that what we contend is very narrow and highly misleading. He says that under his Bill the cost of new brand name drugs will not be higher than they are now when they first come on the market. His argument is that if last year someone invented a new brand of pain-killer and brought it on the market at $5 a bottle, then invented another brand the following year and brought it on at $5 a bottle, and so on, there is no increase in price. However, when we talk about increased prices we are not just talking about the initial market price of brand-name drugs, we are talking about the total cost of drugs to Canadians. If a generic manufacturer can make the same kind of pain-killer and sell it for $1 a bottle instead of $5, that means the consumer pays less. That is what is at issue here.

Under this Bill the generic manufacturer will not have the opportunity to produce a drug and sell it to Canadians for seven to 10 years. The consumer will have to pay the higher price for the brand name product until that period elapses. Yet the Minister continues to say that giving patent protection of seven to 10 years, which prohibits the manufacture and sale of cheaper generic drugs during that period, will not increase drug prices. That just does not hold up.

[*Translation*]

The Minister claims also that the Patented Medicine Prices Review Board, provided for under this Bill, will prevent prices from increasing. But how will it achieve that? The Board will only have the power to set prices which are reasonable and in line with international prices. Well, just now, our prices are generally lower than international prices; for instance, they are two to five times lower than those paid in the United States. With such a criterion in the Bill, it is more than likely that the prices will increase instead of coming down. Moreover, when the time comes for the Board to review the price of a drug developed, say, in the United States or Switzerland, it will not be able to investigate the research costs of this foreign maker. It will have to take the word of pharmaceutical companies, those same companies it has been mandated to monitor.

A number of other studies reached the same conclusion as Dr. Eastman in his report, namely, that extending the duration of the patents will increase the prices of medicinal drugs.

• (1520)

[*English*]

Even the United States trade representative, Clayton Yeutter, has admitted that drug prices will go up. On the CBC's *The Journal* on November 19, 1986, he said:

In some cases maybe this will raise the price at the retail level of some of these products.

Indeed, Mr. Speaker, some estimates put the cost to Canadians of delaying generic competition at upwards of $5 billion over the 10 years from 1988 to 1997.

An analysis of the various estimates completed in July for the special committee of the Senate on Bill C-22 by the research bureau of the Library of Parliament says that prices will go up. Add to that the Minister's announcement that he intended to provide $100 million to the provinces, originally to cover increased drug prices in the pharmacare and medicare programs but now amended to go to the provinces only if the money is spent on research and development. What was that $100 million for if not as a result of his own anticipation that drug prices will go up?

The Minister says that he has studies which prove that drug prices will not change. We asked him in the House of Commons where those studies are; to produce them and give us the facts. I submit that if the Minister had a single scrap of paper to prove his contention that drug prices will not go up he would have plastered it on every billboard in the country. The truth is that he has no such evidence to back up his argument.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): The Minister's answer to that is that with longer patent protection there will be more research done in Canada and, therefore, more jobs. He says that is the reason he has brought in this legislation. Let us look at the experience in the United States where brand name drugs are given exclusive monopoly protection for a 17-year period. Their prices are now two to five times as high as Canadian prices.

The New York Times of July 28, a newspaper to which I am sure the Prime Minister (Mr. Mulroney) pays close attention after its recent article on him, reports that the head of the Senate Sub-committee on Anti-trust Monopolies and Business Rights is planning hearings this fall on the drug companies' possible anti-trust violations.

U.S. legislators, Congressmen and Senators, have told the brand name manufacturers of the United States that if they do not control their prices more realistically, Congress will consider imposing legislation similar to that which we introduced in Canada in 1969.

It is claimed that higher brand name prices are necessary to fund research and development of new drugs. With regard to that, listen to what representative Harry Waxman, Chairman of the United States Sub-Committee on Health and the Environment, had to say with reference to a study of the 25 largest companies with two-thirds of all prescription drug sales in the United States. This is a quote from the *Wall Street Journal* of July 20, 1987.

For the years 1982 to 1986 we found that revenue gains due to price increases were three times greater than their total increase in research and development expenditures.

We also found that companies spent as much on marketing as they did on research and development. The conclusion is inescapable. The recent price increases are not producing new drugs, they are filling corporate coffers.

If that is what is happening in a jurisdiction with a 17-year monopoly protection, how does the Minister claim he will get research and development in Canada with seven to ten-year protection? The answer is that he is not and he knows he is not.

I have a confidential document produced by our embassy in Washington under what it calls the U.S. Corporate Liaison Program. It is a report on meetings between senior embassy staff in Washington and representatives of the United States industry. One company interviewed was Pfizer Incorporated, one of the largest brand name drug manufacturers in the United States, indeed in the world. This is what the Canadian officials report that the company told them in the course of those discussions.

Firm welcomes proposed Canadian Patent Act amendments but feels they would still fall short of what is called for. Accordingly, it would unlikely make early commitment to significant additional activity in Canada.

[*Translation*]

The Minister says that 3,000 jobs will be created. The Prime Minister said the same thing yesterday on the Hill before the employees of those pharmaceutical companies. However, according to a study made by the Canadian Drug Manufacturers' Association, the Bill could result in the loss of 9,000 jobs throughout the economy. It would mean a net loss of 6,000 jobs.

He says that under the present rules, the large drug companies do not make any research in Canada but that they will do some if the Bill is passed. How can the Minister say such a thing, say that will happen if his Bill is passed, when he knows full well that even before the 1969 amendments, there was very little research and development work carried out by multinationals in Canada? He even states that he has commitments worth $1,4 billion from drug companies.

However, I have read the Bill. There is no mention of commitments to invest in research. None whatsoever. Those agreements will remain confidential, just like the reviews on which the Minister bases his assertion that prices will not change.

Who is the Minister trying to fool?

[*English*]

Why does the Minister reject the royalty fund proposed by the Senate following the Eastman recommendations? Under that scheme, generics would pay a 14 per cent royalty for the use of brand name discoveries which would be available after four years. The funds would be paid back to the brand name companies for proven research. What better guarantee that money would go back into research for new drugs? The Minister rejects that plan in favour of the United States style system which has been proven ineffective in creating new research and new drugs.

One must ask oneself why the multinational companies are spending millions of dollars in a lobbying effort here and in the United States to get this legislation passed. That is not a difficult question to answer. They want to shut out the generic competition because generic competition means less money for them.

When I was the first Minister of Consumer and Corporate Affairs, the Department having been set up under the Prime Ministership of the late Lester B. Pearson, I had the privilege to begin the process which led to the changes to the Patent Act of 1969 which the current Government is attempting to reverse with this Bill.

[*Translation*]

We brought in the Act from which the present regulations derive because drug prices in Canada were exorbitant, as they are now becoming in the United States. Our drugs were among the most expensive in the world in 1969. We wanted more competition in this sector in order to bring down prices. We succeeded. Today, our pharmaceutical prices are among the lowest and the most affordable in the world and even the U. S. Department of Health has studied our legislation to see if it would not be worthwhile to adopt similar legislation to lower drug prices in the United States.

It is well worth noting, Madam Speaker, that in 1969, more competition did not bring about less research. In fact, there was an increase in research activity and according to the study done by Dr. Eastman, during 1983, Canadians saved 211 million dollars thanks to competition from generic drugs. The Minister contends that he has another study which shows that, had his bill been in force in 1983, Canadian consumers would have saved almost an equivalent amount. But, then again, he has not made this study public.

• (1530)

[*English*]

One of the Minister's most pathetic arguments in defending this Bill is that Canada is considered an international pirate. He said that we are stealing other people's ideas. He tells us that our current legislation is incompatible with our international treaty obligations. However, Roy Davidson, a former economic adviser in the Minister's own Department, says that is simply not true.

As Dr. Davidson points out, we are not contravening international patent conventions to which we are signatories. Nowhere in that convention does it say that discoverers or inventors are entitled to a monopoly on the production of their invention, as would be the case for 10 years with the Minister's Bill.

Some countries give no patent protection at all. Japan requires foreign firms to co-venture with domestic firms in the marketing of new drug products. Britain and some other European countries rely on centralized purchasing power to regulate both price and industrial benefits. France and Belgium have strict price controls on pharmaceutical products. Each nation attempts to prevent the exploitation of higher drug prices in its own way and in its own jurisdiction.

[*Translation*]

In 1969, we opted in Canada for compulsory licensing in order to promote competition. And this is what happened. However, the Minister's Bill would put Canada in a unique position in the world as far as drug prices are concerned. Manufacturers will be under no obligation whatsoever to invest in return for the long term protection they will be getting. They will not have to make additional research and development expenditures. There is no obligation, therefore no guarantee.

During the 40 years before 1969, when the current Act went into force, including when I was in charge as Minister of Consumer and Corporate Affairs, foreign corporations enjoyed the kind of protection provided for under Bill C-22. But no new drugs were produced in Canada in those 40 years.

The simple truth is those international corporations will keep on doing their research in their own countries, as they always did, and the Bill will do nothing more than help them increase their profits on the backs of Canadians by restricting competition.

Such has been the experience before the current Act came into force, and I predict such will be the experience if the legislation is passed by this Parliament.

Madam Speaker, who indeed will benefit from the Bill? Not Canadian consumers, that is for sure, but rather the large multinational corporations in the drugs industry. There is absolutely no doubt about that.

We must ask ourselves this question: Why would multinational companies spend millions of dollars to have this Bill passed, to lobby here and in the United States? The reason is clear, they want to make more money.

As underlined by Dr. Eastman, research and development will probably never amount to much in Canada, given the limited size of our domestic market. Remember that we account for only 2 per cent of the world market.

The Liberal caucus and Party have always supported Dr. Eastman's recommendations. They are positive changes to the present Act designed to encourage research and at the same time alter prices. The recommendations of the Senate are based—through the Liberal amendments proposed in the House—on Dr. Eastman's recommendations and we subscribe to them. We consider it necessary to strike a balance between protection of intellectual property and prices paid by consumers, and we believe that Dr. Eastman did just that in his report.

[*English*]

We have heard a lot of rhetoric from the Prime Minister and various Ministers about how an non-elected Senate is attempting to thwart the will of the people. In one breath, the Prime Minister say, "They have no right whatsoever to change

our legislation". Then in the next breath his Minister accepts Senate amendments on the transportation legislation. The Minister for Consumer and Corporate Affairs accepts one amendment in total and two others in modified form. The Government can be selective, accepting some amendments from the Senate, as it is doing in this so-called emergency session, and reject others when it chooses and, in doing so, say that the Senate is not exercising its constitutional prerogative.

The Prime Minister speaks about confrontation between the two Houses. There has been no confrontation between the House and the Senate at all as yet. There have been some very uncharacteristic remarks made in the House about the quality of individual Senators. Such remarks are ordinarily not allowed by the Chair in either Chamber. However, there is no confrontation at the moment. That is sheer hypocrisy. The Senate has exercised its constitutional prerogative to amend a Bill of the House of Commons and send it back here.

The Prime Minister had an opportunity to propose to the Premiers a curb on the Senate's power during his negotiations at Meech Lake. He had the opportunity two years ago to curb the powers of the Senate. I debated this issue with the then Minister of Justice on June 7, 1985. The Prime Minister did not proceed with that resolution and there was only one day of debate. We replied on that occasion that we were interested in real Senate reform which would go to the heart of the issue. We wanted an elected Senate to represent the regions of Canada and achieve a better equilibrium from our Confederation.

It is sheer hyprocrisy to suggest that there is confrontation and that a non-democratic House is abusing its role. It is the kind of silly, inflamed rhetoric we hear from the Prime Minister whenever he gets into trouble.

Consider the charade we went through during the last two days about what the Prime Minister wanted to do with the Senate. Yesterday, he was going to abolish it, reform it, elect it. Suddenly, he recognized that he made a deal with the Premiers and did not have that unilateral maneuverability any longer. He had to return to the Premiers to honour his commitment.

Today, I asked him if he will honour that commitment to the Premiers to allow them to appoint, honour his commitment to the House to abolish the Senate, or honour his commitment to the regions of Canada to propose an elected Senate? There is sheer confusion and sheer hypocrisy.

When the Prime Minister proposed that phoney abolition offer two years ago, at that time the provinces had to approve it seven out of ten, with 50 per cent of the population. I knew that and thought it was absolute subterfuge and an absolutely cynical, hollow offer.

When the Prime Minister, in his exasperation and phoney impatience, brought a resolution before the House of Commons, we debated it. We were ready to reform the Senate and adjust an equilibrium in our Confederation. The Prime Minister did not address the issue, did not attend the House on that day and speak to the issue. The Minister of Justice and I each had a one-hour dialogue and that was the limit of the Government's effort to deal with the Senate.

It is a cheap attempt by the Prime Minister to take the focus off this disastrous Bill and to take some shots at the Liberal majority in the Senate. It is a bluff and a smoke-screen designed to draw attention away from this bad legislation.

The issue is not a constitutional one, certainly not yet. The issue is whether this Bill will raise drug prices for Canadians, whether it will really encourage research, or whether it is one of the great shams proposed by the Government against the consumers of Canada. The Prime Minister is as interested in talking about reform of the Senate in substance as he is about talking about the substance of this drug Bill, which is not at all.

When talking about the behaviour of Senators, the Prime Minister used very uncomplimentary language. Let us consider how all those Tory Senators responded when presented with these amendments and recommendations of the Committee in the Upper House. How did they demonstrate their leadership and exercise their role in acting for the Prime Minister and people of Canada on this important legislation? They abstained from voting. They ducked. They did not oppose, they did not propose, they did not vote for, they did not vote against. If I were allowed this language in the House of Commons I would say, "What a derogation of constitutional responsibilities".

• (1540)

Even the New Democratic Party, which advocates the abolition of the Senate, is willing to compromise that long-standing written constitutional position and its Party proposals and, in this case, cheer the Senate on on this particular issue. They agree with us about the merits of this Bill. This Bill simply raises drug prices for Canadians and increases profits for the multinational companies. I commend the NDP for having weighed their two conflicting beliefs against this Bill, against the Senate, coming out in favour of the best interests of all Canadians, which is to amend this Bill in the manner suggested by the Senate, and as suggested by our Party when it was before the House of Commons.

Our position is quite clear on the jurisdiction of the Upper House. We want an elected Senate. We want fundamental reform, but as long as the Senate remains a nominated Chamber, as long as it remains a non-elected Chamber, no matter who appoints them—giving the Premiers the powers of appointment is no significant reform—at the end of the day the elected House of Commons must prevail. That is a clear position of the Liberal Party.

But we have not reached that point, the end of the day. I would urge the Minister to look at a compromise, to look at these amendments once again and consider the arguments that have been made, the study made in the other place and the

extensive debate here in the House. I urge him to weigh the interests and give intellectual property and patent rights adequate protection, whatever research and development that may bring, but at the same time achieve a balance and equilibrium for the Canadian consumer, for the aged, the sick, the handicapped and for the four million Canadians who do not enjoy a drug plan, those people who really face the brunt of this legislation.

Why are the recommendations of Dr. Eastman and those of the Senate being rejected? It is for one simple reason. The American multinational drug companies do not like it. An earlier version of this Bill reflected the Eastman report. A summer elapsed and this new Bill was brought in which reflects further discussions with the Americans and the pharmaceutical companies south of the border. It was also brought in to accord the priorities of the American negotiators in the free-trade negotiations. American multinational drug companies are forcing the U.S. administration to make passage of Bill C-22 a condition of the trade talks. The Government has caved in to that pressure. It has been completely spineless. It has changed its original Bill to Bill C-22 in order to accommodate the American pharmaceutical companies and the American trade negotiators. I find it absolutely shameful that this Government and this Prime Minister are willing to sell out our poor, our sick and our disadvantaged just to improve the profit margins of the multinational drug companies.

The Minister says that even if prices go up, it does not really matter because they are all covered by provincial drug plans in any event. What a spurious and deceitful argument. What about the four million Canadians who are not covered by drug plans? What about the millions more who are only partially covered? What about them? "To hell with them", says the Minister. "To hell with Canadian taxpayers who are going to foot the bill to pay either directly for increased drug prices or indirectly through increased taxes to cover the increased cost of drug plans under provincial legislation".

This Government should hang its head in shame when the leading consumer protection advocate in the United States, Ralph Nader, feels obliged to speak across the border and tell the Canadian Government that what it is doing with this Bill will only hurt Canadian consumers and increase profits for the large multinationals. But the Minister and the Prime Minister have repeatedly denied that there is any connection between the trade talks and this legislation, even though the joint communique issued at the Shamrock Summit lists intellectual property as the one of the areas of discussion. Even though the United States trade representative, Clayton Yeutter, lists Canadian drug patent legislation as an irritant which, and I quote from the National Trade Estimate, 1986 report on Foreign Trade Barriers, Office of the United States Trade Representative, at pages 54-55, "costs U.S. pharmaceutical interests significant lost revenues each year".

It also states:

> The United States continues to raise its concerns at senior Government levels. It urges speedy submission of modifying legislation to address serious U.S. concerns about the inadequacy of Canadian patent protection in this area.

That was right at the top of the list of irritants which the United States wanted to remove as a price for free trade negotiations with the United States.

The President of the United States in his letter to Senator Packwood, that great "Dear Bob" letter which we have often quoted in the House of Commons, dated May 8, 1986, said: "Dear Bob, thank you again for your forceful efforts in preserving our fast-track proposal for a Canada free trade agreement". Senator Packwood from the State of Oregon came along and voted for the fast-track but he had made a deal.

The last paragraph of the President's letter to the Senator reads: "We fully realize that lumber and other pending trade irritants must be resolved before we submit to the Senate the results of the comprehensive negotiations". Right at the top of that list of irritants is the pharmaceutical industry's demands for this legislation.

How clearer could it be? Yet the Minister and the Prime Minister say there is no connection. That is sheer nonsense. The Parliament of Canada is now in emergency session to meet Washington's timetable. This is the first time a legislature of a sovereign nation was every called into emergency session just to abide by and conform to the wishes of another nation.

The Government can deny it all it wants, but that is the truth, and what a shameful truth it is. Despite the attempts of the Government to hide the facts and cover up its real intentions, and to confuse Canadians on these trade talks, it is now becoming clearer every day that it has been the Government's intention all along to risk Canadian economic, political and cultural sovereignty in return for a free trade deal.

The Americans may be many things but they are not stupid. A Yankee trader is still a good Yankee trader. They know a good thing when they see one, and boy did they see a good thing when this Government got elected and the Prime Minister went down to New York. I am sure we all remember. He put on his black tie and told all those American bankers and investment brokers, "Hi guys. My name is Brian Mulroney. I am Prime Minister of Canada and I want you to know that Canada is open for business again". The next day he returned to the House of Commons and I said to him, "That is terrific. We are open for business again. I never thought we were closed. We may be open for business again, Prime Minister, but this country is not up for sale", and that is what we are saying to the people of Canada.

Canadians know that the Government wants a free trade deal at any cost. The plan was simple, get the Prime Minister and the President together, put on the black tie, a few handshakes, a few songs, a few limericks, a nice meal, a nice show and that will keep those simple Canadians happy, especially

the Prime Minister, who seems to be pretty easily impressed by anything that happens south of the border.

At the same time the U.S. dangled the carrot of a free trade deal in front of the Prime Minister. It put the heavy hitters to work behind closed doors to get everything it wanted before the deal was signed. It wanted to eliminate the National Energy Program, and what it considered to be the restrictive provisions of the Foreign Investment Review Act, before the deal was ever begun, before it was ever signed. The Americans know the Canadian Government is not going to put up much of a fight because apparently the Government of Canada needs the free trade deal. How will the Prime Minister of our country ever be able to explain to Canadians why he received so little and gave away so much?

The Americans could not believe their good fortune. Here was a Government which was willing to give away all of its best bargaining chips, FIRA, the National Energy Program, even before the negotiations started. The Government has been willing during the course of these negotiations to sell out industry after industry. First it was our lumber industry, then our book and publishing industry and now it is the turn of the drug industry at the expense of the Canadian consumer.

• (1550)

On March 16 I asked in the House what would be next on the Tory sovereignty sell-out; oil and gas, steel, or potash? Potash is the next industry on the block. The preliminary decision of the United States to impose an 85 per cent countervailing duty on Canadian potash is the latest pressure tactic. That measure could wipe out the Saskatchewan industry. It could prevent Manitoba from getting in the game. It could wipe out the development in New Brunswick.

We expect the same "fearless" performance, to use the word of the Minister for International Trade (Miss Carney), whose great victory was to impose a 15 per cent export duty on our lumber industry at the request of the Americans, despite the fact that in 1983 we had won an identical case. Despite the fact that the underlying premises and facts had not changed, the Government of Canada lost its nerve and surrendered. It pleaded guilty before the trial and withdrew our case. The only difference between now and 1983 is that in 1983 we did not have a weak Government that was preoccupied with preserving a free trade deal at any cost.

I would advise the Canadian potash industry to be very wary of offers of help from the Minister for International Trade.

This Bill as proposed by the Government is bad legislation. It does not do what the Government states it will do in terms of research and development. It does not create more jobs. It does not give Canadians a new and larger variety of drugs. It only raises prices, and increases the profits of the multinationals.

Obviously the Government hopes that in the flurry of publicity that it has created by the incompetent handling of the refugee issue, Canadians will not notice that the real motive for recalling Parliament for this emergency session is to pass this drug Bill. It is a cynical act by a desperate Government caving into the sovereign extraterritorial power of the United States.

I urge upon the House and the Minister a full consideration of the amendments that we proposed in the House, and the amendments proposed by the Senate and returned to us for reconsideration. These amendments would give a fair balance between research, jobs, and development on the one hand, and yet preserve stability in the drug price structure for the benefit of those Canadians least able to protect themselves; the aged, the chronically ill, the sick, the handicapped, those who cannot protect themselves and who depend upon Parliament to step up and call upon the Minister one last time before the end of the day to listen to reason and common sense, listen to the facts and the arguments, and be reasonable and accept our amendments.

Some Hon. Members: Hear, hear!

• (1600)

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Madam Speaker, I, too, am very pleased to be able to make a few comments on this excellent Bill C-22.

A moment ago the Leader of the Official Opposition (Mr. Turner) referred to the few years' experience he had in the Department of Consumer and Corporate Affairs, of which he may have been the first Minister.

I, too, had this experience, Madam Speaker, and the opportunity to study in detail first the effects of the Liberal Party position on that project or the measures that date back to 1969, and particularly the Eastman project which was announced and launched in 1983. Madam Speaker, the Eastman Committee was set up precisely because the Party recognized that changes were needed. Changes were necessary because the evidence showed at the time that the existing legislation substantially reduced the number of jobs, and moreover, that it was causing a major outflow of the investments related to the pharmaceutical industry to other countries. Naturally, we all remember the most recent decision of this industry in Quebec when the Hoffmann-LaRoche company had to close down because of the inaction of the previous Government.

This is why it is important to make some changes. This is why we have introduced Bill C-22. First, because we firmly believe in the principle of protecting intellectual property. We believe that the time has come to align our patent rights on international practice, as patents are recognized throughout the world in all industrialized countries. To my knowledge, Canada is now virtually the only industrialized country where a company cannot always obtain patent rights for new drugs under the compulsory licencing system. To a certain extent, Canada is the only country where drug prices are controlled through intellectual property, and I believe that this must change.

If all countries had legislation as regressive as ours, no new drugs would ever be developed. Bill C-22 will bring back patent protection to a seven to ten year period, as we have already pointed out, and transform the Canadian pharmaceutical sector into a first-rate innovative industry, which will generate an important increase in investments and jobs in the area of research and development.

As it is, Madam Speaker, the Senate is not prepared to extend that kind of protection to our multinationals; naturally, they stand accused of making profits at the expense of consumers. But here is another point of view as expressed by columnist Lysiane Gagnon in the August 22 issue of *La Presse*, and I quote: "The major drug research laboratories are multinational companies. Why? Because applied research is very costly, of course. On average, they spend $100 million over 10 years to develop and market a new drug, not to mention the time they waste working on risky ventures. No wonder there are no small- and medium-sized businesses or co-operatives in state-of-the-art research."

Well, Madam Speaker, our Senators would be quite satisfied with maintaining the status quo by granting drug manufacturers a four-year protection. The rationale underlying these amendments to the Patent Act is the creation of a climate likely to promote research and development in the drug industry. Indeed, as I said a moment ago, we want to stem the brain exodus towards foreign lands. Thousands of students, young researchers, and scientists are leaving Canada precisely because they cannot find jobs here and have much more challenging opportunities elsewhere.

I also referred to the massive inflow of capital investments we can expect once Bill C-22 becomes law. The Prime Minister (Mr. Mulroney) has been saying this everywhere: Canadians can look forward to investments in the order of $1.4 billion over a 10-year period, and this, I might add, in all regions of Canada, be it in Quebec, in Ontario where the main activities of the industry are located, or in the other provinces.

In 1995, research and development spending will total over $600 million annually. We must realize the impact this Bill will have on the future and health of Canadians. We must also remember that more than 30 per cent of the amounts to be spent on research and development will go to universities and research centres. The funds will also be used to coordinate our research and development efforts.

As I said earlier, every region in this country will benefit from the tremendous economic spin-offs. For instance, Nordic Laboratory in Montreal will receive $45 million. Universities and research centres in Edmonton and Calgary will receive $132 million. Hospitals and universities in Halifax and St. John's, Nefoundland, will receive $82 million. These are considerable amounts that will be distributed across our regions and benefit every Canadian who wants to dedicate his energies and efforts to this work, as well as our young people in the regions.

However, in the other place, the Senate is proposing a fund that would total no more than $25 million, which money would be redistributed to the companies, not to universities and research centres.

Bill C-22 also means creating 3,000 jobs for scientists, as I mentioned earlier, jobs for researchers, jobs for young men and women, for young Canadian graduates. Over 1,200 jobs will be located in the province of Quebec. The protection provided under Bill C-22 for new drugs will not only benefit research and development, it will also expand the volume of manufacturing and exports in the Canadian drug industry.

As for generic drugs, it is said that the Bill will mean the end of the generic companies. Madam Speaker, our new policy will promote the manufacture of new generic products by making it attractive for the generic firms to manufacture the chemical ingredients used in the manufacture of drugs.

All import licences already granted to generic companies will be automatically converted to manufacturing licences. Generic companies will thus be able to manufacture the product directly. It is also very important to remember that all generic products now on the market will continue to be sold. When people say that Bill C-22 will increase the price of drugs, they are simply trying to fool Canadians. The impact of this Bill will certainly not be to increase the price of drugs. Generic companies will also be able to continue and expand their exports. Generic products represent only 7 per cent of the drugs sold in this country. So what happens to the 93 per cent that are not protected and are free game? That is why we want to create a price review board so that we can reassess and monitor the prices of these drugs, for the benefit of the consumer.

Now, Madam Speaker, Canada takes up only 2 percent of the world medicinal drugs market. Well, by favoring new investments, we will rank among such nations as Japan, Italy, the United States in terms of research investments, innovations and new technology development.

Canada, therefore, will be recognized as a country which welcomes investments, not only in the pharmaceutical industry, but also in many others.

If I may, Madam Speaker, I should like to mention that during 1986, Canada has experienced, in terms of foreign investments, its best year ever. Foreign investments in the order $6.8 billion have resulted in the creation of new jobs and fostered new investments, due clearly to a favourable economic climate and the new confidence which has taken hold of Canadian citizens and businessmen.

Again, Bill C-22 follows this philosophy which our Party adopted in 1984.

In the area of consumer protection, it should be emphasized that this policy, as I mentioned earlier, will continue to control the prices of drugs which are already sold in various drugstores, and to make sure that the future prices remain reasonable, there will be a fully independent Patent Medicine Prices Review Board which would be chaired by Dr. Eastman, the same man who carried out a study of the whole pharmaceutical industry. This organization will therefore be established.

Well, the Senate is against the creation of such a board and would rather entrust the control over the prices of these generic products to the free competition of the market-place.

Madam Speaker, that is not the way to protect Canadian consumers. As I said, 7 percent of patented medicine are subject to the competition of generic drugs. Canadians, therefore, have no way of knowing whether they are paying a fair price for the remaining 93 percent of these drugs when they are purchasing them.

So we are saying that the Patented Medicine Prices Review Board will review the price of all prescription drugs to provide that protection to consumers.

In formulating that policy, my Government has strived to reconcile the need to increase industrial research and development with the need to ensure the availability to Canadian people of pharmaceutical products at fair prices.

On the other hand, the report of the Senate committee means the *status quo*. Whatever means are used by the opposition and the Senate to present the matter in a misleading light, the only important thing for them is to obstruct the passage of the Bill.

I can also point out that in the press today, especially in the *Toronto Star* a non-elected Senator once again clearly mentioned—and this should not be accepted or tolerated by Canadians—that he will continue to object to any legislation which could be beneficial to the Prime Minister (Mr. Mulroney). That is the kind of views put forward by our non-elected Liberal Senators in opposing a fair Bill. It is absolutely unacceptable.

When we put together the various elements of Bill C-22, we took research and development in consideration. Why? Because it is essential for Canada to redirect its future on the basis of the new technology taking research and development into account.

Job creation also is a major aspect. Three thousand jobs will therefore be created by this legislation by 1995. And, as I mentioned earlier, not only in Quebec or Ontario but in all Canadian regions. When we say that regions in this country are disadvantaged and that we must address those regional disparities, well, this is the result to be achieved by Bill C-22.

Let us also refer to investment. I referred to $1.4 billion's worth of investment. That kind of investment is important not only because it creates jobs but because, in addition, fundamental research will put the ingredients in place to enable Canadians to occupy, as I said, a better place internationally.

Let us also refer to health care, Madam Speaker. It is clear this legislation recognizes the need to protect health care, but it also provides that in the future, there will be an increasing need to protect, to discover new drugs. And Canada must play its role as a nation. Bill C-22 ensures that.

Let us refer also to consumer protection. I referred to the review agency, Madam Speaker, which will go to industrialized nations, measure the effects of those prices, the impact on our prices, our Canadian pharmaceuticals, and will act where needed. There is a protection mechanism for consumers because when a new product is marketed, after four years the company would have to meet standards, criteria that are set up. And protection will continue to be extended if these criteria are met.

Therefore, Madam Speaker, such protection is consistent in all respects with the Government's commitment to ensure at all times not only that the consumer is adequately supplied with health care products but that these products are available at prices which are fair and comparable to those of any other country.

Finally, I believe that any forward thinking industrialized country must care about protecting its intellectual property. Not to do so would be inconceivable. Even the Liberals before 1983 had recognized the necessity of reviewing this obsolete and regressive legislation. Why was the Eastman Commission established? Why was it asked to review the pharmaceutical industry? Obviously because the legislation was deemed faulty, Madam Speaker. So now the Liberals are putting forward amendments which will bring us back to the same kind of legislation we have had since 1969. Surely, this is not the way to give our young Canadian men and women a reason to be optimistic and confident about their future.

It is precisely by addressing such important issues as intellectual property, patent protection and the safeguarding of inventions that we will give Canadians better protection and a brighter future.

Therefore, I must say once again how pleased I am to note that this legislation is agreeable to the National Assembly. Hon. Members will recall that the Quebec National Assembly has concurred in the Bill in an unanimous vote and has thereby clearly expressed its wishes. Those who vote in that legislature are elected representatives and we will neither allow nor tolerate that non-elected Senators oppose a Bill which meets the wishes of Quebecers and Canadians.

• (1610)

[*English*]

Mr. Waddell: Madam Speaker, I agree with the Minister that there are a number of issues before us, one of which is the

non-elected Senate blocking the House. However, the other issue is the price of the drugs themselves.

I do not know if the Minister is familiar with one of the best articles that was written on this subject in *Consumer Reports* magazine. The article is talking about the United States and reads:

> The brand-name companies dominate the $25-billion annual market in prescription drugs. They barrage legislators, doctors, pharmacists and consumers with an unrelenting message: Generic drugs are low in quality and may harm you.

Sounds exactly like parts of the Minister's speech. The article goes on:

> Few distortions in the history of commercial propaganda have cost consumers more money than that one.

The article goes on to point out that a brand name drug like Valium costs $27.47 per hundred whereas the generic drug, Diazepam, costs $8.49. The article lists example after example of this.

As a Conservative, is the Minister not in favour of competition? If he is, why is he trying to restrict competition with this Bill? Does he not agree that the people who will really be penalized are Canadian consumers who will have to pay more for drugs?

[*Translation*]

Mr. Côté (Langelier): It is becoming quite obvious, Madam Speaker, that the Hon. Member does not understand much about the contents of Bill C-22.

First, I would like to say that Bill C-22 is certainly not destroying competition. This is a balanced Bill, which protects intellectual property, and this is vitally important, as I have already said. How will this be done, Madam Speaker? By allowing the generic companies to continue manufacturing for export.

This means that the drug will still be there and that these companies will continue to develop as they have done in recent years. It usually takes from seven to ten years for a generic product to reach the market. We want to continue to allow generic companies to market equivalent products. Thanks to the control agency, if the price of a drug is too high or if the pharmaceutical companies do not meet the criteria set out in the legislation, they could lose their patent protection and a generic company could be invited to introduce its own product on the market.

It is a mistake to believe that drug prices will increase because of Bill C-22. People who believe that do not understand the Bill. There is nothing in this Bill that could remove generic products now on the market. Prescription drugs now sold in pharmacies will continue to be available to Canadians. This is what we have to realize and what the Hon. Member has failed to understand.

I therefore invite him to reflect further and to examine the situation more closely.

[*English*]

Mr. McCurdy: Madam Speaker, the Minister indicated that not all generic drugs would be removed from the market. The fact is that the generic equivalent of Zantac will be removed from the market under this legislation because of the retroactive provisions of it. He says further that there will be no increased costs to patients as a result of this legislation.

How does the Minister explain that the Government has provided in this legislation for $100 million to compensate the provinces for the increased costs of drugs to taxpayers as well as consumers? When one considers the pattern of transfer pricing used by the multinational pharmaceutical manufacturers, how in the world is he going to guarantee that the initial cost of a new patent drug will not be as projected, that is twice the cost of a new drug, in the absence of generic competition?

• (1620)

During the course of his response to my colleague he also said it takes seven or eight years for a generic to be ready for the market. It has to go through a procedure of licensing and notices of compliance. That would mean, presumably, up to 17 years would go by before a generic could enter the market. Surely he understands that that kind of protection will unavoidably mean increased prices. In any event, if it takes seven or eight years for a generic drug to get on the market, as the Minister says, why in the world do we have this legislation, given that at the end of 10 years a new drug has to give way to its replacement?

[*Translation*]

Mr. Côté (Langelier): Madam Speaker, I would suggest that my colleague has already acknowledged the need for a new legislative measure designed to promote research and development. It has become ever more obvious that Canadians must be able to shop for products to protect themselves, the kind of products which will be marketed to protect their health. The Senate committee has come up with alternate proposals, including a royalty fund which will keep increasing precisely because these companies will be making much higher payments. Since the money will come from existing drug companies they will benefit from the economic fallout. This will not do anything to boost the investments which are also important to Canadians.

Now then, if the amendments proposed by the Senate were adopted, universities and research centres would also be deprived of most of the products which are available, not to mention the sum of nearly $400 million involved in the numerous research projects.

So this is just one more indication that our Bill meets the expectations of Canadians. The first thing to do is to consider what has been proposed in Bill C-22: equity provided under the Bill, lasting consumer protection, and promotion of generic products. What happened after the previous administration announced its intention to review the drug industry and set up the Eastman Commission? A sharp increase in licence

applications, regardless of market conditions. As a result the generic companies are given a golden opportunity for expanded production. I repeat that the Bill provides for that kind of equity and, if I can put it this way, it will maintain the generic drug industry in a sector of activity which will leave it free to compete in the best interests of Canadians.

[*English*]

Mr. Neil Young (Beaches): Thank you, Madam Speaker, for again giving me a further opportunity to enter this debate over what the Government is attempting to do to a policy which has been seen by most Canadians as both fair and good for Canada.

Before I begin my few remarks I want to say to the Minister and government Members that in my view and that of many in Canada there is absolutely no consensus in this country which would encourage the Government to do what it has been attempting to do for the last year and several months. In fact, if there is a consensus in Canada it is that the Government should leave what has been a good policy for Canada and Canadian consumers as is.

I want to say at the outset that the Government has absolutely no one to blame but itself for the fix it finds itself in today as between this House and the Senate. I say that because of the way this whole issue has been handled by the Government from day one. The entire process has been questionable. In that respect I think it would be useful to remind ourselves how Canada's present policy came about. It did not come about by a fluke or accident or mistake. It came about because of some very good, sound and solid reasons.

We must look at what the multinational drug companies were charging Canadian consumers for pharmaceutical products prior to 1969. It has been said time and time again, and the Government refuses to recognize it, that prior to 1969 Canadians were paying among the highest prices in the world for pharmaceutical products. It was because of those unacceptably high prices, and many called it price gouging at the time, that the Government of the day was forced to respond to the concerns expressed. The first response was in 1961 when the Restrictive Trade Practices Commission examined Canada's policy on pharmaceutical products and the price gouging that was going on. It studied the matter, heard witnesses, and concluded that the reason was that the multinational corporations held a monopoly on drug pricing in Canada. That commission was the first to recommend that the Canadian Government end that monopoly by removing patent protection on pharmaceutical products. The Government of the day did not respond to those recommendations.

The pressure still existed so again in 1963 Mr. Justice Emmett Hall headed a royal commission into the pricing of drugs. He came to the same conclusion; the reason drug prices were so high was because the companies enjoyed a monopoly in the market-place. He recommended that patent protection be removed from pharmaceutical products in order to force prices down.

As things very often go with Governments, no action was taken on those recommendations, probably because of the tremendous pressure being placed upon the Government by the multinational corporations. However, in 1967 the Government finally asked an all-Party House of Commons committee headed by a Conservative Member named Harley to study this. That House of Commons committee concluded the same as had every other study group, that there was a monopoly practice in place in Canada which was detrimental to the interests of Canadian consumers. It recommended to the Government of the day that patent protection be removed for pharmaceutical products.

• (1630)

After all those studies, commissions, debates in the House and public pressure, in 1969 the Government of the day finally removed patent protection for pharmaceutical products. That ended the monopoly on pricing structures which those multinational corporations had enjoyed up to that time. Interestingly enough, it permitted Canadian manufacturers, the so-called generic drug manufacturers or, as the Government likes to call them, copiers of drugs or burglars or thieves or whatever, to get into the field, pay the multinationals a 4 per cent royalty for the use of their drugs, and force Canadian drug prices down from the highest in the world prior to 1969 to among the lowest in the world today.

The multinational corporations have never accepted that policy since 1969. For years they not only pressured the Canadian Governments of the day to revert to patent protection but also hauled the generic drug manufacturers into the courts and dragged them through lengthy litigations. This has been well documented. It is not something I dreamed up. In many cases they made it so costly for the generic drug manufacturers to defend themselves in the courts that they were hopeful that they would drive them into bankruptcy and out of business. That has been well documented and has never been denied by the multinational corporations.

It is interesting to note that of all the cases the multinational corporations had before the courts they did not win one. Not one case was won by the multinationals. It was out and out harassment of those Canadian companies, primarily by American producers, that caused those legal actions.

The pressure was still on then as it is today. In 1981, the Economic Council of Canada reviewed Canada's policies and concluded, 12 years after the policy was adopted, that it was a good policy for Canadian consumers. That is another independent committee which made that judgment and those recommendations.

Later on, in 1981, the Canadian Institute for Public Policy did a further study of the pharmaceutical industry and concluded that Canada's policy was the correct one. Not satisfied with that, an internal committee of the Department of Consumer and Corporate Affairs did its own study into

Canada's policy. That committee concluded that Canada's policy was a good one for Canadians.

As I said earlier, Madam Speaker, Governments being what they are, the Liberal Government of the day did not have the moral fortitude to tell the multinationals once and for all that the policy was good for Canadians and they should get lost. Instead it appointed Professor Harry Eastman to conduct yet another study into Canada's policy. We all know the results of that study. It is widely recognized, even by those who oppose his recommendations, that Professor Harry Eastman conducted the most intensive and thorough investigation into the pharmaceutical industry internationally.

After all of that, Professor Eastman tabled his report in the House of Commons, I believe in 1983. He concluded a number of things. For example, in 1983 alone, Canada's policy had saved Canadian consumers approximately $213 million on drug costs. He said that every previous commission recognized that a company should receive compensation for its efforts in developing a product. Those commissions concluded that the total cost to the pharmaceutical industry for research and development amounted to 4 per cent of total sales.

Therefore, Harry Eastman said, as previous commissions had, we should continue to pay the multinational companies 4 per cent royalties for all drugs copied by the generic drug manufacturers. He said as well that the approval process through the Department of National Health and Welfare to bring a new drug on the market was very cumbersome, and he made some recommendations on how that process could be speeded up. However, he said essentially that the policy should not be changed.

All of the studies since 1961 have recommended that Canada's policy should be as it is today. Therefore, why did the Government suddenly charge ahead, ignoring all these studies, the most recent one done in 1983, and introduce legislation through Bill C-22 which contains absolutely no reflection of the conclusions of all those studies?

One can conclude several things. The first conclusion is that it did so because of the tremendous pressure which was placed on Canada primarily by the multinational corporations based in the United States through President Reagan.

The Government denies that, but there is sufficient evidence available which clearly shows that that is the case. At the Shamrock Summit which took place in the Province of Quebec in 1985, President Reagan made that key demand as a prerequisite to agreeing to negotiations on a free trade package. That is the only reason we are faced with this legislation today. It is not to keep Canadian consumers happy but to satisfy a demand made by the President of the United States that a made-in-Canada policy for the benefit of Canadian consumers should be changed because he did not like it.

Regardless of the contents of this Bill, on that basis alone I would fight what the Government is trying to do. It is a direct attack on the sovereignty of this nation and its right to make its own policies on behalf of Canadians. I find that totally offensive and I think most other Canadians do as well.

• (1640)

The Government has made much of the fact that there will be a prices review board established and that prices will not increase. It is stating that we are simply trying to scare Canadians. That is the usual rhetoric we hear from Governments when their position is extremely weak. They try to attack those who oppose the Bill.

It was not only I or other members of the New Democratic Party who said that. Professor Harry Eastman said that it would be extremely difficult for a prices review board to determine whether or not a drug company is charging too high a price once this legislation is passed by the House. There are a number of reasons for that assertion. Professor Eastman said:

> A major problem with the price indexes for a large number of commodity groups is the difficulty in accounting for changes in quality of products.
>
> This is an especially troublesome problem for the pharmaceutical industry in which, each year, several new products are introduced in the market-place as fairly direct competitors with an existing array of products.

He says:

> —the price index does not capture any increase in the price of the new product relative to the old product even in those frequently encountered situations in which the old and the new drug have roughly the same therapeutic value to the prospective patient and thereby are, for practical purposes, the same product.

Eastman said further that separating out changes in the quality of a given drug is so exceedingly difficult that it is rarely accomplished. As a consequence, drug price changes "may inappropriately register changes in quality".

After he examined the situation even further, he said:

> What is clear—is that the changes of price of particular products are not at all a satisfactory indicator of expenditure changes that have as their source decisions by the manufacturer. In addition to deciding on the price of particular products, the manufacturer can also quite clearly decide to introduce a new product that is therapeutically little different from the old product and, furthermore, can set a price for the new product significantly higher than that of the old product.

In other words, it is a common practice within the industry that a pharmaceutical drug that is intended to do a certain thing is marketed, and once the market is saturated, they simply change the fine chemicals in that drug, give it a new name, charge a higher price and market it under a different name. The two products are exactly the same but the company can jack up the price for the fine chemical change in the old product.

Another practice of the companies was referred to by my colleague, the Member for Windsor—Walkerville (Mr. McCurdy), in a question to the Minister who spoke before me. It is referred to in some detail by a fellow named Stanley Adams in a book entitled *Roche versus Adams*. Stanley Adams was an employee in the pharmaceutical industry in the United Kingdom for many years. He was blackballed because

he took on the pharmaceutical companies. I will not bore the House with the details because I am sure other Members of the New Democratic Party will want to speak on it.

In conclusion, I do not think the prices review board will work. Every provincial Government in this country with the exception of one, I believe, have said that prices will increase at great detriment to consumers if this Bill goes through.

Affordable drugs are an integral part of our health care system in this country. The issue is not one of copying a mouse trap, as the Minister calls it when referring to intellectual property. If the Bill goes through it will make drugs much more expensive and, in my view, will weaken the medicare system in this country. In many cases, people who rely on drugs in order to participate in the mainstream of Canadian society will no longer be able to afford them. I think that is a crying shame.

Mr. McCurdy: Madam Speaker, I am sure my colleague heard the Hon. Minister for Regional Industrial Expansion (Mr. Côté) utterly fail to respond to the questions I posed to him following his rather confused presentation. I am pleased that my colleague addressed some of the questions I raised.

I would be very interested to hear what Mr. Adams said about the pricing policy of the pharmaceutical industry. I hope the Hon. Member will take as much time as is available to him to answer that question about just how the pharmaceutical companies, through pricing policies, contrive to rip off the consumers and provincial and private drug plans.

Mr. King: What did Mr. Fingerhut say?

Mr. Young: Madam Speaker, I am pleased my colleague asked that question. Adams said:

> Transfer pricing had two advantages. It enabled the company to avoid a large amount of taxation, and it allowed them to overcharge without appearing to do so. It worked like this. If a Roche manufacturing company needed to buy raw material from the parent company in Basle to make the finished article, then the raw material was not, as you might think, provided at cost or cost plus a certain fixed level of profit. No. First Roche headquarters had to decide what the world market price of that product was, or in other words just how much they could sell it for and still be sure of having buyers. Then they had to look at the different levels of taxation in the various countries, and then they had to decide, bearing that in mind, just how much profit they wanted each individual company to show, if any.
>
> Once they had made that decision, which obviously depended on how high or low the taxes on profit were, and on the political situation in any given country at the given time, then, and only then, Roche headquarters set the price the subsidiary had to pay them for the material they wanted.

That is one of the reasons, incidentally, that the federal Government has yanked a number of multinationals before the courts in Canada. It is because of the way they have been using the pricing policy to force Canadian taxpayers to subsidize them at the other end. Even the Government, which has come to be the hero and chief spokesperson for the multinationals, recognizes itself that there is something wrong with those pricing policies, mechanisms and structures. How it can do that on the one hand, and, on the other, say that it will have a prices review board that will be able to provide the necessary protection for Canadians in what they pay for future drugs, is totally beyond me.

Even Professor Harry Eastman has concluded that it would be impossible for a prices review board to control price gouging because of all the various factors involved.

Mr. Waddell: Madam Speaker, I want to ask the Hon. Member a question, but I heard a Conservative Member yell: "What did Fingerhut say"? Mr. Fingerhut is an American pollster.

I do not know what he said but I know what Angus Reid and Gallup said. Fifty-eight per cent of the Canadian public said that they opposed the Bill, 32 per cent agreed with it and 11 per cent were undecided. I imagine Mr. Fingerhut found the same thing, that the Canadian public opposes this Bill because it is a cave-in—

Mr. Fennell: Not in my riding.

• (1650)

Mr. Waddell: You are caving in to the American multinationals. You are letting the American multinationals and the American President push you around. You are increasing costs for Canadians.

The Acting Speaker (Mrs. Champagne): Order.

Mr. Waddell: You are ripping off the old people and showing absolutely no guts in the face of this presidential—

The Acting Speaker (Mrs. Champagne): Order.

Mr. Waddell: I have a question, Madam Speaker.

The Acting Speaker (Mrs. Champagne): I am sure the Hon. Member knows that he should address his colleagues through the Chair.

Mr. Waddell: Yes, Madam Speaker, I will.

The Acting Speaker (Mrs. Champagne): I am sure also that his colleague has heard the question and may want to answer.

Mr. Waddell: Could I put the question? I did not have a chance to put it.

The Acting Speaker (Mrs. Champagne): I thought there were quite a few questions in fact in the statement made by the Hon. Member for Vancouver—Kingsway (Mr. Waddell). However, I will allow a very short question after a long comment.

Mr. Waddell: Thank you, Madam Speaker. The question is simply this; the Hon. Member used to be the health critic of our Party and was very active in the debate on the indexing of pensions. He dealt with some of the older people in the country through that debate. He has expressed concerns that the medicare system would be affected. I wonder if he could tell us, through you, Madam Speaker, given that our population is

aging, what kind of effect this will have on the future of our health care system with an aging population?

Mr. Young: Madam Speaker, that is one of the real concerns in this legislation. The Minister himself has pointed out that most Canadians should not be too concerned because they are covered by provincial health care plans, insurance plans or a number of other insurance schemes. However, I want to point out that provincial Governments which have looked at this legislation have concluded that the increased costs to their treasuries will be such that they may have to take a look at whether they can continue to carry these programs. That is a source of real concern for many senior citizens.

Provincial Governments get money in just the same way as the federal Government, from taxpayers. They are going to have to take a look at whether they can continue to carry these programs, and if they cannot, they will have to increase provincial taxes in order to continue paying for them. If they do not want to go that route, they are going to have to take a look at whether they are going to place a deductible on drug care programs. They are going to have to find some way of surcharging seniors who presently have free drug coverage. It will have to be the same for people who are on some kind of income-support system. Disabled persons very often receive some kind of assistance from provincial Governments.

Will the provincial Governments be able to continue to provide that coverage if it becomes so expensive under these legislative changes? That is a source of great concern for many people.

Mr. Ian Waddell (Vancouver—Kingsway): Madam Speaker, I rise to speak on this matter. Normally we would hear next from a Conservative or a Liberal, but they do not seem to want to speak on this particular Bill.

Mr. Fennell: We said it all to the people out front earlier.

Mr. Waddell: This is a government motion to reject Senate amendments. I think the position of the New Democratic Party is quite clear. We have always opposed Bill C-22. We favour the existing system of compulsory licensing of generic drugs. We think this is a bad Bill. We thought so at the time the Bill was passed by the House. We believe it means increased drug prices. The Hon. Member for Beaches (Mr. Young) mentioned the figure from the Eastman report of $213 million in one year. We think there is a tremendous lobby out there of multinational companies which have put great pressure upon this Government. We regret the Government has caved in to this lobby. We know this is what is called a "trade irritant" to the United States, that is, President Reagan and the Americans have taken the side of the American companies, and the Government has caved in again to the United States on this matter, as it has caved in on most matters dealing with the United States. For all those reasons we have opposed Bill C-22.

The Senate has blocked the Bill. We do not believe in an appointed Senate and, therefore, we believe the Senate should let the Bill pass after the House of Commons has in fact reviewed the matter. However, I think this process is working as a sober second thought. We feel that the Government should listen to the arguments from the other side and to the Canadian people, who I do not believe support this Bill. In fact, I will go further. I believe this is probably the worst Bill brought in by the present Government. It is a Bill which turns back the clock. The Hon. Member for Beaches gave the history of the great struggle of this Parliament to break free from the drug lobby and to bring in legislation in 1969 which took Canadians from a people who paid the highest prices for drugs to a people paying some of the lowest prices for drugs. Why are we trying to change that? It seems to me that it is a terrible mistake.

I do not understand the position of the Liberal Party with respect to this Bill. I believe the Party is split on the Bill. I know that Judy Erola, who used to be a Minister for the Liberal Government, has now taken a job as head of the drug lobby group. I see that as very unfortunate. I see a split between the Liberal Senate and the Liberal parliamentarians which may have something to do with the leadership question. Be that as it may, I ask the Government to take another look at this particular Bill.

What do the Senate amendments do? First, they basically accept the Eastman report, which is the report of Professor Harry Eastman of the University of Toronto in 1985. The first recommendation is that the exclusivity period of seven, eight and 10 years granted by Bill C-22 be now cut to a flat four years. In other words, there would not be this long period of exclusive patents. I think it is rather ironic that the Conservatives, who are supposedly in favour of competition, do not realize that granting eight, nine or 10 years exclusivity, is another way of granting a monopoly. What we are in fact doing is granting monopolies through the process of this so-called patent protection.

The second recommendation of the Senate is that any retroactivity in the Bill to June 27, 1986, must be cut out. The Hon. Member for Windsor—Walkerville (Mr. McCurdy) pointed out that by putting retroactivity in this Bill, it will in fact mean that some generic drugs will have to be removed from the market.

Mr. Horner: Wrong.

Mr. Waddell: The third recommendation is that the drug prices review board be eliminated on the grounds that in any event the board will not have much effect on the price of drugs.

Mr. Horner: No generic drugs will be removed.

Mr. Waddell: With respect to the price of drugs, a subcommittee of the United States Congress, chaired by Congressman Waxman, summarized its findings, and I quote:

• (1700)

Most of the money generated by the recent enormous price increases—

Drug prices have been increasing at approximately 12 per cent per year in the United States.

—is not going to fund research and development. Between the years 1982 and 1986, drug price increases produced revenue gains of $4.7 billion. During the same period, research and development expenditures rose only $1.6 billion—or about a third of the revenue gains from price increases.

Congressman Waxman also states:

In short, the money was arriving in bucketloads, but was going to research and development in spoonfuls.

That is the record of the drug companies that purport to lobby and propose so much to the Canadian Government.

Fortunately, the Senate has stated that a pharmaceutical royalty fund should be created. This will pay patent holders a royalty of 14 per cent based on 4 per cent for promotion costs, and a second portion set originally at 10 per cent but varying in the ratio of world research and development undertaken by the multinationals, and the development expenditures to world sales of prescription drugs. Again, this is a proposal to set up a fund that would try to make good the promises of research and development.

The first three of these proposals are clearly supportable. There is considerable argument in the generic industry whether a 14 per cent charge recommended by Eastman is justifiable. Generic manufacturers point out that they must do their own R and D to meet Health Protection Branch regulations. They think a higher than 4 per cent figure could be justifiable, but no one has proved it to them yet. This is their position. The 4 per cent figure was set by the Commissioner of Patents on the first compulsory licence, and has not been varied since.

The Senate struggled with implementing particular amendments, after having had the full process of travelling across the country and in an unhurried fashion listening to witnesses.

If this were a wise Government, it would take a second look at the Bill and implement some of those proposals. It would receive some popularity in the country.

The conclusion must be that the Senate version of Bill C-22 is a better one than the one presented to the House. It allows the compulsory licensing system to work with far fewer impediments than the Government's Bill, and it presents a method of specific reward for companies based on actual research and development work undertaken. The Government's Bill simply offers the drug companies a massive blank cheque in the form of 10 years of exclusivity, whether or not they do the research and development. It has no sanctions for ensuring that the research and development investments are made. Therefore, that is why we oppose the Government's Bill, and would urge the Government to adopt some of the Senate amendments.

I wish to deal with the matter of research for a few minutes, because we keep hearing about all the research that is going on. The Senate version restores the emphasis on lower prices that the Government has sacrificed. It sought to make some guarantees that higher royalty payments to the brand name companies would actually result in research and development. It is interesting to note where the research is carried out. As I understand it, the real research in drug development is done in the home country of the large multinational drug companies, for example, in the United States or in Europe. The research that we get in Canada is limited research. It is market and clinical research, but it is not the type of deep research that the Government states it could be. There is much authority for that view. Many articles have been written.

A group called the Medical Reform Group of Ontario advised the House of Commons committee that it takes 200 to 300 people working at the same location to create a good centre for basic research, and that none of the pharmaceutical companies now operating in Canada has anywhere near that capacity. Therefore, there is not the capacity, plus it is not natural for them to do it in Canada. It is done at the home base of the multinational corporations.

The Minister stated in the House that $900 million would be invested. This is what one would call a form of boosterism and blackmail in order to have the House rush through with this Bill. I do not believe the argument on research.

The argument on jobs is an interesting one. The bait is that there will be 3,000 high-tech jobs for graduates. The Minister should look at the analysis of his own Department; it contradicts the Minister. Documents obtained by Southam News under the Access to Information Act illustrated that out of the magic number of 3,000, only 1,148 will be employed by the industry in a professional category. According to the documents, a further 541 will be employed extramurally, probably in universities and research institutes. A further 652 are classified as technical, which means lab technicians who could have an undergraduate or community college standing. There are 620 others who turn out to be, in the words of the Department of Consumer and Corporate Affairs, "Managers, cleaners, animal keepers, statisticians, and clerks". Therefore, the 3,000 high-tech, high quality jobs for Canadian scientists and biochemists over the next 10 years are not there. The companies plan to employ 1,148 professionals, or 38 per cent of what they have led people to believe.

One has to ask, what is the Government's real agenda? I think that the Government's real agenda is to make the United States happy and to remove this so-called trade irritant because that was part of the free trade deal. I listened to the question addressed to the Prime Minister (Mr. Mulroney) in the House, and he virtually has admitted as much. That is the Government's real agenda. It has an unpopular Bill. There are a small amount of people who are employed in the industry who naturally are in favour of the Bill. The public is not. Why would the public be in favour of a $400 million or $500 million increase in drug prices? Why would we go from some of the

lowest prices in the world to some of the highest? The Government does not have much support.

I wish to conclude by bringing a couple of matters to your attention, Madam Speaker. I wish to read a letter that I have received from one of my constituents, a Mrs. G. Rowlands, who lives on Fleming Street in my riding. She states:

> I am a widow in my late fifties. I live on less than $450 a month. Fortunately, I am in good health, but my husband's drug bills for the past nine years were on an average of $150 to $200 a month, using generic drugs. If he had not been covered by pharmacare on D.V.A, we would have had a very hard time indeed.
>
> I know people, however, who are under 65 and pay for their own drugs, as I do. Can you imagine the difficulty in covering these escalated costs on a limited budget?

That is what the real world is like. People are struggling to pay this type of drug Bill. We have an aging population, which means that we will have to pay more. The Government comes along with a Bill which will not increase jobs. We will have research that is clinical and market oriented, and not basic research. There is much authority for that position. There have been many hearings and many quotes. The jobs will not be created. Prices are rising. It is a pay-off to the Americans. In short, it is one of the worst Bills that this Government has brought in, and the Canadian people will hold the Government accountable at the next election.

Mr. Horner: I listened attentively to the Hon. Member who made a great number of points which were full of holes. The Hon. Member talked about jobs not being there. We know that these jobs are there. Let us review what has happened with this Bill. It was introduced and went through first reading, second reading and into a lengthy study by a legislative committee. The study went on and on and on. I sat in on the hearings and I know what the committee went through. The Bill was given third reading and sent to the Senate for Royal Assent.

• (1710)

What did the Senate do? It decided that it would study the matter and then sent it back to the House. Senators changed the Bill around. They said that we could not have 10 years' exclusivity. They said that we had to go back to four years but give a 14 per cent royalty and so on and so forth. That is all history. However, the truth is now coming out. The truth is now coming out with respect to what the real reasons are behind that move.

Today, in an article in *The Toronto Star*, the Deputy Leader of the Liberal Party in the Senate, Senator Gigantes is quoted as having stated, "I will do anything that I possibly can to stop a Bill that makes Brian Mulroney look good". I think that is a very poor reason for trying to stop a Bill that will bring about research and medical technology. I agree with the Hon. Member when he says that the parent companies—

Mr. Turner (Ottawa—Carleton): Fill the Senate full of concrete.

Mr. Horner: I agree with the Hon. Member when he says that the basic research is done in the parent companies. Ciba-Geigy has an office in my riding of Mississauga North. That company's basic research is done in Basel, Switzerland, where its head office is located. The company has 1,000 researchers there. Would it not be very nice if some of that operation were decentralized and carried out in Canada?

I do not expect that large research facilities will be built in Canada right away, but the pharmaceutical companies—and we have to show some trust in them—have pledged $1.4 billion over the next five years. That will produce 3,500 jobs in research for university trained people. I really cannot see how the Hon. Member can state that we will not produce these jobs.

Hon. Members will remember that back in 1984 the Prime Minister (Mr. Mulroney) stated that we would create jobs at a faster rate than they had ever been created before. Members of the Opposition said that that was false, that we would lose 150,000 jobs. However, the latest reports state that we have created jobs at a rate of over 25,000 per month and, lately, as high as 40,000 per month.

Mr. Rompkey: In Ontario!

Mr. Horner: The Hon. Member says, "In Ontario". I will grant the Hon. Member that Ontario has prospered and is prospering. I will also tell Hon. Members that the spin-offs are coming now in other areas. We are doing things in eastern Canada and in western Canada that have never been done before. How can the Hon. Member stand up and say that this is a bad Bill when there are 2,500 people walking on Parliament Hill today? I am sure he has never, ever seen 2,500 people walk in support of a government Bill in the time that he has been here, and I believe he was elected in 1979. He has never, ever seen 2,500 people walking in support of a government Bill. The CBC will report that when 150 people protest against a government Bill it is a massive display. So what will happen now? We get 2,500 people in support of a government Bill and the CBC reports about finding a box on the bottom of the ocean—absolutely ridiculous!

I would like to ask the Hon. Member to comment on his statement that the cost of drugs will go up and about the aging population. I will grant the Hon. Member that we have an aging population. But with an aging population we must have the research to supply the medical technology to look after such a population. How will we have research to do this if we do not have a Bill that gives some protection and some exclusivity to the companies that are doing the research? I would like to hear the Hon. Member's comments on that matter, Madam Speaker.

Mr. Waddell: Madam Speaker, I thank the Hon. Member for his question. With respect to the people who are demonstrating outside, I am glad they are. They are exercising their constitutional rights to demonstrate. I point out that I understand that they work for the companies and are paid by

the companies. Their expenses here were paid by the companies. So one has to take those matters into consideration. Inevitably, one has to balance the fact that some people will lose in some instances, such as a group of people, versus another huge group of people, namely the people who have to pay the increased drug prices, especially older people.

With respect to research and development, it is not only I who say that. Dr. Paul Gorecki of the Economic Council of Canada, who is perhaps the leading economist in the field of prescription drugs, expressed to the committee his scepticism about the projected doubling of research and development by 1990. He said that no data has been provided in this respect. He asked how real these assumptions are. Under what assumptions is the growth in R and D likely to occur, he asked. He also asked the following questions. Which companies will increase their R and D? Will the research be clinical or basic? Will market research be included?

I have not been saying that; it is being said by the expert in the field. With respect to the costs, the figures are there. They were presented to the committee and before the Senate committee and so on. They range from $300 million to $600 million in increased prices.

The Hon. Member and I both share the notion that we would like to see research in Mississauga, or anywhere else in Canada. Would it not be nice if some of the research that is now being conducted in Basle were to be conducted in Canada?

I think that the Hon. Member is being naive when he says that we have to show some trust in these companies. This is a huge lobby group. It has never kept its promises in the past. If we look at what the American committees have found out and at who is leading this movement as well as what is happening, I think Hon. Members will agree that the Government of the Prime Minister and the Hon. Member are naive in the extreme to get suckered into changing Canada's drug laws as a result of the pressure of the relatively small numbers involved in this lobby group.

Mr. Orlikow: Madam Speaker, I would like to direct a question to my hon. friend. I know that he did a tremendous amount of work on the whole question of the energy industry and how the oil companies shifted oil and increased prices by moving oil from one subsidiary to the other. I ask the Hon. Member if the report which I am about to read which appeared last week in *The Globe and Mail* sounds familiar to him. The article states that these companies, these great multinational companies whose profits are among the highest of any company in Canada, are involved in a system of transfer pricing. The article states:

> Transfer pricing is a way of shifting money within related companies to move profits out of high-tax areas into more favourable jurisdictions. In a typical transaction, the Canadian subsidiary would pay an offshore affiliate an inflated price for the raw material used to make a prescription drug. This over-high price becomes a cost to the domestic company, cutting its profit and therefore its tax bill.

The article then goes on to list a number of cases in which Revenue Canada has battled with companies. In one case one of the companies settled its dispute with Revenue Canada by paying $500,000 in lieu of taxes which it should have paid if it had not become involved in this very cute deal of inter-company transfers. Does that not sound very much like what the oil companies have done so successfully in rooking and bilking the Canadian people?

The Acting Speaker (Mrs. Champagne): May we please have a short answer from the Hon. Member.

Mr. Waddell: Madam Speaker, the Hon. Member is absolutely right. There are parallels between the working of the multinational oil companies and some of the multinational drug manufacturers. We are not saying that they are bad people. But they work in a different interest. They work for the interest of their shareholders, which they should, in their own particular countries. But that does not happen to be in the interests of Canada, at least not all the time.

So we have had a history in Canada in which there have been higher than normal oil prices. We have had some restrictions in terms of competition. We have had research and development transferred to the United States. We decided as a people in the 1970s to try to Canadianize our industries, to try to get some control over industries in Canada. Now the Government is reversing that whole trend, not only in the oil industry but also in the drug industry.

• (1720)

Hon. Charles Mayer (Minister of State (Canadian Wheat Board)): Madam Speaker, debate on this Bill began last Friday. Today is the fourth day of debate. I think everyone would have to agree that it has been well discussed in the House. Outside the House, people have come to the front lawn of Parliament in the last two days to make the point that they would like to see the Bill passed.

One of the things that caught my eye about the demonstration was the signs some demonstrators were holding which said: "Copycats cost jobs". I think there is good evidence that this Bill will create jobs in Canada and will do the exact opposite of what the Hon. Member who just spoke said it would do. The Bill will create more jobs for Canadians, and that tells me that it will help Canadianize the industry.

The Bill has been before Parliament for 15 months. It has been discussed at length in committee. It has had 90 hours of debate in the House. Surely it is time the House took a decision.

I therefore give notice that at the next sitting of the House, immediately before the Order of the Day is called for resuming debate on the motion of the Minister of Consumer and Corporate Affairs (Mr. Andre) in relation to amendments made by the Senate to Bill C-22, an Act to amend the Patent Act, and on any amendments proposed thereto, I will move that the debate be not further adjourned.

Mr. Waddell: Madam Speaker, does the Government not have any shame? The Minister is applying closure on the Bill. He is putting down the guillotine. What is the Government afraid of? Why is it afraid of letting the House of Commons and the public debate this matter? Why does the Government have to use its heavy hand?

Does this have anything to do with the trade negotiations with the United States? The Government is getting down on its knees genuflecting to the Americans.

Mr. Orlikow: Not its knees, its belly.

Mr. Waddell: Yeah, it gets right down on its belly. Does this not have something to do with the fact that this has to be put through for the American trade negotiations? Why is the Government making Canadians, and particularly old people like the lady whose letter I read in the House, pay higher prices? Harry Eastman and all the commentators said that the prices of drugs will go up, and the Minister should not deny that.

What is the real reason for this move? Is it because the Americans want the Bill? Why is the Government bringing in closure when there is absolutely no reason to do so?

The heavy hand of closure indicates a Government that is scared of Canadian public opinion and Canadian public opinion opposes this Bill. Canadians may not like what the Senate is doing, but separating the issues, they oppose this Bill because it means higher prices to be paid by Canadian people and it will not mean the kind of jobs that have been promised.

Mr. Mayer: Madam Speaker, the Hon. Member made several interesting allegations. He wants to know what the Government is afraid of. The Government is not afraid of anything. Above all, the Government is not afraid to act on something that has been well discussed and whose benefits to Canadians have been well documented.

The Hon. Member should also know that the Bill will provide $121-million worth of investment in his own province. Surely that is something about which he should be concerned.

We must all be concerned about some of the illnesses that beset all of us as we get older. One of the things these amendments to the Patent Act will do is to find cures for some of those illnesses.

These amendments will give Canadians a chance to work in their own country and in their own chosen field. They will give Canadians a chance to be creative and productive in their own country. Surely that shows a Government that is not afraid but a Government that has taken responsibility and has acted.

Mr. Guilbault (Saint-Jacques): Madam Speaker, I would like to ask a question of the Minister who just moved closure on this piece of legislation.

Mr. Lewis: He gave notice.

Mr. Guilbault (Saint-Jacques): Yes, he gave notice, notice of a clear intention of the Government.

Day after day, the Government has accused the Liberal Party of being anti-democratic, of frustrating the will of an elected Government, simply because the Senate studied the legislation, as it should, and returned amendments to the House, as has been done time after time and as was done just last week on the transportation Bills, Bills C-18 and 19, in which case the Government approved them. Now the fact that our Party, through its Senate wing, is doing its jobs is called anti-democratic.

How can notice of closure be called democratic, especially at a time when the debate was winding down and it is obvious to everyone that this Bill will pass? Is that a democratic move by a Government that is accusing the Opposition of being anti-democratic? Let the Minister clarify what is democratic and what is not.

Mr. Mayer: Madam Speaker, there have already been four days of debate on this Bill as it has been returned from the Senate. There were over 90 hours of debate in the House before it went to the Senate. There were extensive committee hearings on the Bill. There has been wide public discussion of the issue. Surely the Hon. Member is not suggesting that, considering all those things, what has happened is undemocratic in the sense that the people have not had a chance to make their views known. Any kind of common sense would tell the Hon. Member that, with the kind of exposure that has been given the Bill in the House, in committee and in the Senate, it is time for the House of Commons finally to make a decision on this very important matter.

In view of the amount of debate there has already been, I do not agree with the Hon. Member at all that this is undemocratic. We are doing what Canadians want us to do. We are exercising the responsibility that was given to us in the last election and, on that basis, the Government is not afraid of anything and above all is not afraid of acting on this Bill. That is exactly what we are doing.

Mr. Orlikow: Madam Speaker, I am sure the Minister's friend, Jack Penner, the President of Keystone Agriculture in Manitoba, an organization which has expressed its opposition to this Bill, will be interested in the comments of the Minister.

What is the difference between members of the Opposition refusing to go along with the views expressed by the people who are demonstrating outside—and they have every right to demonstrate—and the refusal of the Government and the Minister of National Health and Welfare (Mr. Epp) to back down on the banning of advertising for tobacco? Members of Parliament from every Party have been receiving letters from people who work for tobacco companies and their advertising companies, but the Minister, quite properly, and virtually all members of the Opposition, agree with that Bill and are rejecting those representations made by those people who, for

obvious reasons, are concerned about the Bill which will affect their economic security.

Mr. Horner: We're talking about Bill C-22.

Mr. Orlikow: I am talking about the Bill the Minister of National Health and Welfare has brought in to ban tobacco advertising. I am saying that the people who oppose that Bill for reasons which they understand and which we can understand, have had their representations rejected by the Minister and the Government, as they should be. I say we are giving precisely the same consideration to the representations being made by the people who were demonstrating outside and we believe even if they are adversely affected, which we do not believe they are, the welfare of the people of Canada as a whole would be protected by not passing the Bill. I ask the Minister: What is the difference?

• (1730)

Mr. Mayer: Madam Speaker, I listened to the Hon. Member with a fair amount of care. We both represent ridings in Manitoba and I have a chance to travel with the Hon. Member a fair amount and have a high regard for him. I fail to see, however, the connection he makes between Bill C-51, which I think he is referring to, and the Bill presently before the House, Bill C-22. I guess you could make that kind of connection between any Bill, but I fail to see what it has to do with C-22. I guess if I wanted to be facetious I could ask what the Hon. Member has been smoking. I do that with a fair amount of affection and not to be discourteous. I do not honestly see the connection between that and his comments regarding the President of Keystone. I have had conversations with him and other members of that organization on their position concerning Bill C-22. We well know each other's views.

Mr. Orlikow: And they are different.

The Acting Speaker (Mrs. Champagne): Resuming debate.

• (1740)

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Madam Speaker, to clarify the situation, I would like to say first of all that when the Minister answered my question a few moments ago, he stressed the time we had spent in debate on Bill C-22. I must say I agree with him on that score. The debate has been a long one. The Opposition, which is truly opposed to this Bill and wants to amend and improve it, spoke for quite some time.

However, that is no excuse for the Government to impose closure, to put a gag on the debate as it is doing now. What the Minister did not say, and I intend to do so now, is that we had given some very clear indications to the Government's representatives. The Minister should listen to what I am saying because this is something he ought to know. We gave very clear indications that we did not intend to make the debate go on much longer. We told the Government House Leader earlier today that when our Leader, the Right Hon. Leader of the Opposition (Mr. Turner), took the floor this afternoon he would be the last speaker on our side.

That being the case, why is the Government bringing in the steamroller, in the form of the most odious measure in our Standing Orders? The Government could have had the grace to wait until the end of the day and it would probably have had its Bill. Madam Speaker, I must admit this is hardly conducive to harmonious relations between the House Leaders of the various Parties.

The Parliamentary Secretary who is responsible for the business of the House seemed quite relieved when we told him that our Leader would be the last to speak. Maybe he didn't mention this to the Minister responsible for the Canadian Wheat Board who was asked to do the dirty work, to put the gag on this debate.

The Government could have proceeded otherwise. It could have used another section in our Standing Orders which provides for time allocation. No! In fact, I think the Government is showing his lack of confidence. Even with an overwhelming majority of 211 Members, it seems that the Government is not sure whether the Bill will be passed without applying closure.

The real reason is that the Government wants to look tough. This Government which for the past three years has been dragging its feet, unable to show leadership and trying to look tough during the Post Office strike and the railways strike, wants now to do the same with refugees. It looks as if the Government thought that within a month, by playing the tough guys they would manage to make up for three years of foot dragging, of lack of a certain steadfastness which is expected from a Government.

Mr. Gauthier: This is sheer hypocrisy.

Mr. Guilbault (Saint-Jacques): My colleague says that it is hypocrisy. I will accept that word which I do not use normally. I know that my colleague from Ottawa—Vanier (Mr. Gauthier) has the reputation of being a fiery parliamentarian.

Let us go back to the position of my Party which will not change even if the Government applies closure. At the same time, I should like to clarify a point for the benefit of my colleague for Vancouver—Kingsway (Mr. Waddell) who said earlier—and in fact, he has left the House and will not hear my remarks—that the Liberals have not stated their position.

The Acting Speaker (Mrs. Champagne): I would ask the Hon. Member not to refer to the presence or absence of Members of this House. The Hon. Member for Saint-Jacques (Mr. Guilbault).

Mr. Guilbault (Sainte-Marie): I withdraw those words, Madam Speaker. I usually follow the rules. Of course, to withdraw what I said will not bring the Hon. Member back to the House. In any event, he will be able to read *Hansard* tomorrow.

His statement a moment ago that Liberals are divided on the issue of Bill C-22 forces one to conclude that the Hon. Member has not been in the House for any part of the debate. The position of all Liberal Members and all Liberal Senators on Bill C-22 is the same, and I will inform my colleague who has not followed the debate, obviously, since he is asking me which position it is. Our position is very simple. It is the one Dr. Eastman put forward in his report. It provides for 10 years of exclusivity, not four. Not ten but four.

An Hon. Member: And what is your position?

Mr. Guilbault (Saint-Jacques): If the Hon. Member has something to say, why does he not stand up? Eh? What is the name of that guy who never stands up?

The Acting Speaker (Mrs. Champagne): Order, please. The Hon. Member for Saint-Jacques has the floor.

Mr. Guilbault (Saint-Jacques): You call to order those who often interrupt speeches.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Saint-Jacques has the floor.

Mr. Guilbault (Saint-Jacques): I do not think I am attacking anyone when I state our position. It seems to me I have a right to do so. That is precisely why I was elected.

I was saying that our position is the one that was arrived at after a long inquiry throughout Canada by Dr. Eastman and a number of experts who consulted many Canadians. We believe that four years of exclusivity for the multinationals which produce drugs are enough. We believe that royalties should be increased from 4 per cent to 14 per cent. An agency should collect these royalties and allocate the funds to the producing multinational companies which keep their promises, do research and development of pharmaceuticals in Canada and create jobs. This is our position, it is very simple.

If you look at the amendments we proposed in the House—they are in the Order Papers, printed in the documents—and compare them to those presented by the Senate, you will see that there is no difference of opinion amongst Liberals, they are essentially the same amendments. Those who listened to the speech of the Leader of the Official Opposition this afternoon will have no trouble understanding the position of the Liberal Party.

Perhaps the Prime Minister (Mr. Mulroney) for some partisan reasons, will stubbornly continue to say: You are against jobs for Quebec.

Mr. Blais: It is true.

Mr. Guilbault (Saint-Jacques): As a matter of fact, I have just heard an echo from the other side which said: It is true.

The fact is that the difference in our position is quite simple. Instead of taking for cash or for granted that the drug multinationals will keep their promise to do research work and create jobs, we want guarantees. Therefore, we go even further than those who came to demonstrate here and told us to adopt Bill C-22, for it would increase the level of drug research in Canada, protect jobs and create new ones. I understand them. I agree when they want more research done in Canada, more protection for their jobs and new jobs created for other Canadians. However, I go even further. As I said in the House last Thursday, I do not see why I should rely more on the promises of foreign multinationals that I rely on those of the Conservative Party which believes blindly that the foreign corporations will deliver the goods.

Yet, I understand the position of multinationals: they want a 10-year protection. However, to obtain such a long protection, they will try their utmost not to commit themselves. They do not want us to legislate here guarantees which would force them to carry out research in Canada. Clearly, if they can avoid that, surely they are not going to complain. On another level, perhaps less serious, they do not want to give guarantees in writing either. If they can avoid that, they will. We heard a few speeches, a few words that were spoken. But even that would never have come, had they not been forced to do so.

Our position is to give fangs, to give teeth to Bill C-22, in order to have the assurance that research will be done in this country, jobs will be created in Canada, especially in the Province of Quebec I am representing here. It is therefore a complete distortion of our position to suggest, as certain Members in this House have done, that we are against job creation in Quebec. Only clowns can say that.

The three political Parties agree when it comes to increasing research in Canada. The three Parties agree on creating new jobs in research. The difference is, some Parties are ready to accept at face value the promises made by companies that are not even established in Canada, that have their headquarters elsewhere, in foreign countries. Our position is very prudent. It is to say: You claim that you are going to do research, that you will be increasing the level of research—good, we want legislative guarantees to that effect. And if multinational corporations in the drug industry are sincere when they suggest they want to do research, I do not see why they would oppose an amendment that was put forward and that would cast in concrete that obligation to do research. And indeed Senators returned to the House of Commons the same amendment we put forward originally.

The problem is, why does the Government refuse to put its money where its mouth is? The Government says: We want those companies to do research in Canada. But when we say to the Government: Take the steps needed through a package of amendments that is already there, amendments to ensure that this will happen, the Government's answer is: No, pass the Bill as it is. In short, the Government is telling us it is trusting foreign companies. Perhaps there are other reasons. Why is the Government rejecting that amendment? Is it under pressure from those multinational corporations that say: Look here, the Opposition is getting tired, they have been talking for a long

time, in the end they will let it pass. Do not accept that amendment. Have no fear, we will do research. Were the American authorities themselves under pressure? We all know about the lobbying system in the United States, and I am not blaming the multinationals with headquarters in the United States for putting pressure on the American politicians and asking them to speak to us about it, because the Americans are well aware that the Prime Minister and the Conservative Party have promised to deliver a free trade agreement and must now do so as the Canadian Government would look rather silly if the free trade negotiations fell through. This is a pressure point or a lever which the American Government can use, and this might be one of the reasons why this Government refuses to accept an amendment which is otherwise extremely reasonable. When you want something to happen, you do whatever is necessary to ensure that it does. If not, you are faced with the present situation where the Government does not practice what it preaches. The Government says that it wants research and jobs, but when we suggest that it take the necessary action, it refuses to do so. I am beginning to wonder whether the Government is sincere in its desire to have more research activities carried out in Canada.

Madam Speaker, you do not have to be in politics for long to know that we have students in our universities who are learning how to do scientific research for the future. They chose science because they have the ability and the desire required and know that they will have stable and well-paid jobs. You do not need a dictionary to learn that. You do not need to have been a Member of Parliament for 20 years to understand that anyone who objected to this would not be re-elected.

I therefore believe that the Government is going far enough today by imposing closure without repeating the nonsense that Liberals are opposed to research and job creation, as though Canadians could be so stupid as to believe that the politicians would have the idiocy of telling people that they do not want them to have jobs.

An Hon. Member: There were 3,000 people.

Mr. Guilbault (Saint-Jacques): I know that 3,000 people came. There is no need to repeat it. I saw them. However, I know that they came here in buses chartered by the companies. I know that these people came here to defend their jobs. I understand them. They were given a day off by their companies. It is not difficult to organize demonstrations such as that one.

Another thing I can tell them for instance is that I appreciate that they want to protect their jobs, but they should understand that some people can look a little bit further down the road, people who may have more experience in politics like some of us who have been here for quite some time and who have learned over the past three years that relying on the promises of the Party across the aisle is not necessarily the prudent approach.

Mr. Blais: You tell them that!

Mr. Côté (Lac-Saint-Jean): How much more time do you have left?

Mr. Guilbault (Saint-Jacques): I also learned a number of years ago that taking foreign companies at their word is not necessarily the most prudent thing to do. Notwithstanding the interjections of my friends, I have no problem continuing my remarks. I am fond of them because they goad me and this seems to keep me quite alert.

In conclusion, Madam Speaker, I repeat that the Government is making another mistake when it seeks to push Bill C-22 through as is, without any guarantee, that it is making yet another mistake by imposing closure. As I said a moment ago, the Government proves that it has no respect for party agreements. We did not tell the Government that we had changed our mind, that overnight we had come to appreciate the full value of Bill C-22; we said that we had debated the measure, that we got our message across and made our views clear, and that we were prepared to vote as soon as our leader would have addressed the House.

• (1750)

[*English*]

Mr. Horner: Madam Speaker, I listened with great interest to the Hon. Member's remarks, especially at they concerned the Senate royalty fund.

I do not think he understands what he is talking about. According to page 365 of the Eastman Commission of Inquiry report, the royalty fund as proposed by the Senate would have raised $4.6 million for research in 1983. That is a substantial amount, but does not compare with the $1.4 billion that we will raise the other way.

The fund would have meant a cost to consumers of $30.6 million because of increased drug prices resulting from higher royalties. Over 10 years, using the same methodology, the total cost to consumers would have been $700 million to $1.1 billion.

When one considers another aspect, the Senate's proposal does not include a drug prices review board. There is no protection for consumers against these added costs. On the other hand, the drug prices review board as proposed by the Government, and supported by many different people, including officials in the Saskatchewan pharmacare program, is expected to save consumers hundreds of millions of dollars over the same time period.

The only conclusion I can reach is that the Senate's proposals are far more detrimental to the consumer than the Government's legislation. They come nowhere near the economic benefits of Bill C-22. How can the Hon. Member justify the Senate royalty fund raising $4.6 million for research at a cost of $30.6 million in increased drug prices? It

does not make sense to me. It may be Liberal philosophy, but it sure is not ours.

Mr. Guilbault (Saint-Jacques): Madam Speaker, I will start with the second question. The Hon. Member asks why there is no price review mechanism in our position. It is simple to understand. There is no need for it. When one shortens the period of exclusivity and allows generic companies to begin copying the drug and retailing it at a lower cost after four years instead of ten years, the prices are kept down. Look at the experience in Canada when the period of exclusivity was removed and generics began copying and distributing at half the price. Prices went down. That is not difficult to understand.

Why would we agree with a price review mechanism that is proposed in Bill C-22 when it is only a review? There are no roll-back provisions.

Mr. Horner: There are teeth in it.

Mr. Guilbault (Saint-Jacques): There are teeth, but they are worn out. There are no real teeth.

Our proposal will make sure that prices do not go up. Therefore, there would be no need for a mechanism to try to push them down.

Everyone except the Tories understand that if you give a 10-year period of monopolistic exclusivity on a drug by a particular company, the price will stay up.

Mr. Horner: Madam Speaker, I rise on a point of order. I asked a question concerning the Senate royalty fund and the Hon. Member is not answering the question at all. I would like some instruction to have him answer the question, please.

The Acting Speaker (Mrs. Champagne): That is not a point of order. I am sure the Hon. Member for Saint-Jacques (Mr. Guilbault) was just about to answer the Hon. Member's question.

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Fortunately, Madam Speaker, the Chair has more perspicacity than the Member who has just interrupted me.

Of course, the Senate's royalty fund . . . First, I must say one thing. I said this earlier and I will say it again now. Perhaps the Hon. Member did not understand. Perhaps he was doing something else when I started my comments. Since I was speaking in French, perhaps the Hon. Member had trouble with the translation.

I said earlier that the Liberal Party's position was basically that taken by the Eastman report. I did not say it was an exact replica of the report. There are a few differences, and the Hon. Member may have overlooked that. The mechanism we are proposing is not exactly . . . We did not take the report and make a photocopy and say: These are our amendments. We drafted our amendments as we saw fit. However, they are largely based on the Eastman report. That is why the Hon. Member . . . In any case, the Hon. Member did do his homework. He realized that there was a slight difference between the Eastman position on royalties and the position taken by the Senate. He should add: the position taken by the Liberals in the House of Commons as well. I don't know why he only saw the Senate's position, although he was here in the House when we moved our amendments. Maybe that is what the Hon. Member failed to see.

[*English*]

Mr. Manly: Madam Speaker, does the Hon. Member believe that we have had a fair debate on Bill C-22 in the House, considering the fact that at second reading, which was ended by time allocation, there were four occasions on which we spoke to the Bill? They were November 20, November 21, November 24 and November 25, for a total of 11 hours and five minutes. There was a total of 26 speakers, and time allocation was moved after only five speakers had spoken.

In committee, this Bill had 13 sessions with witnesses. Fifty groups were heard, with a 45-minute time limit. The Government severely limited the number of witnesses who could be heard. It dropped the offer to travel to other parts of Canada and rejected the possibility of having American witnesses who could testify about the American experience without generic drug legislation.

At report stage, this Bill was ended by time allocation after 10 hours and 12 minutes, and after only two out of 11 groups of amendments had been dealt with.

Third reading of this Bill was ended by time allocation and our Party, for example, only had two Members who were able to address the issue at third reading.

Does the Hon. Member believe that Bill C-22 has been given adequate time for debate in the initial stages and has been given adequate time for debate since the Senate amendments have been brought down for discussion?

Mr. Guilbault (Saint-Jacques): Madam Speaker, certainly we do not agree any more than he does that the Government was right in using time allocation. We resent those measures.

I just spoke against this horrible measure of which we have been given notice again today. We are certainly not very happy that the Government has done its best to reduce the number of witnesses before the committee. Certainly, more groups would like to have been heard and it would have been fair to give them an opportunity.

On the other hand, if the Hon. Member is asking me if our Party had time and opportunity to place its position completely before the House of Commons, before committee and, to please the Tories, before the Senate, of course we have had time. Of course our position is well known.

As I said earlier, we certainly had a chance to give our message and make our points known completely. Our position was that after our Leader spoke this afternoon we were ready

to vote on the Bill. Perhaps that answers the Hon. Member's question.

Obviously, we could have done without time allocation at the other stages, and obviously we could have done without closure. Certainly we would have been more happy if more witnesses could have been able to appear before the committee. However, nothing appears to be perfect in this world.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, on a point of order.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Ottawa—Vanier (Mr. Gauthier) on a point of order.

* * *

BUSINESS OF THE HOUSE

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I would like to ask the Parliamentary Secretary to the Deputy Prime Minister and President of the Privy Council (Mr. Lewis) whether he could give the House some indication of the Bills or business that will be called tomorrow at eleven o'clock.

• (1800)

[*English*]

Mr. Lewis: Madam Speaker, I would advise my hon. colleague that it would be the intention of the Government to continue debate on Bill C-22. If we could come to a reasonable arrangement on the number of speakers or on a debate which would finish before five o'clock, it may not be necessary to invoke the closure motion.

[*Translation*]

The Acting Speaker (Mrs. Champagne): It being six o'clock, this House stands adjourned until tomorrow at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6 p.m.

HOUSE OF COMMONS

Thursday, August 27, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

SUPPLEMENTARY ESTIMATES (B) 1987-88

A message from Her Excellency the Governor General transmitting Supplementary Estimates (B) for the financial year ending March 31, 1988, was presented by Hon. Robert de Cotret (President of the Treasury Board) and read by Mr. Speaker to the House.

* * *

JUSTICE AND SOLICITOR GENERAL

GOVERNMENT RESPONSE TO FIRST REPORT OF STANDING COMMITTEE

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I am pleased to table, in both official languages, the Government's response to the first report of the Standing Committee on Justice and Solicitor General, and a review of the Access to Information Act and the Privacy Act.

* * *

[*Translation*]

REGIONAL INDUSTRIAL EXPANSION

TABLING OF REPORT

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, pursuant to Standing Order 67(2) I have the honour to table, in both official languages, two copies of the report drafted by my Department and entitled *Grants and Contributions Expenditures Control Study*, and *Report to the Department of Regional Industrial Expansion of the Government of Canada on the Grants and Contributions Expenditures Study* prepared by Price Waterhouse, as well as the document pertaining to recovery measures, *Financial Management of the Grants and Contributions Budget (Vote 10) of the Department of Regional Industrial Expansion.* These documents may be referred to the Standing Committee on Regional Industrial Expansion.

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INTERPARLIAMENTARY DELEGATION

PRESENTATION OF SEVENTH REPORT OF THE CANADIAN SECTION OF FRENCH LANGUAGE ASSOCIATION OF INTERPARLIAMENTARIANS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I have the honour to present to the House, in both official languages, the Seventh Report of the Canadian Section of French Language Association of Interparliamentarians.

* * *

[*English*]

IMMIGRATION ACT, 1976

PRESENTATION OF REPORT OF LEGISLATIVE COMMITTEE ON BILL C-84

Mr. J. R. Ellis (Prince Edward—Hastings): Mr. Speaker, I have the honour to present, in both official languages, the report of the legislative committee on Bill C-84, an Act to amend the Immigration Act, 1976, and the Criminal Code in consequence thereof.

* * *

[*Translation*]

MAINTENANCE OF RAILWAY OPERATIONS ACT, 1987

MEASURE TO ENACT

Hon. Pierre H. Cadieux (Minister of Labour) moved for leave to introduce Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees.

Mr. Speaker: Shall the Minister have leave to introduce the Bill?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the first time and ordered to be printed.

Mr. Speaker: When shall the Bill be read the second time? At the next sitting of the House?

* * *

[*English*]

BUSINESS OF THE HOUSE

Mr. Cadieux: Mr. Speaker, in view of the failure in the final mediation attempt, and considering the public interest, I would suggest that the House Leaders meet immediately in order to discuss when this Bill should be read a second time. Hopefully the House Leaders will agree that we can proceed as of three o'clock this afternoon through all stages.

• (1110)

Mr. Gray (Windsor West): Mr. Speaker, I would be very happy to meet with my counterparts to pursue the suggestion of the Minister of Labour (Mr. Cadieux). Obviously we will want to look at the Bill. We received an unofficial draft of it about 10 minutes before the House opened. We are studying the Bill now but we will certainly want to look at the situation in light of the over-all public interest as well as in an effort to be fair to those concerned, particularly the workers involved in this difficult situation.

Mr. Riis: Mr. Speaker, on behalf of my caucus, the New Democrats, we are certainly prepared to meet as quickly as possible with the other House Leaders to examine the legislation. As the House Leader for the Liberals just indicated, we received a draft copy of the Bill a few minutes ago and it is being considered now. We will study and examine the legislation and look forward to meeting with the House Leaders as soon as possible.

Mr. Lewis: Mr. Speaker, on behalf of the Government, we are ready to meet as soon as my colleagues have had an opportunity to examine the Bill to decide whether or not we can go forward at three o'clock. I would hope in the interests of moving ahead quickly that we can proceed at three o'clock. I am ready to discuss the matter with them at any time.

Mr. Speaker: Under the circumstances, it would be appropriate for the House to give the Chair consent, on the basis that there be unanimous consent that debate will proceed later this day. I make it very clear that that is on the basis of unanimous consent.

Mr. Gauthier: Mr. Speaker, we are dealing here with an important matter and it is essential that we have goodwill on all sides of the House. The House Leaders can meet. I do not think unanimous consent has to be given, and I think we will proceed in due course. We have to have some faith in the process and give the people here in the House some understanding. I do not see the need for unanimous consent to do what we have proposed to do. I really do not understand what we are doing here.

Mr. Speaker: I appreciate the intervention of the Hon. Member for Ottawa—Vanier (Mr. Gauthier). The position of the Chair was to make it very clear to both the Official Opposition and the New Democratic Party that, because there will be some discussions aimed at bringing on this matter later today, the Chair feels that that is what will happen, on the assumption, of course, that there is unanimous agreement as a consequence of these discussions. That was the only point I was trying to make. I did not want to put the Opposition in a position of being automatically caught up in a debate later today because the Chair received the unanimous consent of the House. That debate will take place if the Government and the two Opposition Parties can agree as to the terms. I think that is the understanding the Chair was trying to get across. Is that agreed?

Some Hon. Members: Agreed.

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SUPPLEMENTARY ESTIMATES (B), 1987-88

REFERENCE TO STANDING COMMITTEE

Hon. Robert de Cotret (President of the Treasury Board): Mr. Speaker, pursuant to the provisions of Standing Order 83, I move, seconded by the Hon. Minister of Regional Industrial Expansion and Minister of State for Science and Technology (Mr. Côté):

> That Supplementary Estimates (B) for the fiscal year ending March 31, 1988, laid upon the Table earlier this day, be referred to the Standing Committee on Regional Industrial Expansion.

Motion agreed to.

* * *

CHILD CARE

CONCURRENCE IN FINAL REPORT OF SPECIAL COMMITTEE

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I move, seconded by the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly):

> That the final report of the Special Committee on Child Care presented to the House on Monday, March 30, 1987 be concurred in.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Ms. Mitchell: Mr. Speaker, last March, following the tabling of the report from the Special Committee on Child

Care, I submitted a request on behalf of the New Democratic Party for a motion of concurrence to the House. This was for the purpose of discussing the proposed report and its recommendations, along with our own minority report which we feel provided a very much better alternative for Canadians who urgently require child care. We have waited and waited for a government response.

We hoped that there would be a substantive response by the Minister of National Health and Welfare (Mr. Epp) to the special committee majority report, the report of the Conservatives, but the Minister has not even had the courtesy to respond to the majority report of his own Members who were on that committee.

As I said yesterday in a question to the Minister, we feel that that is quite appalling, and it is an indication that the Government does not put a high priority on child care, together with the many delays that have taken place. I refer, of course, to the June 30 deadline when the Minister was supposed to have tabled the government response. Following that he asked for a further extension. Then by the back door—it was not even tabled in the House—we had a Dear Shirley letter two weeks ago which went to the Clerk of the House. We eventually got a copy of it but that letter really said nothing at all as to what was the Government's intent. It referred to certain strategies but did not indicate what those strategies would be. It did not even begin to spell out the Government's objectives for a national program for child care.

Yesterday I raised this matter again in the House. The Minister disagreed with my challenge that this was a lack of intention by the Government to take child care seriously and give it priority. But he has not come forward with any proposals, and he has told the provinces that there will be further delays. Why are there these delays, Mr. Speaker? What is the necessity to wait for so long? Why have we not had child care objectives tabled in this House so that the Parliament of Canada, particularly those of us who travelled across the country and heard so many witnesses, could respond to what is needed in the way of a real child care policy for the first time in the history of Canada?

One can speculate why there are the delays. It is very evident there has not been agreement in Cabinet. It is evident that there is a difference of opinion between the Minister of National Health and Welfare who hopefully advocates a very comprehensive child care system that is affordable, quality and available in all communities, and his colleague, the Minister of Finance (Mr. Wilson), who undoubtedly does not want to put any money forward to proceed with the commitment made repeatedly by the Minister and the Prime Minister (Mr. Mulroney).

• (1120)

We see this as another broken promise. Words are not enough. Prior to the last election campaign the Prime Minister made a major commitment on child care to women's groups, as did the Leaders of all Parties. He has repeated this promise, and in fact has said several times that he will see that the Conservative Government commits substantial funding to the development of a national child care program, and he has used the term "national child care program".

We have not heard from the Minister responsible for the status of women who should surely be an advocate of child care. When we challenged her on this many months ago, she said that we do not need to throw money at this problem, we want to know what the needs are. The Special Committee on Child Care spent a year and a half working, listening and documenting these needs and doing considerable research into them. Daycare advocacy groups from across the country, groups with a great deal of expertise, provided considerable information to the committee. We know what is needed. We need action that will provide a comprehensive national child care program in co-operation with the provinces.

I believe the Meech Lake Accord has made us much more aware of how important it is that the federal Government spell out national objectives for a child care program. This is the first social program that will be administered under the new Accord, and that Accord provides that the federal Government establish the national objectives and that if the provinces do not go along with direct funding for a program, they must at least have something in place that is comparable.

We believe it is very important that we debate these national objectives right now. We have also said repeatedly, long before the latest committee hearings, that the Government should put at least $320 million into child care services so that the present crisis can be dealt with, so that existing child care centres can be stabilized, so that fees can be reduced a bit making it affordable and so that trained child care workers can, for the first time in history, receive the decent wage which they certainly deserve.

We would also like to see a community initiative and a child care development fund. This is something the committee advocated, something that would provide new initiatives and would respond to special initiatives.

We know that it will take time to negotiate cost-sharing arrangements with the provinces. It is particularly important the the poorer provinces and the northern regions use a different cost-sharing formula.

Members of the New Democratic Party have advocated that the two levels of Government should share the cost of child care fifty-fifty in the next few years and that parents' fees should be 50 per cent. We realize that Provinces like Newfoundland are just getting started in this field, as are northern regions and particularly the territories. It is important that the federal Government put in more than its 25 per cent in those regions. We advocated a formula of 40 per cent and 10 per cent, so that there will be variable cost sharing.

The problem would really not be that difficult if the federal Government would accept the fact that it must take a leadership role. We do not want a child care program that is geared to the lowest minimum standard. If the Government continues the approach it has been taking with the provincial Ministers and tells them to decide what the national program should be, we will have a program of the lowest common denominator. The provinces will cut back on services that are essentially needed and that should be expanded and made affordable.

I know that people are concerned about the costs of child care and we want to take a look at that. The Conservative members of the Special Committee on Child Care made a pretty generous recommendation. They recommended that $700 million be made available initially for a child care program, but their child care program was not just a program. Most of that money would go to tax incentives and a very token allowance of something like $200 a year for a parent who would wish to remain in the home. That will not give a parent who wants to remain at home and do his or her own parenting any real choice.

That proposal also called for additional deductions in the form of tax credits for the cost of child care, but the problem is that it will not give parents any choice. If the services are not funded and if they are not of quality, accessible and flexible, there will be no real choice. The money Conservative Members of the committee would allocate would go primarily to informal kinds of child care that may be good in some cases but in other cases may be very unreliable and even damaging to children.

We do not agree that $700 million should be spent primarily on tax incentives. We have recommended not $700 million but $320 million. I would like my Conservative colleagues to take note of that because they are always saying that the NDP are the big spenders. We want the money to be invested directly into quality child care services. Making $320 million available to the provinces as quickly as possible would stabilize the present system, would help bring wages up and fees down and would also create 25,000 new spaces. It would mean that for the first time, children in certain regions would have available to them trained care-givers and licensed child care services. In areas where there are already developments, these would be improved and there would be quality non-profit services.

The Conservative Members of the committee would end capital funding for day care by 1990 so that there really would not be any incentive for expanding spaces. Yet under the recommendation made by Conservative Members of the committee, $1 billion would go to tax measures alone by 1992. This would go primarily to informal child care services. We feel that that would be money misspent.

Under our proposal, $600 million would be available by 1992 as opposed to $1 billion. It would be made available for quality, licensed, non-profit child care services that are flexible and adaptable to the needs of parents and developed at the grassroots level in local communities.

What then should be the long-term goal? Child care policy is really family policy and we desperately need family policy at the national level. We think that this policy should look not only at short and mid-term developments but should have a long-range goal. If we feel children are important, and I am sure we all do, we must plan for the real world in which we live today.

We know that the majority of women in the workplace who have young children need child care and we also know that that situation will not change. We know that the number of single-parent families usually headed by mothers is on the increase. These mothers desperately need reliable child care or they will have no choices at all and will remain on welfare for a good part of their lives if not forever.

It is vital that we plan now for child care and that the federal Government play a leadership role. It is vital that we have a national objective for child care that is clearly spelled out. Of course, the provinces have to develop standards. That is in their jurisdiction. We are talking about the broad principles as outlined in the Canada Health Act.

• (1130)

Let me take a moment to stress what we would like to see in the way of national objectives. A federal program should be comprehensive. Funding should go to encourage a broad range of services, including those for infants in some cases, family daycare homes, group care, and also support services for parents who are not in the workforce part-time. The federal Government must insist on quality. All services must be licensed and regulated. We found in the Northwest Territories, for example, that there was no licensing. I think they are bringing it in now; I certainly hope so. My colleague from the Yukon will agree that there, where we have an NDP Government, they were making strides, despite the desperate economic situation, to put territorial funding into good quality day care services.

Another principle is that services must be affordable. Cost must not be a barrier to access. We can do this initially by having a sliding scale fee system. It is hoped in the long term we will have a child care program as accessible as our health and education services. As in Scandinavian and many European countries, we see this as a very important service for families that should not be left to chance but planned with considerable government input.

Another principle is that services should be accessible. That is not compulsory, but accessible. There must be an appropriate service in rural communities. Native communities must be able to develop their own services and train their own care givers and do it in a way which reflects a good degree of cultural content.

Flexibility is another principle. Services must be adapted so that they meet the needs of working parents. We found timing was very important and that care has to be available for parents who were on shift work, for example. Most important,

and this ties in with quality, federal government shared funding should go to non-profit services. Research was done for the special committee which proved that the non-profit services were of a much higher quality than commercial services. We are not saying that profit-making services should not exist. We are saying that federal funding should go to non-profit services because they are of a higher quality and are not skimming off money for profits. The money goes directly to paying the wages of care-givers and usually at a much better rate than profit-making centres.

Then we have the question of accountability. There must be regular monitoring and provincial standards spelled out—we hope the standards are high, not the minimum—along with financial accountability. We want to see parents very much involved in the related boards and committees so that they and the local communities have a real say in what is going to be suitable for them.

There are many other things I could deal with. We heard today that the provinces are very anxious about this, as are we. Manitoba and Ontario have their contributions ready to go and are just waiting to start on a good program. As I said before, and I cannot stress this enough, we must have national objectives. It does not cost one cent for the Minister to stand in this House and tell us what the federal government policy is on child care. What are the federal national objectives for child care? It is most important, yet he does not really seem to feel that this is necessary.

Another thing that we feel is very important, and we hope he would be working on it, is legislation. I think all Parties recommended through the special committee that there should be special child care legislation which would spell out the policy objectives of a national program. We would outline a financing formula and provide for a national secretariat. Everyone on the committee agreed that that was needed. There would also be a special fund for new initiatives and training of child care workers. We need the legislation. I hope all Parties will work together to ask the Minister and the Prime Minister (Mr. Mulroney) to make sure that before this session ends we have tabled for debate the objectives of a national program.

As well, there should be some up front money based on the existing system in the provinces, if necessary. I guess it would be necessary if they do not have programs developed in certain provinces. However, we would like to see that $320 million up front and made available now so we do not have to delay any longer. We could get on with stabilizing the present situation at least.

I appeal to all Parties to support us in this endeavour. Let us get on with something for Canada's children. Fall is coming and parents are going to be in urgent need of good quality, licensed child care.

The Acting Speaker (Mrs. Champagne): Questions or comments? Resuming debate.

• (1140)

[*Translation*]

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Madam Speaker, I welcome the opportunity to take part in this debate on the Government's commitments and the report on child care.

First of all, I want to say that unfortunately, my colleague the Hon. Member for Outremont (Mrs. Pépin) was unable to be in the House to speak to this subject, although she worked very hard on this Committee. She is in hospital, and I can inform Hon. Members she is doing very well and there is no cause for concern. She has therefore asked me to take part in this debate.

I agree with the Hon. Member who just spoke on behalf of the New Democratic Party that the Conservative Government is to be censured for its attitude to our Canadian families. Considering the fact that, for three years, this Government has been promising—the House will recall that in the Prime Minister's speech, the family was the cornerstone of Canadian society... In every Throne Speech, this Government has promised to improve child care and to do something to help our families. However, after three years nothing has been done about child care, despite the hard work done by all members of the Committee who studied all aspects of the subject. Representations were made by Canadians, by people from across this country, by organizations and by people involved in child care. Even now, nothing has been done. Today, the Globe and Mail reports that the Minister of National Health and Welfare (Mr. Epp) told his provincial counterparts that he was not yet ready to table his national child-care plan.

Despite the various positions being taken today, the parties concerned have made their decision on child care. I believe that the reason the Hon. Member for Outremont submitted a minority report, dissenting from the position taken by the Conservative majority, was that the proposals made by the Committee, that is the proposals made by the Conservative Members on this Committee, failed to respond to the needs and expectations of Canadians with respect to child care.

Look at the situation today. Less than 10 per cent of our children have access to day care in Canada. I suggest Hon. Members look at their ridings, and whether the riding happens to be my own, Sainte-Marie, or in Vancouver, the Maritimes or Ontario, in one of our urban centres or the Yukon or rural areas, every time we met with community groups, and this was clear from their testimony, we were told there was a lack of daycare services and also a lack of quality standards.

The Liberal Party's position is very clear in this respect. We wanted the Government to table its plan immediately and start a negotiating process with the provincial Governments, because this is very important—we are talking about provincial jurisdiction—the Government must immediately table a comprehensive plan for child care in Canada, with the condition—and this is where there is a difference between the Liberal Party and the New Democratic Party—that parents

must have a choice. We absolutely object to what the New Democratic Party is proposing which would prevent parents from choosing where they send their children for daycare. The New Democratic Party is strictly proposing an institutionalized child care plan. In practical terms, this would mean that a person in the riding of Sainte-Marie who has a job and who wants to let the third neighbour down the street look after her child, will not be entitled to financial compensation to pay the cost of having this third neighbour providing this care. She would have to send her child to a government-run day-care centre. I think all Canadians must be against this proposal by the New Democratic Party.

The proposal made by the Liberal Party is clear, precise and simple, and meets the needs, expectations and demands of various interested groups and the Canadian people generally. First of all, through refundable tax credits, it makes it possible for Canadian families and women who want to continue their career to choose between sending their children to a well-organized public daycare centre, or to a private one, or even entrust them to the next door neighbour. Moreover, it is absolutely essential, in order to increase the number of openings—simply adopting the principle without making sure that the number of openings is there to meet the demand would not be enough—that the federal Government should release large amounts of money, for this Conservative Government did not hesitate to use $1 billion to help a number of banks facing bankruptcy.

Now, Canadian families and taxpayers are asking the Government for help. Canadian women want to continue their careers and be provided with effficient, fair and high quality daycare services, making it possible for them to continue to work and raise their children. To achieve this goal, the federal Government should provide the provincial Governments with large amounts of money to improve and expand the daycare systems which exist in the various provinces. But minimum standards should be established by the federal Government and accepted by the provinces. Nothing would prevent, in Provinces such as Quebec, as the Bourassa Government has just announced, the Minister responsible for the status of women to set higher standards.

In its assistance program, however, the Federal Government should provide funding and set criteria not only on the number of openings, but also on the quality of locations, to avoid being simply provided with a daycare network, without any security or education guarantee, and without enough money to provide facilities to meet the needs of growing children.

Together with the Provincial Governments, the federal Government should initiate as soon as possible an awareness and financial assistance campaign to set up daycare networks in the workplace.

It is essential that Canadian employers who often ask for tax credits, whether it is the large financial institutions, multinationals or various government levels, launch an action plan. There lies the power of leadership, such is the request made by the Liberal Party, by my colleague from Outremont. The federal Government must suggest and urge that steps be taken, set up criteria, sensitize employers as well as employees, either large corporations where possible and also allow small and medium-sized businesses, where it may not be as easy, to set up childcare services. This is the reason why a free choice policy is essential.

Unfortunately, the committee report submitted and concurred in solely by the government majority is rather mitigated. It contains pious hopes. It does not meet the needs and expectations of our Canadian families and the concerns of women in that area.

On the other hand, we cannot over-emphasize the warning against the proposal made by the New Democratic Party. Once again, I say those positions about childcare services, either that of the New Democrats, the Progressive Conservative Party or the Liberal Party clearly show their leanings. In the report, the Tory Party does not really believe in child care. However, a program must be offered, one is announced but in fact they hope nobody will use it. It is more or less the same situation as with public housing assistance programs the Conservative Government now has in place. Those programs exist, but your heart is not in them because they cost so much. It is obvious . . . The Conservatives put forward proposals that are watered down and half-hearted because they have no choice politically, but let us not forget they previously agreed to de-index family allowances, lower the income that made one eligible for the full child tax credit, and authorized the Government to take away more than $1 billion from Canadian families to reduce the deficit or bail out banks, nor must we lose sight of the recommendations made by Conservative Members and the Government's inaction in that area. The social injustice minister, the Minister of National Health and Welfare, did absoluting nothing.

It was more of the same when time came to protect the interests of senior citizens. He was nowhere to be found. That is another matter he is holding up. The implementation of a good daycare program is not held back by the provincial Governments but by the internal quarrels between the Minister of National Health and Welfare and the Minister of Finance (Mr. Wilson). Surely there is someone else mixed up in this who does not know what he is doing.

The NDP stands at the opposite end; they have suddenly decreed that all children should be treated the same way. They must be kept in the same square box and educated in the same manner.

This is unacceptable and the Canadian public will not accept this recommendation. We have to fight against this because it certainly seems simplistic to have a free universal system. It might look fine, but you have to think about what it means. For instance, in the Gaspe Peninsula, in rural regions, you can have 10 families in the same sector and only one person who has to drive to work in another village. It would be unrealistic to organize a daycare centre to take care of two children in one region or village where there are about ten families. This is why it is essential to maintain freedom of choice and the tax credit for people in such regions.

What possible objection could the New Democratic Party have if a mother decides to place her child in a popular daycare centre in her own area or with a private sitter? She has the right to choose. She would be refused reimbursement because she has decided to go to a private daycare or to leave her child with a neighbour three doors down, maybe with a single mother with two young children who cannot go to work herself. Receiving some money to take care of the child of a neighbour would help her and help her neighbour too. Why should there be any objection to that? We have to oppose such a concept, and I trust that the NDP will change its position in this regard because I find it just as unacceptable as its position on defence.

Madam Speaker, in my opinion, the proposal of my colleague for Outremont, who has been working very hard for three years, travelling throughout the country and consulting people, is very clear and specific. This proposal would meet the needs and the expectations of the public and would be a practical and realistic way of meeting our objective of having a quality national daycare service under the jurisdiction of the provincial Governments. This proposal would provide tax credits for low and middle income families, maintain freedom of choice, and most important, increase the number of places available in daycare centres.

The debate is now open, but there is a very real fear, as my colleague for Saint-Denis (Mr. Prud'homme) was telling me. There are popular daycare centres in his constituency and he told me that he met those responsible and that they need money for equipment and to meet educational requirements. They need funding to improve the premises and this is where the Canadian Government for three years has not been meeting that need. There are still other families in the constituency of Papineau, in the constituency of Montreal—Sainte-Marie or others, in Montreal districts. There is no room and no money, the province does not have enough money to open up another daycare centre in an expanding district where there is a need for some 60 child care places. Everyone is waiting unfortunately—everyone either believed erroneously or was misled by this Conservative Government—everyone is waiting for the famous policy.

The Government stated in a Throne Speech that family is important, the Prime Minister (Mr. Mulroney) told Members of Parliament they would have to discuss the implementation within the shortest timeframe of an effective child care policy, but some three years later nothing is forthcoming, so we are getting fed up. And today we learned the Minister of National Health and Welfare is still postponing a decision with provincial Governments on that issue. This is something I had not thought of. My colleague for Saint-Denis brings to my attention that this is because Tory Members refuse to accept a change in our society. This boils down to what I was saying at the beginning of my remarks. Reading the majority report by Conservative Members, they referred to child care centres because they had to. But for them it would be better not to put a cent in that—left to themselves, they would not bother about it. They could not care less.

Thank God, I know Conservative Members are not all of that brand! It is therefore my hope that those who have a minimum of social conscience will wake up and speak to their Minister about social injustice in Canada, they will tell the Minister of National Health and Welfare: look, this has to move. It has to move urgently, because every day lost, every month lost, and we are now talking about every year lost may jeopardize mothers' career plans. Each time they delay increasing the number of child-care services to meet the needs, well every time, perhaps one single-parent mother in some area, whether Vancouver, the Atlantic Provinces, Ontario, Quebec, or my constituency, that person, because she cannot find child care, quits her job, loses one or two years, and after that everyone knows it is difficult to return to the labour market, to retrain.

This is why I think the situation is really urgent. I think that indeed in the Meech Lake negotiations there is a meeting with provincial Premiers. I suggest that the federal Government was wrong, for it should have been prepared to co-ordinate this action with the provincial Governments; in Quebec, Premier Robert Bourassa has already set up a daycare system to which he has announced improvements.

I conclude, Madam Speaker. If the federal Government continues to make cuts in its equalization payments, Quebec will have to reduce its health services and will be unable to go ahead with its daycare scheme. The Quebec Minister of Finance, Mr. Gérard D. Lévesque, had every reason to trust the Prime Minister. He should have listened to me; I could have told him right away to be very careful. He thought he was going to get money under the policy announced by the Prime Minister.

As you are signaling that I have already run out of time, Madam Speaker, I will conclude by saying that I wish the Conservative Members would exert pressure so that . . . It is absolutely necessary . . . It is simple. In case there are Conservative Members here who do not know what to say to the Minister, they should simply tell him this: Take and implement the Liberal policy, and our children will be well taken care of, our women will pursue fine careers and everybody will be happy.

The Acting Speaker (Mrs. Champagne): Questions and comments. The Hon. Member for Edmonton South (Mr. Edwards).

Mr. Edwards: Madam Speaker, I have a question for the Hon. Member. He is in favour of a so-called free-choice policy. I noticed a leftist tone in his speech. It is not surprising. He said a simple and distinct policy and perhaps—

• (1150)

[*English*]

I think what we have before us is a piece of social engineering that is an endorsation rather than free choice, put forward by the Liberal Party. Has the Hon. Member studied with any care not only the statements of the Minister on the matter but also the recommendations of the committee on child care?

We recognize the changing nature of the family unit. I do not think anyone denies that changing evolution in our society, and whether or not we judge it is immaterial because we have to recognize it as a reality. Does the Hon. Member recognize that the fundamental principle laid down by the committee on child care in its majority report, and as embraced by the Minister himself, permits maximum free choice?

For example, does the Hon. Member not acknowledge that the committee recommended replacing the child care expense deduction by a 30 per cent child care expense credit, increasing the ceiling for claims from $2,000 to $3,000? Did he not notice that this committee, with the majority of members from the government side, proposed to introduce a refundable child care tax credit for families with children under six years which are not eligible for the expense credit of $200 for the first child, $100 for the second child and $50 for each additional child?

Did the Hon. Member not endorse, or even notice, that there was a proposal to replace maternity benefits with parental benefits and to increase the benefit period from 15 weeks to 26 weeks on a gradual basis over the next five years? Does he not also acknowledge that there was a proposal to introduce an initiatives and research fund, that a new child care secretariat be established?

• (1200)

Does he not acknowledge that the putting in place of these excellent recommendations will require much delicate and involved negotiation with the provinces and with all the experts in the field so that the end product will not only provide the maximum of free choice for Canadian parents and children, but also a system which responds in the ultimate to the requirements of various regions of this country? Thus it is truly humane, truly generous, yet one which the country can afford. I would appreciate the Hon. Member's response to those questions.

[*Translation*]

Mr. Malépart: Madam Speaker, I am pleased to respond to the Hon. Member's questions. First, on the matter of being somewhat to the left or calling for social measures, I do not feel at all ashamed to be somewhat to the left, to call for social measures, and I am proud Liberals established a social program and a universal health care system which benefits the people, a drug plan and pension plans. I am proud of that, and I will always fight Conservatives who want to de-index or cut those programs, as I think we have shown.

On the other hand, I am pleased with the enumerations concerning the report. That is part of the proposals put forward by the Liberal Party. Maybe he did not know it had been proposed by Liberals. But what he is forgetting, what is being ignored, the essential aspect in my view is that we are in agreement on freedom of choice. I agree with him that the NDP opposes freedom of choice, they oppose parents having a choice, they support dictature from the top, but where I disagree with Conservatives on the matter of freedom of choice is this: You have freedom of choice, but there is nothing to choose. What is lacking is the political will, the complete program, the funding—funds are needed to increase the number of people's child care networks. If funding is provided for the premises, the physical facilities, this will mean that in order to provide people with freedom of choice, there must be enough places in terms of the people's child care networks, if you want, that would be managed in the form of co-operatives, in terms of private networks, plus adequate tax credits. On that I think we are in agreement as to the tax credit formula for those who want to keep their children at home.

I will conclude by repeating that I disagree with the Hon. Member mostly because the recommendations do not provide sufficient funds to increase the number of places. What the Government deserves to be blamed for however—and I invite the Hon. Member to blame his Minister and Prime Minister at his earliest convenience—is the slow pace of negotiations. When an elected government, a majority government, a government that is in charge wants things done, it wastes no time in tabling a plan before the provincial governments and telling them that, on the basis of consultations across the country, Canadians want child care services. When the time came to negotiate unemployment insurance or medicare, there was a Liberal Government in power capable of leadership. There were some who opposed those measures, some New Democrats who wanted to go further to the extreme left, some Conservatives who pulled to the right, but someone showed leadership and took the common sense, middle-of-the-road position, the one the people wanted.

So we sit down at the table, we discuss with the provinces and we come to an agreement, as the Liberals managed to do. But nothing is moving right now, they are just going through the motions and the Government has yet to show unmistakable, clear and definite resolve. Had there been any kind of resolve at the bargaining table, the Prime Minister of Canada would have stated: Here is what we have in mind for the people of Canada in terms of daycare. This is negotiable, but that is not negotiable. The best example I can give you relates to the tax reform. Everybody is in favour of tax reform. You people are saying: There is an option, maybe we will tax bread, milk and butter, but we are not quite sure yet. We Liberals say: We support the tax reform, but there can be no question of taxing bread, milk and butter, no way. That is clear. That is leadership, and that is what is lacking on the Conservative benches.

[*English*]

Ms. Mitchell: Madam Speaker, I am very interested to hear the Hon. Member recommending to the Conservatives that they use the Liberal pamphlet for a program for child care. It does not seem to me that the Liberal proposal is very much different from the special committee report, except that it is much more confused; it is very confused indeed. I would just like to give a few examples, as I recall them. I do not have the pamphlet before me.

The Liberals talk about wanting to have a national child care program. Yet, like the Conservatives, they want to put most of the money into taxes. We know that if most of the money goes into taxes, there will be no money for developing a very sound quality child care system across this country. The Liberals also want federal dollars to go for profit-making child care. They want it to go for commercial child care. All the groups that know about child care programs have said this would be a very unsound expenditure.

The Liberals are also confused about what provincial jurisdictions are. They want the federal Government to impose standards. The Province of Quebec, I am sure, would be the first to object to that. That is not the role of the federal Government. The federal Government should have a policy and a national objective. The provinces should develop standards.

The Liberals want to have a new Crown corporation. I cannot understand what on earth that is all about. They want to fund through a Canada assistance plan and keep daycare a welfare service rather than making it available to families regardless of income. I would like the Hon. Member to talk about this and to explain what the difference is between his Party's policy and the Conservative's policy, except that it is much more confused.

Again, I would like to challenge the Hon. Member. Since he does not have any real positives on his side, all he can do is attack the New Democratic Party. I fully documented that we are for very flexible, comprehensive child care programs that give considerable choice, and which are developed by parents and communities according to their own needs. To say that the NDP is against free choice is a lot of baloney.

[*Translation*]

Mr. Malépart: Madam Speaker, I am pleased to respond to the Hon. Member.

The Acting Speaker (Mrs. Champagne): Indeed the time allotted for questions and comments has expired. Still I will give the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) one minute to conclude his remarks.

Mr. Malépart: Madam Speaker, in view of the lapse of time since then, I can understand that my colleague may not recall what I have said at the time. If she reads *Hansard*, she will find out that she has misunderstood the Liberal position. I can give her a document which explains our position quite clearly. Contrary to what she has said, we want to finance the agencies directly so that they can improve their equipment. We trust the parents. I am not blaming the NDP Member for not having confidence in the parents, but she would rather trust the institution. This is what the NDP would rather do. However, we in the Liberal Party believe that it is up to the parents to choose. The money should go to the daycare centres, but I believe that the NDP Member . . . I would be willing to go to her constituency and find out for myself, but the population will never accept that the parents be told where they must place their children.

[*English*]

Mr. Ross Belsher (Fraser Valley East): Madam Speaker, it is with pleasure that I rise to speak to the motion before the House, that is the follow-up of the child care report. There are a few things I would like to review.

As the committee put together its report, it was careful to draw to the people's attention that we are very keenly aware of provincial and territorial jurisdiction with respect to families and children, and of the provisions and regulations of child care services. As the people of Canada know, as our Confederation was put forward, questions of health and education come under provincial jurisdiction and it is the federal Government's role to assist in financing where it can.

• (1210)

The Minister and Cabinet are deliberating to put together our response to this matter. This means that the Minister has to work with his counterparts in each of the provinces and territories. For this reason it will take a little longer in terms of putting a reply together.

Our friends in the NDP would have us believe that it is very simple to put together new policies. But when we are dealing with a matter involving something as important as children we must ensure that we are careful. We also must make sure that our policies will assist parents, since the responsibility of bringing up children in Canada is the responsibility of parents—it is not a responsibility of the Government. The Government is an extension of the people of Canada. But what should be done with children is the responsibility of the parents themselves.

As we travelled across the country we did not find a consensus as to how a solution should be brought about. People did suggest that they wanted to be able to have a say as to what will happen with their children. Our Liberal counterpart was quite right in pointing out that the New Democrats said that the Government should be doing these things and that the Government is the one that knows best. We know that the Government would not do a very good job of bringing up children, if that was left entirely up to it. Thus the Hon. Member for Vancouver East (Ms. Mitchell) does a disservice to the House and to the people of Canada, particularly those who have put together child care in their homes and who have made it their career. The Hon. Member does those folks a

disservice to say that they are inferior to the non-profit organizations.

Ms. Mitchell: Read your own research.

Mr. Belsher: There was no evidence to show us that their care was inferior to that of the care given by non-profit organizations.

I would like to review some of the recommendations that are in the report. I will give some reasons why the recommendations were phrased and put forward in the way that they were.

One of the main recommendations is to replace the child care expense deduction with a 30 per cent child care expense credit and to increase the ceiling with respect to claims from $2,000 to $3,000. This will assist people who are able to make these claims and who have receipts for the care that they have obtained for their children. An expense deduction allows equal treatment for all people. It does away with having a greater influence for one person as opposed to another.

In replacing the maternity benefits with parental benefits we have recommended that the benefit period be extended from the present 15 weeks to 26 weeks but that this be done on an ongoing basis. It would take several years for it to accrue to that. We realize that businesses have to adapt to this over a period of time. Whenever we talk about operating grants or giving grants these would go to licensed child care givers. The reason we say licensed child care, as has been pointed out this morning, is that licensing is a responsibility of the provinces and the territories. We did not specify that it had to be to non-profit organizations. That is something the provinces could do themselves, or they could choose not to do it.

Nevertheless, as we went across the country we discovered that in several provinces more than 50 per cent of the child care that was already in place in those provinces was given in private centres and not furnished by non-profit centres.

The informal child care used by a great many parents where one of the homemakers is working part-time is something that is used extensively across Canada. At the moment much of that care is not part of the licensed system. However, we recommend that where people want to avail themselves of the various programs which fall under the jurisdiction of the provinces or the federal Government that licensing is essential.

In putting together our recommendations we wanted to make sure that the federal Government was cognizant of the needs of the children of Canada and, also, that we shared in the responsibility of supporting the roles of the parents. We wanted to ensure that we did not usurp the role of the provincial and territorial Governments in terms of their taxing and spending powers. Therefore we recommended that the existing child care expense deduction be replaced by a child care expense credit of up to 30 per cent.

For parents who choose to stay at home and who, I should add, have never asked for any help from the Government, we recommend that an alternative refundable child tax credit in the amount of $200 for the first child, $100 for the second child and $50 for each subsequent child be introduced for families with children up to five years of age. This is to provide financial recognition to families in which one spouse remains at home to care for the children.

These two items alone would cost the federal Government over $400 million per year, but is directed to parents who are taking on the responsibility of looking after their own families, those who are not looking to the Government to provide services for them.

Another principle established by our committee is that we should continue to share the cost of child care regardless of the care style chosen by the family. Once again, it must be recognized that families are the primary care-givers. After all, it is the family which knows how the needs of its children can best be met.

Another principle we encouraged is the development of flexible child care options. Again, this is to give parents a choice.

In order to improve the quality of child care we recommended that a new secretariat be established within Health and Welfare Canada to administer the family and child care legislation and to monitor the implementation of the Government's response to our recommendations and to work with the public in private and non-profit sectors to encourage initiatives in the field of child care.

Throughout our tour across Canada people came forward from many different stations of life. Above all, what they said was, "Please, do not recommend a universal fully-funded day-care system for all the country". They expressed the feeling that this would be detrimental to the welfare of our country. This recommendation is made so that the flexibility of how parents care for their children not be usurped by the Government placing tremendous amounts of money into that sort of a system.

The Cooke task force report was brought in last spring. It recommended a very elaborate system which would cost the federal Treasury up to $11 billion a year when fully implemented. Our New Democrat friends state that their recommendations were not costly. But they would lead to real cost. As we wait for the response of the Minister and the Government on how they will deal with this, working in conjunction with all of the provinces, and making sure that we respect the roles of the provinces and the territories, we can rest assured that all these considerations will be taken into account.

• (1220)

I applaud the Minister for not rushing in, giving a quick, snappy response on something that is so vital to the country.

Mr. Taylor: I wish to compliment the Hon. Member who just spoke on his excellent address. In my view, he was speaking for the majority of people in Canada.

I believe that the best care a child can receive is from the mother and the father in the home. If that is impossible, then I have no objection to using public money to look after the children of those who have to go out to work and who cannot afford to do anything else. That is a logical, proper use of public money. I have no sympathy at all for the idea of providing child care for the rich at public expense. Those people can well afford to look after their own children. We are not giving half enough attention to the mothers and fathers who stay at home and look after their own children.

I wish to ask the Hon. Member to comment on the consideration given by the committee to the mothers who stay at home, look after their children, and in so doing provide a tremendous service to this nation.

Mr. Belsher: I thank the Hon. Member for his pertinent question. We recommended that approximately half of the money go toward the people who are caring for their own children. One of the main parts of our recommendation was $200 for the first child, $100 for the second child, and $50 for the third child. That sum goes to anyone who does not claim the other deductions, the people who are caring for their own children. We estimated that that could cost the Treasury up to $400 million.

The Hon. Member points out a very important part of the recommendations, something that people across the country exhorted us to do, that is, if at all possible, to assist those who wish to care for their own children.

Ms. Mitchell: I have two questions, Madam Speaker, but first I wish to comment on the last point of the Hon. Member for Bow River (Mr. Taylor). The Hon. Member objected to child care for the rich. Does the Hon. Member realize that the child credit of $200 per year for the first child, and $100 for the second will go to the rich? This recommendation will cost millions and millions of dollars. It will go to the bank manager's wife; it is a universal recommendation. That seems to me to be contrary to the usual Conservative philosophy. It goes to all parents regardless of income. It costs $400 million, which is a great deal of money. We say that it is nice for all families to have an extra $200 a year, but perhaps a better way to do this would be by reindexing the family allowance.

Mr. Taylor: Madam Speaker, I rise on a point of order. I will have no chance to answer what the Hon. Member has stated. The Hon. Member should be directing her questions to the Member who spoke, and not making comments on questions that other people have asked.

Ms. Mitchell: Perhaps the original speaker would like to comment on that point.

The question that I wish to ask the original speaker goes back to my comments about where we presently are with child care. I know the Hon. Member is extremely sincere and concerned, as we all were on that committee, that there be some movement forward, and that the federal Government which has made such a strong commitment through the Prime Minister take a major leadership role.

Does the Hon. Member feel that there should be national objectives spelled out? If so, has he talked to the Minister about this? What does he think should be in those national objectives which, under the new Accord, will be essential for funding a national social program?

Does the Hon. Member feel that there should be a child care act? What is he doing with the Minister in attempting to have some action in order that this can be tabled in the House and we can debate it? That would still give time to work out the details with the provinces.

Mr. Belsher: The two main points are whether or not the federal Government should go ahead and act on its own, and not worry about what it can work out with the provinces. I feel that it is better for the federal Government to work out, in concert with the provinces, what will happen in child care, rather than saying to the provinces, "Here it is, take it or leave it". A consensus on what can be done by the provinces and the federal Government collectively will be a far better method.

The Hon. Member asked whether I feel that there should be a child care act. Yes, I feel that eventually there should be. We should be adding to what is in place with regard to the CAP system, that part of it which is now under the Department of National Health and Welfare that does not have any ceiling in the way that it can be used. Every province has access to it. Every province can bill the federal Government for the 50 per cent share that it has expended on child care. That is already in place and those parts can be built on.

In the provinces I would also like to see a phasing out of the "all or nothing" situation that exists when a person is using the CAP system. In that manner, if a person has a job which is at the lower wage scale, that person does not lose all of the ability to claim for child care expenses, and possibly will lose only a portion.

Presently, care-givers, and particularly parents from single-parent homes, must choose whether it will pay them to take a job and lose the child care expense credit that they are able to claim. We have had many cases where people came forward and clearly demonstrated to us the hardship they suffered by having to make that type of choice. I would like to see greater flexibility in the use of that system.

The Acting Speaker (Mrs. Champagne): Resuming debate with the Hon. Member for Beaches (Mr. Young).

Mr. Neil Young (Beaches): At the outset I wish to express my appreciation to the Hon. Member for Vancouver East (Ms. Mitchell) for giving the House an opportunity to discuss this extremely important matter by placing the motion before the House. Of course, from our point of view it would have been far more productive to be debating proposals put forward by the Minister, which we expected to be doing much earlier than

this, rather than the motion of the Hon. Member for Vancouver East which she felt she had to put on the floor to get this discussion going.

The Hon. Member for Vancouver East was a member of the Special Committee on Child Care, and she has been raising the issue in the House and requesting the Government to respond to that report in a concrete and positive manner. The last time the Hon. Member raised the matter in the House was on August 12 of this year. Again she was calling on the Government to bring forward a national strategy on child care, and at the very minimum to advise the House what that strategy was likely to be.

• (1230)

The Minister, unfortunately, has still not responded to that, except by a letter provided to the chairperson of the Special Committee on Child Care, which is really not a response at all, Madam Speaker. It could probably be described as a political letter in which the Minister says absolutely nothing that would bring a national strategy on child care any closer to reality than it has been since the International Year of the Child, which I believe was in 1979. Not only this Government's response but the previous Liberal Government's response to that report are shocking, to say the least, because not one Government since that report was tabled in the House of Commons has given it adequate attention.

I am sure you and people listening to this debate, Madam Speaker, will be interested in hearing what the Government's response has been to date, notably in this letter forwarded by the Minister of National Health and Welfare (Mr. Epp) to the chairperson of the Special Committee on Child Care. It starts, "Dear Shirley". I will skip the first part, the niceties, and get into the meat, if you can call it that. It reads:

> At the time of the tabling of the Report, the Government indicated its appreciation for the work of the Special Committee. Having had an opportunity to study the Report carefully, I would like now to reiterate this support for the Committee's contribution to the consideration and development of a child care policy in Canada. As a result of this work, I believe many Canadians and the government have a better understanding of the key issues and concerns in child care as well as possible avenues for reform. Moreover, the Committee's Report and research have assisted us greatly in the development of the government's National Strategy on Child Care.
>
> At the present time, this National Strategy is undergoing extensive Cabinet consideration and is intended to be finalized for announcement soon.
>
> This Strategy will reflect a number of the recommendations of the Special Committee. It will also reflect the views of our provincial-territorial counterparts, as expressed in an intensive round of bilateral consultations with the provinces which occurred earlier this year. The Strategy will be subject to further negotiations with the provinces and territories. I am, therefore, not at liberty to reveal the details of the National Strategy on Child Care at this time. However, a comprehensive announcement, which I assure you will respond to many of the recommendations of the Special Committee, is expected early in the fall.
>
> In closing, I would like to confirm for the House and for all Canadians that this government is strongly committed to the economic equality of women and families, and to establishing a comprehensive, quality child care program for our children.
>
> Yours sincerely,

The letter is signed by Jake Epp.

When I read that letter it reminded me of the television program "Yes, Minister" which has a top bureaucrat who is a master at putting forward that kind of gobbledegook in order to confuse not only the issue but anyone who wants to have some kind of a response from the Government. I do not know whether that chap is presently working for the Minister of National Health and Welfare, but if he does not, he sure has some kind of a clone working in that Department because the letter says absolutely nothing. It sounds good, but it says absolutely nothing. It certainly does not indicate that the Government is prepared to move on bringing forward a national strategy on child care.

In *The Globe and Mail* this morning, Madam Speaker, there is an article under the heading, "A new delay by Ottawa on child care irks provinces". The Minister is talking in that letter about carrying on extensive negotiations with the provinces. When I read this newspaper report, I was left with an impression that no one has told the provinces. Let me give you a few quotes from the article:

> Muriel Smith, Minister of Community Services in Manitoba, has replied to Mr. Epp's telex—

Which I assume was similar to this letter.

> —with one of her own stressing the urgent need for child care in Manitoba and calling on the federal Government to give priority to the day care issue.
>
> "I think there must be a great debate going on in the federal Cabinet," Ms. Smith said yesterday.
>
> Ms. Smith said she is concerned that further delay is feeding "great apprehension that we are not going to get a sound program."

The article goes on to express some concern by the Ontario Minister of Community and Social Services who has recognized, although he has done absolutely nothing about it either, that there is a great need for child care services in this country.

I have to say to you that while the Government seems to be giving token support to a national child care strategy, Madam Speaker, we do not see too many concrete results coming out of these nice statements the Government is prone to giving us.

The challenge facing the Special Committee on Child Care was to respond to the obviously urgent need of Canadian families for reliable care for our children. The recommendations of the government majority simply do not respond to the concern in the majority report that was tabled in the House of Commons. In fact, I think it is indicative of the work of that committee that there was controversy during the committee hearings considering its final recommendations to the House. There is absolutely no question, based on letters that I saw from the research staff—one of them resigned from the committee in protest—about the process being applied in that witnesses who came before the committee were not having their concerns addressed by the majority. In fact, most of the witnesses, if not all of them—I believe about 90 per cent who appeared before the committee—argued strongly in opposition to what the majority on that committee recommended. They did not feel that the recommendations being put forward by

the majority reflected what the witnesses had been saying about what was required in a national daycare program, or would, if implemented, adequately provide the kinds of programs which they felt were not only needed but in great demand.

The Conservative majority has given priority to subsidies through the tax system and is proposing that this be in the area of some $400 million. All of us who have studied the report have found that the high quality child care services, which are much needed in Canada, will simply not come about.

I listened with great care to some of the questions being asked of previous speakers by members on the government side who hang their hats, as they like to put it, on giving parents free choice on the kind of child care services they want for their children. At the present time, most families do not have a choice; the choice is not there. There are literally several million kids in Canada who need daycare and who cannot have it because the space is simply not available.

The report of the Government's majority does not address that. It does not address the numbers of families who are at the low income end of the scale who simply cannot wait 12 months before they receive some kind of assistance from the Government under the tax proposals made by the majority on this committee. It is extremely difficult to live from day to day on say $10,000, $12,000, $15,000 a year. We should not ask families in that position to expend money on child care that would otherwise be used to feed the kids, put clothes on their backs and provide shelter. Some cannot do even that on that kind of income. They must spend additional money for child care in order to be allowed to participate in the workforce. Then they have to wait 12 months or even longer to get that money back. Actually, by the time they have filed their income tax returns and then waited for the Government to send the money back, we are talking probably a year and a half before they would receive any rebate from the Government under the majority recommendations of the committee. I think that is a totally unrealistic response.

• (1240)

It sounds good when the Government says it wants to give Canadian families a choice on the kind of daycare they want for their children. So do members of the New Democratic Party, but we want good child care and we propose to provide that good child care in a much better way than that proposed by the majority.

I listened with great care to what my good friend from the Liberal Party had to say. What did he say? He said they did not have a policy so they took little pieces from the NDP policy, they took little pieces from what the majority on the government side announced as policy and put it all together to make the Liberal policy. What kind of policy is that? They say, "If you want this, we will give you that; if you want a little bit of this, we will give you a little bit of that", but they do not have a clear stance.

I have yet to hear what Liberal Members think about this issue. All they can talk about is what we or what members of the Conservative Party have proposed. I have yet to hear what specific proposals the Liberals would put forward and I would like to hear that at some point in this exchange.

There is another matter at issue which falls outside of the usual notion of child care. The debate on this has been around for some little time, but it is now becoming more and more obvious that child care must mean a little more than what we usually think of as child care. I am dealing here with parental leave.

There was an issue raised in Toronto about a fellow whose wife had a child and was confined to hospital for some period of time because it was a difficult birth. This couple has other children and the husband was required to stay at home to look after them. Of course, since his own employer did not have a plan to provide him with an income during this difficult period in his life, he looked to the Unemployment Insurance Plan to see if he could receive any kind of income while he was in this difficult position. The Unemployment Insurance Commission told him that he could not. That to me seems to indicate a certain weakness in the Unemployment Insurance Act. If the Government is serious about the importance of the family in Canadian society, surely it has an obligation to enable parents to ensure that their family plays an important role in society.

One of the proposals put forward by the Hon. Member for Vancouver East in her minority report entitled "Caring for Canada's Children, A Special Report on the Crisis in Child Care", was the specific recommendation that beginning in 1987, the 15-week benefit period available to natural mothers be extended to 17 weeks, by dropping the two-week waiting period, and that the level of benefits be increased to 66 2/3 per cent of salary up to the maximum insurable earnings. She went further and recommended that, beginning in 1988, the benefit period be extended to 26 weeks, that either parent be eligible for this additional nine-week parental leave and that the level of benefits be increased to 75 per cent of salary up to maximum insurable earnings.

The Hon. Member made that recommendation because of strong representations that were made to the committee, not only for parental leave for natural parents but also for those parents who adopt children. When a family decides to accept the social responsibility of entering into an adoption process to give a child a decent home and the love that only parents can give a child, surely to goodness that contribution to society should also be recognized. It is not a drain on the taxpayers' money or on the public treasury.

As all Hon. Members know, individuals and their employers contribute to the Unemployment Insurance Fund. People pay for that kind of insurance. They buy it, if you will, and when they need it, surely to goodness the Government should get rid of its ideological blinkers and do something to help meet this need that is not being filled under present arrangements. We are suggesting that that help could best be provided through

the Unemployment Insurance Fund, and that is not an unreasonable suggestion.

Societal attitudes change over the years based on the needs of society. While it may be a new concept to provide this help, I do not think it should be a particularly difficult one to come to grips with. I think it is perfectly reasonable.

I would like to express my appreciation which I am sure is shared by Members on all sides of the House for the opportunity the Hon. Member for Vancouver East has given us to explore, discuss and debate the various ideas surrounding the need for a national child care strategy. I see that I have a minute or so left, but I know that the chairperson of the Special Committee on Child Care wishes to say a few words to the House. I think I will end my remarks to give her an opportunity to do so. I look forward to hearing what she has to say.

Ms. Mitchell: Madam Speaker, I will make my question very brief because I too would like to give the chairperson an opportunity to speak. I would like to ask the Hon. Member who is from the Province of Ontario what his views are on the proposals of the Liberal Party, both provincially and federally, that child care should be paid for primarily through the Canada Assistance Plan in view of the fact that this plan is really a welfare program for low-income earners.

Mr. Young: Madam Speaker, I personally think that providing funding under the Canada Assistance Plan would be the wrong direction to take. If we believe in the institution of the family, then we have to recognize that all of us collectively have a responsibility toward the family to lend what assistance we can.

My fear would be that if we were to provide money under the Canada Assistance Plan, we would stigmatize child care as something that could only be supported through the welfare system. I think that would be the wrong thing to do, not only because of the difficulties in finding adequate funding, but also because of the attitude that that would foster toward child care.

• (1250)

Mr. Halliday: Madam Speaker, I want to congratulate the Hon. Member for Beaches (Mr. Young). He and I worked together for many years on other committees and I have a great deal of respect for him and the reasonable approach he takes to most subjects.

I recently received a proposal from a rural constituent who did a study in the County of Oxford and three neighbouring counties on the needs of rural children. It is a very interesting proposal and I want to get the Hon. Member's comment.

It is proposed that to serve rural children, who are often neglected, there be a licensed, non-profit, private home care agency established. It received some initial funding from COMSOC in Ontario. It was also proposed that once the agency has become incorporated, funds would be solicited through local service clubs, churches, agricultural groups, local businesses, and through the newspapers. Fund-raising activities would also be conducted.

Would the Hon. Member's Party agree there is room for funding from those sources in the community, bearing in mind the strong feeling the NDP has for the importance of the family and the community? Or, does he feel they should depend on funding from Governments alone?

Mr. Young: Madam Speaker, what the Hon. Member has said is indicative of the problem we have in day care. I had an opportunity several years ago to meet with some people in the farming community in Bruce—Grey. Child care was very much a part of the farmers' concerns. It was quite enlightening because I always considered child care to be an urban rather than a rural problem. Yet when you think about it, child care for the farming community is crucial. Many farm wives are deeply involved in running the farm.

While I think it is regrettable that this has to be done, I can appreciate the initiative of those people to fill an obvious need. I know where the Hon. Member is coming from because he and I have had lots of discussions on funding of various programs over the years, but I do not know how else to answer the question. I would hope in order to provide real assistance to that kind of group, with a national daycare strategy in place, perhaps some kind of community funding program could be encouraged. I think the Hon. Member for Vancouver East proposed that in her minority report.

The Acting Speaker (Mrs. Champagne): Further questions or comments? Resuming debate.

Mrs. Shirley Martin (Lincoln): Madam Speaker, I am pleased to take part in this debate even though only six minutes remain before we adjourn. There are many things I would like to say about what this Government is doing, but I would rather take the time to speak to some of the comments made by members of the opposition Parties regarding what we have not done. I think it is important that these statements be corrected because they leave a false impression.

First, this Government has acted. Our Prime Minister (Mr. Mulroney) said that child care was of great concern to our Government and action would be taken. The first parliamentary committee ever formed to study this issue was undertaken by an all Party committee. The committee sat longer than expected because of the number of people across the country who wanted to be heard. Even before we tabled our report on March 30 the Minister of National Health and Welfare (Mr. Epp) had started to work with the provinces. His department and the provincial departments across the country started working towards a comprehensive approach to the needs of our children.

The comment was made that it should be on the table now. My colleague from Fraser Valley East (Mr. Belsher) talked about working with the provinces. I think the time spent working with our provincial counterparts and arriving at rules,

standards and objectives, will mean that when the response is tabled a lot of the work will have been done. It can then be implemented far more quickly than would be the case if we took a broad brush approach without the required detail.

My friend from Vancouver East said that by leaving it in the hands of the provinces we will have the lowest minimum standards rather than the highest possible. That comment is very unfair to the provinces and the people in those provinces who have worked towards providing child care. Certainly there is a need for improvement in the standards, but saying that the lowest minimum would be put in place if we left it in the hands of the provinces is being unfair. This is a big country, but in the last three years we have brought it together with a good understanding between the provinces. The Meech Lake Accord is a perfect example of that. What other Government has been able to bring the 10 Premiers together and arrive at a consensus on a very important issue?

As well, the Hon. Member for Beaches (Mr. Young) talked about the fact that our recommendations did nothing to help people who had to pay for child care and then wait to get the tax refund at the end of the year. He talked about very low-income families and how they could not find the money to pay for child care. Had he looked into the report he would have found that low-income families do not have to wait because child care is paid for either totally or partially. A family in Ontario can earn between $18,000 and $27,000 a year and have child care paid for. A family in the Province of Manitoba can earn up to $19,000 a year and have child care paid for under the Canada Assistance Plan. That method is in place and low-income families have the child care paid for and do not have to wait for their tax refund. In addition, the committee recommended that CAP should be used more to help low-income single parent and two working parent families. Working parents who pay for their own child care receive tax benefits. For example, a family earning $40,000 a year paying for child care receives $544 in tax benefits. Under the committee's proposal, changing the current tax deduction to a tax credit, that same family would get $900.

There are recommendations for low and middle-income families, and recommendations to recognize those who by choice and by sacrifice decide to stay home and look after their own children because they believe they are the best people to bring up their child, to instil values. All parents in Canada deserve and are entitled to that right and the Conservative Government will make sure that that right is recognized and protected.

Another suggestion by the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) is that we failed to sensitize the public to the problems of child care. We held hearings in 31 cities, heard over 1,200 witnesses orally with an additional 800 written responses. We had newspaper coverage from coast to coast, in every province and territory. Those stories told the people of Canada what the problems were and what was being done. We have sensitized the people to the problem.

I might say as well that there has been a proposal from the Orient to start six new child care centres in British Columbia. The cover on their proposal is the cover from *Sharing the Responsibility*. That is where they got the idea and that is why they are coming to Canada to set up daycare centres.

I see it is one o'clock, Madam Speaker. Thank you for the time.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Order, please. It being one o'clock, I do now leave the Chair until 2 o'clock this day.

At 1.00 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ENVIRONMENTAL AFFAIRS

TROPICAL RAIN FORESTS—ECOLOGICAL IMPORTANCE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, as you know, tropical rain forests cover approximately one-sixth of the earth's surface and are home for 50 per cent of all existing plant and animal species. One billion people depend on the rain forest ecology for their food, water and livelihood. Tropical rain forests provide one-third of the world's oxygen and trap one-half of the world's rainfall.

The rain forests are being logged and cleared at an alarming rate. Their destruction causes flooding, droughts and extensive soil erosion in tropical countries. In addition, their loss may affect global rainfall and contribute to the greenhouse effect. Scientists do not know how much longer we can continue to clear the rain forests before the effects are serious, global and irreversible.

During International Rain Forest Week, September 7 to 13, the Government of Canada should press the Canadian International Development Agency, the World Bank and the International Monetary Fund to promote and adopt policies which will protect tropical rain forests for the well-being of present and future generations.

S. O. 21

[*Translation*]

LABOUR

ROLE OF UNIONS

Mr. Jean-Pierre Blackburn (Jonquière): Mr. Speaker, tomorrow a major event in the history of our labour unions will be celebrated in Jonquière. All workers at the Jonquière Alcan plant will pay special tribute to their founding President, Mr. Joseph Edmond Tremblay, who 50 years ago obtained the first union accreditation in the aluminum industry for employees at the Alcan plant in Arvida. This historic event has marked and shaped the economy and labour relations in our region.

These men, these pioneers joined forces in 1937 to improve working conditions and defend their interests. There have been some difficult times for workers and their families over the years. There were the strikes in 1957, 1976 and 1979. Whether the goal was wage increases, improved job security or better working conditions, over the years the unions have had a role to play and indeed have become major intervenors in our social and economic life. One may be for or against the unions, but they have become part and parcel of our economy and of Canadian society.

I want to pay tribute to these men and women at the Jonquière plant who defended the interests of their co-workers and fought to improve their working conditions.

* * *

[*English*]

ECONOMIC COUNCIL OF CANADA

CRITICISM OF STUDY ON CANADA-UNITED STATES TRADE NEGOTIATIONS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I have a very serious objection to make with regard to the politicization of the Economic Council of Canada by the Prime Minister's office. We certainly remember the Prime Minister (Mr. Mulroney) telling the House on Wednesday that "the report of the Economic Council of Canada indicates that a free trade agreement with the U.S. would produce 350,000 new jobs in Canada". Yet a look at this report shows that it is not an Economic Council report but a discussion paper prepared for the Council by three staff members.

Further, an inside page of this study contains the following disclaimer: "The findings of this study are the personal responsibility of the authors and, as such, have not been endorsed by the members of the Economic Council of Canada". The Chairman of the Economic Council made the same point clear in her statement.

Clearly this support for free trade is not yet the Council's position which I understand is in preparation and is far more balanced than this particular study. Yet the Prime Minister went on to talk about "the impartiality and professionalism of the Council over the decades".

I suggest to him that if the Council is so easily manipulated in the face of the Government's free trade crusade, its impartiality is suspect and the organization may well have outlived its usefulness.

Mr. Speaker: I would ask Hon. Members to remember that there is a 60-second limit on statements.

* * *

LABOUR RELATIONS

RAIL STRIKE—IMPACT ON ECONOMY

Mr. Walter Van de Walle (Pembina): Mr. Speaker, the rail strike is crippling the nation's economy. A prolonged strike will result in many businesses having to close their doors causing unemployment. The strikers are placing their own future in jeopardy as well as threatening the jobs of thousands and thousands of fellow workers in factories, mines, mills, manufacturing and processing plants, and shops. Daily tens of thousands of commuters are affected.

Seventy per cent of the railways' volume is in the handling of bulk commodities such as minerals, lumber and grains in western Canada. Think of the adverse impact the strike is having on the mining, forestry, and agricultural industries.

Farmers are having enough problems without having a rail strike. The Port of Prince Rupert is virtually out of grain. There is a heavy movement of grain scheduled for the West Coast. Canada stands to lose her reputation as a reliable supplier.

I commend the Minister of Labour (Mr. Cadieux) for his unceasing efforts to keep the trains rolling. Workers, businesspeople and farmers in the Pembina constituency do not take kindly to strikes. The decisive action of the Government to introduce back-to-work legislation is timely and appropriate. Let us keep the Canadian economy rolling.

* * *

SHIPBUILDING

SUPPORT URGED FOR HALIFAX SHIPYARD

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, the shipbuilding industry in Nova Scotia is crumbling before our eyes. In July of 1984 the Right Hon. Prime Minister (Mr. Mulroney) promised to support the shipyard industry in Halifax, Nova Scotia.

Well, he got those votes because the people of Nova Scotia delivered.

• (1405)

Now, three years later, the Prime Minister has yet to deliver on his promises to support the industry. What's new?

The fact of the matter is that over 1,000 people are out of work and the shipbuilding industry is going down the drain because three years ago the shipbuilders put their trust in the Prime Minister and got duped. To add insult to injury, the Prime Minister sent the weak and meek Member of Parliament from Halifax in the spring to announce refitting programs which would begin in November, 1987. Now it has been changed to November, 1988.

On the other hand the Prime Minister has taken care of shipworkers in Quebec by pumping $750 million into their shipbuilding industry since 1984. Does the Prime Minister not realize that for his own questionable credibility—

Mr. Speaker: Order. I regret that the Hon. Member's time has expired.

Mr. Dingwall: —he should deliver on this promise?

* * *

[*Translation*]

PHARMACEUTICAL INDUSTRY

DEMAND THAT LIBERAL SENATORS AND HOUSE APPROVE BILL C-22

Ms. Carole Jacques (Montreal—Mercier): Mr. Speaker, I just cannot understand the negative attitude of the Liberal Senators which goes against the economic development of Quebec in the pharmaceutical industry. Are they not concerned with investments in scientific research? We are talking here of over $1.4 billion for Canada and $600 million for Quebec, which would result in the creation of 1,500 jobs in the Montreal area.

Mr. Speaker, I join with my Government, the Quebec Government, the City of Montreal, as well as our universities, Chambers of Commerce and the Canadian people whom we represent to indicate that we definitely support Bill C-22. As elected representatives, we are not going to let ourselves be intimidated by the Senators and this arrogant Senate with excessive power which the people have not elected.

On behalf of the Canadian youth, therefore, I urge Liberal Senators and my colleagues in the House to support Bill C-22.

S. O. 21

[*English*]

SMALL BUSINESS

NATIVE ECONOMIC DEVELOPMENT PROGRAM—DELAY IN APPROVING PROJECTS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, native groups, organizations and communities across Canada are struggling to achieve economic self-sufficiency and cultural self-reliance. Integral players in this process include native firms and native organizations embarking on new business ventures with the support of agencies, including the Federal Business Development Bank, Employment Canada, and the Native Economic Development Program.

The Native Economic Development Program ought to be providing not only financial support but also taking a leadership role in encouraging new native economic enterprises.

However, many proposals under the NEDP have been held up in the approval system, with bureaucrats contradicting each other as to whether or not funds for native projects are available or whether those funds are frozen.

The Minister of State for Small Businesses and Tourism (Mr. Valcourt), who is responsible for NEDP, has indicated there is no freeze. I call upon him now to show leadership and unplug the log-jam of proposals by taking special measures to move the various native business proposals into becoming business realities. Native people are anxious to get on with doing business.

* * *

LABOUR RELATIONS

RAIL STRIKE—EFFECT ON BRITISH COLUMBIA ECONOMY

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, the current strike by workers of the Associated Railway Unions is already having a detrimental effect on our economy.

In British Columbia, container traffic that we worked so hard to get going in the Port of Vancouver may be lost to the Port of Seattle and this time it might be even more difficult to recover. Train loads of bulk commodities such as sulphur, coal and potash are being held by shippers or at railway terminals.

Coal mines which are operating on close margins may have to shut down and lay off staff. These are but a few examples.

The main issue of contention seems to be the unions' demand for further lay-off protection. Already those who have worked eight years or more are protected against lay-offs resulting from technological, operational and organizational changes. I tend to agree with railway officials who say that further protection would be economic suicide.

Railway companies that are able to make a profit are better guarantees of jobs than a few words on a piece of paper. Let us get the trains moving again.

S. O. 21

LABOUR RELATIONS

RAIL STRIKE—CRITICISM OF GOVERNMENT POSITION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, it is just that kind of speech made by the Hon. Member who preceded me that would give railway workers anxiety about what the Government has in mind through its present back-to-work legislation.

Railway workers and this Parliament are being asked to accept a pig in a poke. We are being asked to accept the idea that everything be consigned to compulsory arbitration when we do not know who will be the arbitrator.

The Government has abdicated any leadership when it comes to social and economic justice. It has set no guidelines, no minimums, no guarantees, and no instructions regarding the process. The Government has certainly indicated that very low on its list are the concerns the workers have expressed over the course of these negotiations, so I think we can expect that this back-to-work legislation will come in for a great deal of criticism.

* * *

[*Translation*]

PUBLISHING

INTERNATIONAL FRANCOPHONIE SUMMIT—ESTABLISHMENT OF MECHANISM FOR CO-PUBLICATIONS

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, very soon will start in Quebec the so-called International Francophonie Summit. I would like to remind Hon. Members in this House that at the bi-annual Convention of French-speaking Parliamentarians held in Marrakech, it was proposed that at the coming Summit, where all French-speaking nations in the world will be present, the agenda include the establishment of co-publishing mechanisms to enable French-speaking publishers from every country to obtain funding and to distribute and circulate books in every country, including France.

Moreover, Quebec proposed at the AIPLF's General Assembly in 1984 that the establishment of an International Francophone Fund for books and school, scientific and technical textbooks be discussed at that second Summit.

Mr. Speaker, it is my hope the Prime Minister (Mr. Mulroney), to whom a copy of the resolution was made available on the occasion of that bi-annual convention, will act as a spokesman for all the people who attended that meeting.

• (1410)

[*English*]

LABOUR RELATIONS

RAIL STRIKE—SUPPORT FOR LEGISLATION TO END WORK STOPPAGE

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, this morning our Government tabled legislation which, when passed, will end the railway strike which has paralyzed our country. I applaud the Government for its action. The people of Canada want a settlement to this problem and they want it soon.

The cost of this strike is enormous. In my constituency of Sarnia—Lambton, the petrochemical centre of eastern Canada, the losses are staggering. Two companies, Dow Chemical Canada and Polysar Limited, with Canadian head offices in Sarnia—Lambton, have informed me that, combined, their losses are well over a half a million dollars a day. Even more upsetting is the inability of Polysar and Dow to ship product which is causing critical problems for their employees and customers.

This strike could not come at a worse time. The petrochemical industry has just begun to recover after a period of severe downsizing and rationalizing. This situation presents another major setback to this industry which can be an engine of growth to Sarnia—Lambton and Canada. All the employers and employees of Sarnia—Lambton implore the opposition Parties to co-operate with the Government in enacting this legislation for a quick resolution of this very troublesome problem.

* * *

INDIAN AFFAIRS

VANCOUVER ISLAND BAND'S FISHERY—DANGERS POSED BY PROPOSED MARINA CONSTRUCTION

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, the people of the Tsawout Indian Band at Saanichton, British Columbia, on Vancouver Island, signed a treaty with Governor James Douglas over 100 years ago. In that treaty the band gave up certain of their rights in exchange for a promise they would have certain rights in perpetuity, including the right to fish.

The bay that fronts their village is now the site for a proposed marina which will devastate their traditional harvest of seafood. The band has applied to the Government for funds to fight against this proposed marina.

The funds the Government has given to the Tsawout Indian Band are miniscule. They do not begin to cover the court costs these people are facing. If the Government believes in the sanctity of treaties which were signed many years ago, it has a moral obligation to provide adequate funds so that the people

of the Saanichton area can continue to preserve their historic heritage.

* * *

CANADIAN BROADCASTING CORPORATION

NON-COVERAGE OF DEMONSTRATIONS SUPPORTING PASSAGE OF BILL C-22

Mr. Gordon Taylor (Bow River): Mr. Speaker, if the freedom of the press is limited or restrained, so is the liberty of the people who are denied some of the news. Behind the Iron Curtain the Communist Government controls the press and so the liberty of the people is likewise reduced. Here in Canada some media are themselves limiting the freedom of the press by editorializing the news or leaving it out altogether.

We saw an excellent example of this on Parliament Hill this week. Hundreds of Canadians marched and sang, carrying a multitude of placards, for the purpose of telling the people of Canada and the legislators that they supported Bill C-22. But CBC limited the freedom of the press by ignoring the story and thus reduced the liberty, the right to know what was happening, of the people of Canada.

As a matter of record, CBC has for a long time mocked the freedom of the press by featuring socialism and everything the socialists are doing, and thousands of Canadians are fed up to the teeth with financing CBC and receiving only the leftist side of the news, or no news at all.

* * *

• (1415)

CANADIAN BROADCASTING CORPORATION

SECOND DAY OF NON-COVERAGE OF DEMONSTRATIONS SUPPORTING PASSAGE OF BILL C-22

Mr. Stan Graham (Kootenay East—Revelstoke): Mr. Speaker, the biased reporting of the publicly funded CBC is showing again. Yesterday on Parliament Hill the massive demonstration by Canadians in support of the Government's drug Bill, Bill C-22, rose to 5,000 people plus. For the second straight day CBC TV totally disregarded its mandate of fair, accurate, unbiased reporting and instead chose again not to broadcast this national event.

This deliberate attempt to withhold information from Canadians is irresponsible, deceitful, and totally reprehensible. It appears that CBC TV will only cover issues which promote their own socialistic beliefs.

This irresponsible and biased approach to reporting is totally unacceptable. This lack of accountability and fairness falls squarely on the shoulders of the President of the CBC, Mr. Pierre Juneau. For this reason I again demand his resignation.

[*Translation*]

CANADIAN BROADCASTING CORPORATION

ALLEGED ATTITUDE OF PRESIDENT

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, our democracy must be defended by public manifestations, but the CBC remains silent. Why is this? Canadians must know that the President of the CBC, after *Cité libre*, and after a defeat as a Liberal in a by-election, was rewarded by a series of appointments including that of President of the CBC, which position he has held for seven years.

On March 5, 1987, I asked the following questions to Mr. Juneau at the Standing Committee on Communications and Culture. What do you think about the distribution of political and operational responsibilities at the CBC? No comment. Does your corporation operate from a programming budget? Answer: Does not know and refers to the Vice-President, Mr. Cotsman. Has your corporation provided remedies for the $57 million deficit found by the Auditor General? Have you developed a parallel accounting system to avoid such incidents in the future? Answer: I do not know. Mr. Cotsman replied that no parallel accounting system had been developed. Does your corporation operate from a zero-base budget system? The President did not know and the Vice-President replied that it does not.

Mr. Speaker, not a single privately-owned corporation in North America would wait any longer before firing President Juneau as an incompetent and a parasite of the political system.

Mr. Speaker: I am sorry to interrupt the Hon. Member, but his allotted time has expired.

* * *

[*English*]

THE PRIME MINISTER

Mr. John Nunziata (York South—Weston): Mr. Speaker, it looks as if Conservative Members have become somewhat paranoid. They are now starting to blame the CBC for their troubles. It is obvious that today the Prime Minister (Mr. Mulroney) has directed his back-benchers to start criticizing the CBC because it is not broadcasting what the Prime Minister wants it to broadcast.

If there is a problem with the Government it is with the Prime Minister himself. He always tends to blame the media when there is a dip in public opinion. Rather than blame the Canadian Broadcasting Corporation, which is famous world-wide, perhaps Conservative back-benchers should start blaming their own Prime Minister for the dismal state they are in.

Oral Questions

CANADIAN BROADCASTING CORPORATION

NON-COVERAGE OF DEMONSTRATIONS SUPPORTING PASSAGE OF BILL C-22

Mr. Alan Redway (York East): Mr. Speaker, when a small anti-government demonstration takes place on Parliament Hill it is always big news on CBC TV. Not so if it is a pro-government demonstration. For some strange reason there was no CBC TV coverage of the thousands who demonstrated here on Tuesday and Wednesday in support of the Government and Bill C-22.

Many of yesterday's demonstrators came from my riding. They support Bill C-22. Ortho Pharmaceutical on Greenbelt Drive has committed to spend $10 million to research new therapies, and the Upjohn Company on York Mills Road has committed to spend $30 million on research in biotechnology and another $22 million on capital expenditures if Bill C-22 becomes law.

My constituents do not understand why CBC TV ignores them. According to a survey by Professor Peter Snow of Western University's Graduate School of Journalism, 37 per cent of Ottawa's press gallery feels closest to the NDP—

Mr. Speaker: I regret to interrupt the Hon. Member but his time has expired. Oral Question Period.

• (1420)

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—REVIEW OF POSSIBLE AGREEMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Prime Minister.

In the last number of days we have been trying to get some precision from the Prime Minister as to where he stands on the Senate. The results have not been rewarding. In the last two days the Prime Minister's answers on the Senate have added nothing but further confusion. Today I will try another subject and see if my luck is a little better with the Prime Minister. My question is on the free trade negotiations.

Would the Prime Minister tell us clearly what his parliamentary timetable will be for review of any agreement with the United States, for provincial meetings, and for the release of the background documents upon which the Government of Canada based its case?

We know already that some provincial Premiers find that what they know of the timetable is unacceptable. Would the Prime Minister now tell us how he intends to proceed?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, if indeed Ambassador Reisman and his colleagues are able to conclude a free trade arrangement pursuant to directives from Cabinet, then, as I have indicated, it will be brought forward for consideration by Parliament. There will be ample and full occasion for debate and consideration of it.

I have also indicated to the First Ministers, and I think we have established our bona fides in that regard, that there will be full consultation with them. The last meeting with the First Ministers lasted in excess of seven consecutive hours. All of them expressed satisfaction with the intensity of the discussion and the thoroughness of the briefing. Of course, I will make sure that the same opportunity is provided to all Members of the House, beginning with my friend, the distinguished Leader of the Opposition.

[*Translation*]

TIMETABLE FOR CANADIANS TO ANALYZE FREE TRADE AGREEMENT—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Americans will have three months to analyze a free trade agreement with Canada whereas, as things now stand, Canadians and Members who represent them here in the House have no idea of what the parameters of these negotiations might be. The Prime Minister has been refusing all along to make the basic documentation public, we are not in a position to weigh the pros and cons, and perhaps we too will just have to wait until October 5.

Will the Prime Minister now assure all Canadians that time will be set aside for the House and a parliamentary committee open to the public to analyze the agreement which will be unveiled on October 5? Will he also assure us that he will launch a public debate here in the House and refer the whole matter for parliamentary committee study once the agreement with the United States has been announced, if indeed there is an agreement?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, as I have already said, if we are in a position to sign a free trade agreement, the House of Commons will have full opportunity to examine, analyze and debate the document in depth. First of all, it will be an important document which will deserve the full attention and care of all Members of this House.

As for the Premiers, we have already provided for meetings to consider each point. Some of the studies have already been made public. Quite recently, there was a study by the Economic Council of Canada which suggested that a free trade agreement would result in the creation of 350,000 new jobs in Canada. The Leader of the Opposition may have another opinion on the matter based on different studies, but he will be able to bring them out in due time, and I can assure him of the full co-operation of the Government. If there is an agreement, it will be put before Parliament and debated fully and vigorously.

[*English*]

APPEARANCE OF WITNESSES BEFORE PARLIAMENTARY COMMITTEE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, several provincial Premiers have already undertaken to the citizens of their provinces that there will be an opportunity within the Legislatures or the committees pertaining thereto for a full and complete legislative hearing, and for the Canadians who live in a province to appear with their reactions to any agreement.

Will the Prime Minister allow those hundreds of thousands of Canadians who will be affected by any arrangement with the United States, if that were to pass, and will he allow those Canadians who oppose such a deal, for example, farmers, auto workers, and those Canadians who are concerned about the independence and sovereignty of this country, to appear publicly before a committee of Parliament in order that this matter can be aired fully and fairly before he applies his majority to impose it?

• (1425)

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I noticed the other day, for example, that the Premier of Quebec, Mr. Bourassa, said that in his judgment, and in the judgment of his Government, a free trade arrangement with the United States was vital for the welfare of Quebec and Canada, and its absence would result in an irreversible economic decline of Quebec. So Quebecers—for example, Quebec farmers, industrial workers, I suppose, and others—are supportive of what we are trying to do.

The question will arise if an arrangement is concluded will it be submitted to the House? The Government House Leader will be available and will be meeting with other House Leaders if an arrangement is concluded, and will work out a mechanism that I am sure will satisfy all Members of the House.

Whether we can find a formula that will allow everyone opposed to a free trade arrangement to appear personally, I do not know. We certainly couldn't find a formula that would allow everyone in favour to appear—

Some Hon. Members: Oh, oh!

Mr. Mulroney: That would go on for years.

Some Hon. Members: Hear, hear!

Mr. Mulroney: What my hon. friend is speaking to is the core of democracy, and I can assure him that we will respond fully to his requests in that regard.

CANADA-UNITED STATES AUTO PACT

Hon. Herb Gray (Windsor West): Mr. Speaker, I also have a question for the Prime Minister. It has been reported that seven American Governors have asked Washington to renegotiate the Auto Pact. Will the Prime Minister today stand firm on behalf of Canada and insist that the Auto Pact is working well for both countries and should not be negotiated either as part of the free trade negotiations or otherwise? Will he make that statement today on behalf of Canada and Canadian workers?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I will be pleased to do so. I might remind the Hon. Member, and I think it is important that we keep this in mind, that the Auto Pact itself has within it a negotiating procedure. Section 4 says that if one party or the other wants to discuss it, they must. Article 7 in the Auto Pact says very clearly that if one party or the other wants to cancel it, that party can with one year's notice.

The Auto Pact is not on the table. We have not asked for it to be on the table, neither have the Americans. We are not negotiating the Auto Pact.

Some Hon. Members: Hear, hear!

Mr. Gray (Windsor West): Mr. Speaker, I must say that the Parliamentary Secretary in spite of his efforts has not given a very reassuring answer.

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for Windsor West.

GOVERNMENT POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, I have another question for the Prime Minister.

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): Will the Government make clear—

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): —that the Auto Pact has been responsible for hundreds of thousands of jobs in the United States as well as jobs in Canada and is, therefore, working equitably for both countries? Or, instead, is the Government ready to cave in on the Auto Pact as it has already on shakes and shingles and softwood lumber and as many Canadians fear it will on potash? Will the Government stand up for Canada and not laugh at Canadian workers and Canadian jobs? That is what it is doing. Speak up for Canada. Don't laugh at Canadian workers.

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): I am sorry I wasn't clear in my first answer, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. McDermid: Maybe I should speak much more slowly for the Hon. Member so that the answer sinks in.

The Hon. Member talks about softwood lumber. We had the predictions from the Liberals and the New Democrats that there would be thousands and thousands of jobs lost. Exports of softwood lumber this year are up 34 per cent over last year—to Japan 27 per cent. The price of lumber has gone up. Our lumber industry is not closing down. It is doing very, very well despite the dire predictions. We protected Canadian jobs and will continue to do so in all sectors of the economy.

* * *

[*Translation*]

THE SENATE

POSSIBILITY OF CURBING POWERS BEFORE FORMING COMMITTEE—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. Yesterday, he indicated that the Government wanted a parliamentary committee to examine the concept of Senate reform. I indicated that my Party would be prepared to seriously consider this proposal. Meanwhile, most Canadians, including even the parties here in the House of Commons, would like to see some aspects of the Senate's powers changed immediately.

Will the Prime Minister guarantee before the House that the Government's approach to this issue will include the resolution by the former Minister of Justice for a reduction in the powers of the Senate, before the Committee he referred to in his proposal is appointed?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, a procedure for Senate reform is already in place. But yesterday I also said and I would like to confirm this today, that the Deputy Prime Minister and Government House Leader is prepared to meet with the other House Leaders to consider immediately all the options for Senate reform.

I am informed the Minister was not able to do so yesterday because of urgent matters in the House. However, he is still available to meet with the Leader of the New Democratic Party.

• (1430)

[*English*]

REQUEST FOR PASSAGE OF RESOLUTION TO CURB POWERS OF SENATE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I understand what the Prime Minister was referring to by asking if it was possible for the House Leaders to discuss this matter. So that I am clear and so that all Hon. Members are clear, is the Prime Minister willing to consider, before the committee reports on the broad question of Senate reform, allowing the Parliament of Canada to have the opportunity to debate and quickly vote on a resolution that would have the effect of reducing the current powers of the Senate along the lines proposed by the former Minister of Justice so that it could be acted upon by the First Ministers before the consideration of the Meech Lake Accord?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the matter that should, in the normal course of events as agreed upon, come before Parliament for consideration is the Meech Lake Accord. I think my hon. friend would agree that after full parliamentary hearings have taken place and a report is made to the House, there ought to be a debate and full consideration of that historic document by all Members of the House of Commons. That would be following the timetable that all Members have agreed upon. At the earliest possible moment, I would expect that there would be a report to the House and Members of Parliament will be invited to consider it further.

In regard to any action on the Senate beyond that, I advised yesterday that the Leader of the Government in the House would be happy to meet with the House Leaders of the NDP and the Liberals to consider this matter further and to see what we might do in the context of parliamentary reform. A lot has been accomplished in this area through the partnership of the three Parties, pursuant, for example, to the McGrath Committee report. It may very well be that this initiative will lead to co-operation in other areas, but I think my hon. friend would agree that the Meech Lake process of hearings and considerations by the House of Commons ought to proceed.

REQUEST THAT PRIME MINISTER SUBMIT RESOLUTION FOR APPROVAL BY PREMIERS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I understand what the Prime Minister is saying about the agenda of the Parliament of Canada which has the Meech Lake Agreement being submitted following the committee's report to Parliament for consideration. My question pertains to consideration by the provinces of a potential amendment affecting the Senate before the Meech Lake Accord is subsequently discussed and presumably ratified by the provinces that have agreed to it.

The Prime Minister knows that before the Accord goes into effect only seven provinces representing 50 per cent of the population would be required to amend the existing powers. Is the Prime Minister prepared to submit to the First Ministers an amendment under the present constitutional powers for approval by the provinces prior to their full consideration of the Meech Lake Accord?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, as my hon. friend will know, it is complicated and challenging enough to get three political Parties from the House of Commons and 10 provincial Premiers representing four different political Parties to come together in the great national challenge which is to seek a formula which would bring Quebec into confederation. I thought and I still believe that that was the motive of Liberal, NDP and Conservative Members. It is important that that process, having begun and

having brought some considerable results, continue. It is now before Parliament. Parliamentary hearings are ongoing as we speak, I understand. A report will be made.

It is important that we as parliamentarians carry through on the most important part of that agenda which is the bringing to fruition, if Parliament so decides, of the Meech Lake Accord. That will have responded to the fundamental aspiration of all Canadians which is to make Canada whole and bring Quebec back into confederation. That has been my objective and I have undertaken it with the full support of the Leaders of both opposition Parties, for which I express my gratitude.

* * *

THE CONSTITUTION

MEECH LAKE ACCORD—CONCERN OF WOMEN'S GROUPS

Hon. Bob Kaplan (York Centre): Mr. Speaker, I would like to ask some questions arising out of revelations made by Senator Lowell Murray on Tuesday about the way in which the Government has been handling the Meech Lake Accord. Would the Minister responsible for the status of women confirm that women's groups have been coming to see her to express their concern about the impact of the distinct society clause on the charter? Does she agree that those groups do have a valid concern?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, I can confirm that I have met with some women's groups. In fact, I met with them on, I believe, July 30 the first time and, because of the concern about the charter which we on this side of the House take very seriously, I asked Senator Murray to join me and hear what they had to say. They met with him again and they will be meeting with me again on Monday.

At this stage I may say that from what I have seen, I do not share their concern that sexual equality rights in the Charter have in any way been diminished. However, they are seeking new opinions and I am prepared to take a look at them, and will continue to meet with them.

APPOINTMENTS TO SENATE AND SUPREME COURT

Hon. Bob Kaplan (York Centre): Mr. Speaker, on another aspect of Senator Murray's revelations I would like to ask the Prime Minister about the fact that there is no provision for the Territories to submit lists of names for consideration for appointments to the Senate or the Supreme Court of Canada. Is that a decision which was made by the First Ministers or was it the result of an oversight? It was one or the other.

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr Speaker, I think the Meech Lake Accord speaks for itself. Furthermore, the Hon. Member knows that the question of the position of the territories is a matter which is now before the courts. In view of the fact that the territories have asked for a judicial pronouncement on this matter, it would be inappropriate for us to comment on it on the floor of the House of Commons.

I have said that the document speaks for itself. It was a carefully crafted, well worked out document which represented the considered opinions of all participants. In our submission it is also one from which all Canadians will benefit.

* * *

LABOUR RELATIONS

RAIL STRIKE—REQUEST THAT MINISTER MEET PARTIES INVOLVED IN DISPUTE

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the Minister of Labour. Yesterday I asked the Minister to meet with CN, CP and the affected unions prior to introducing back-to-work legislation. He did not do that. As a result, I believe the legislation is flawed.

Would the Minister now agree to meet with both sides in the dispute prior to appointing an arbitrator and doing that before the legislation passes this House?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I think we should deal with this situation one step at a time. When we are in the debate we could perhaps explore that possibility, but until then I think we should begin the debate.

• (1440)

ARBITRATOR'S POWERS—PROVISION IN PROPOSED LEGISLATION

Mr. Rod Murphy (Churchill): Mr. Speaker, this is Question Period and I am asking the Minister a question. One of the clauses in the Bill will give the arbitrator such widespread power that he or she will be able to extend the agreement—

Some Hon. Members: Order!

Mr. Mazankowski: The question is out of order and you should know that.

Mr. Speaker: The Hon. Member has, I think quite correctly, stated that the mood of the House is that the Bill is important. The Hon. Minister invited Hon. Members to join in the debate later on this afternoon. There is of course a tradition that Question Period is not the time to go into detailed examination of clauses in a Bill when the Bill is before the House. I am sure the Hon. Member would want to co-operate. The Hon. Member for Bow River.

AGRICULTURE

GRAIN FARMERS ACCESS TO PRODUCER CARS

Mr. Gordon Taylor (Bow River): Mr. Speaker, my question is directed to the Hon. Minister of State for the Canadian Wheat Board. The recent announcement by the Canadian Grain Commission to the effect that the number of producer cars will be reduced from 10 per cent to 5 per cent is worrying many western farmers. Is this cut going into effect and has the Hon. Minister any information on producer cars that will be of interest to western Canada?

Hon. Charles Mayer (Minister of State (Canadian Wheat Board)): Mr. Speaker, to clarify the situation, we have acted three times since we have been in government to increase producers' access to producer cars and also try to decrease the time producers have to wait. The Hon. Member should know that a producer can ship as much grain as he wants with board grain. Exporters at both Thunder Bay and Vancouver are required to take a minimum of 10 per cent of each shipment of canola from producer cars.

We have acted in three consecutive years to increase access to producer cars. We did it through consultation, which is a hallmark of this Government and the Prime Minister. That is in healthy contrast to what happened in the past, especially dealing with producer cars, when edicts were simply issued without contact or consultation with the groups affected.

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SHIPBUILDING

ENUNCIATION OF GOVERNMENT POLICY

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my question is directed to the Right Hon. Prime Minister. In July of 1984 he promised Halifax shipyard workers that he would support their industry and come forward with innovative shipbuilding policies. There has been no policy and no meaningful consultation since that time. He must be aware that last week the Minister of Public Works indicated one or more shipyards in Atlantic Canada must be closed. That seems to be in direct contradiction of the Minister of Transport.

Who speaks for the Government of Canada? Is it the Minister of Transport? Or is it the weak and meek Minister of Public Works who is suggesting that shipyards in Atlantic Canada must be closed?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Hon. Minister whom the hon. questioner is now denigrating, is responsible for persuading me as Minister of Transport to arrange to have a major refit job on the ice-breaker *Louis S. St. Laurent* done in the Halifax yard. The design plans for that are now being worked on and when they are finished that work will go ahead in the Halifax shipyard.

Some Hon. Members: Hear, hear!

Mr. Crosbie: We cannot proceed with reconstruction of that ice-breaker without first having design plans. I know that does not matter to the hon. gentleman because he never has any design in mind.

I suggest that the constituents in Halifax represented by the Minister should be considerably grateful for the fact that he has been able to accomplish this. He will be accomplishing a great deal more for them in the next year or two.

HALIFAX SHIPYARD—REQUEST FOR GUARANTEE OF WORK

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, the Minister will know that in May of 1987 the Minister of Public Works announced a refit program for the Halifax-Dartmouth shipyard would begin in November, 1987. He has now flip-flopped and said he cannot honour that commitment. It may be honoured in November, 1988.

Can the Minister guarantee to the shipyard workers in the Halifax-Dartmouth area that their shipyard will not be closed and that he, in consultation with the Minister of Fisheries and Oceans, will provide to them the work involved in the rebuilding of the fishing vessel *Hudson*?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I can guarantee those workers that insofar as is possible for the Government to accomplish it, their shipyard will not be closed. However, the Government cannot accomplish these things alone. There have to be other buyers of shipyard services and ships in Canada. We are doing everything we can to keep Canadian shipyards going. In addition, under our new defence policy, nuclear powered submarines will have to be constructed in Canada. There are, I believe, another six frigates.

Mr. Dingwall: Twenty-five years from now.

Mr. Crosbie: Not 25 years. This program has started. The Government has done everything it can to keep our shipyards operating and will continue, despite the nattering nabobs of negativism exemplified by the Hon. Member.

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CHILD CARE

MINISTER'S PLANS

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is directed to the Minister of National Health and Welfare. Yesterday he reassured us that the Government still sees child care as a priority and we appreciate that. However, the provinces, particularly Manitoba and Ontario, have programs ready to go and are anxiously awaiting a federal initiative. When will the Minister present his proposals or plans to the provinces?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I think the Hon. Member has stated correctly the Government's commitment on child care, and specifically the commitments made by the Prime Minister on behalf of the Government and Canadians in general.

This issue is under discussion. That is not a new answer but it is an honest answer. I think we can conclude those discussions reasonably early. I want to get to the provinces at an early date as well. That is the best I can tell her and my provincial colleagues, and I have expressed that to them.

NATIONAL OBJECTIVES

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I would like to ask the Minister his views on the whole question of the national objectives for a child care program. Does he believe it is a federal Government responsibility to present the objectives to the House of Commons? Can he also give us some indication of what he thinks are the fundamental national principles for child care?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, any Member who has looked at the child care field, both at present and where we want to move to, will recognize there are many issues involved. For example, there is jurisdiction. How can we come forward federally and provincially, along with the public obviously, with programs which are in the provincial domain but in which the federal Government wants to show leadership as well as moving forward on its social policy agenda?

The points have been made very clearly regarding affordability, quality and accessibility, in the special committee report. All of us recognize that. However, with all respect, while these issues are being discussed in a very forthright way, I hope she and other Canadians will understand it is better to work very diligently to get these pieces put together rather than coming forward with a plan which is seen by some as being unilateral or failing to cover the needs of Canadians in the future.

[*Translation*]

INQUIRY WHY GOVERNMENT DOES NOT RESPECT ITS PROMISES

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I shall direct my question either to the Minister of National Health and Welfare or to the Minister of Finance. It concerns the national child care policy. For three years, this Government has promised us family assistance and child care policies. We have learned that the Minister of National Health and Welfare has written to his provincial counterparts telling them that, in view of the disagreements and the comments or restrictions of the Minister of Finance, the Government cannot introduce a national child care policy.

Can the Minister of National Health and Welfare or the Minister of Finance explain the reasons for these disagreements? Why does the Minister of Finance not allocate the amounts necessary to meet the commitments of this Government after three years?

• (1450)

[*English*]

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, that Hon. Member has made a practice of trying to sow fear in Canadian society and making allegations which are totally groundless. He has made another one on the floor of the House of Commons just now in the form of a question.

Cabinet is very unified on this issue. We will come forward with a policy which I will present to the provinces, the public and Parliament. This will be done in a responsible manner and not in the way the Member has suggested.

I suggest that if the Hon. Member is interested in social policy he ought to start being positive rather than using fear which seems to be a major tactic of his.

[*Translation*]

Mr. Malépart: Mr. Speaker, we have just had an answer. There is no disagreement in the Cabinet. The Cabinet agrees to do nothing about the child care policy, just as it agreed to de-index old age security pensions. Whithout the Opposition, senior citizens would not have fully indexed pensions.

ESTABLISHMENT OF NATIONAL POLICY ON CHILD CARE—GOVERNMENT POLICY

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my supplementary is either for the Prime Minister or the Minister of Finance. Is there a leader in that party? Mr. Prime Minister, you made a firm commitment three times with your hand over your heart to the principle that the family is the cornerstone of Canadian society. When will you introduce a national child care policy? When will you do so instead of fine-tuning it as you are now doing?

[*English*]

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, if the Hon. Member thinks we are terribly impressed by the increasing decibels of his voice, the fact is that we are not.

He says that the Government has done nothing on pensions. The Government changed the spouses allowance for widows and widowers. He opposed that. He was opposed to the Canada Pension Plan changes. He is opposed to the RRSP changes and the RIF changes. He is opposed to everything, even that which is positive.

The policy on child care is coming forward. Would the Hon. Member start being a little positive rather than using fear as the only means which makes him tick?

[*Translation*]

PHARMACEUTICAL INDUSTRY

BILL C-22—INQUIRY WHETHER GOVERNMENT WILL CARRY OUT INTENTIONS DESPITE SENATE OBSTRUCTION

Ms. Carole Jacques (Montreal—Mercier): Mr. Speaker, recently, several thousand workers in the pharmaceutical industry demonstrated their support for the Conservative Government and for the passage of Bill C-22 which will mean over one billion dollars in investment and the creation of thousands of jobs, especially in the Montreal area.

Mr. Speaker, my question is directed to the Minister responsible, the Minister of Consumer and Corporate Affairs. Does the Minister intend to maintain the present provisions of Bill C-22, considering the notorious, and I would even say immoral, obstruction of this Bill by the Liberal Senators?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Yes, Mr. Speaker. As the House is aware, debate on the motion I put before the House last week should have continued this morning. However, the New Democratic Party decided to support the Senate. They are trying to delay passage of this motion. Mr. Speaker, I hope the New Democrats realize they will have to smarten up and take a position that reflects their policies.

* * *

[*English*]

ENERGY

PRICE OF GASOLINE

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I have a question for the Minister of Energy, Mines and Resources. I would like to welcome him back to the House after his extensive and expensive travels.

Some Hon. Members: Oh, oh!

Mr. Waddell: When the price of oil goes down it takes a long time to pass the lower gasoline prices on to motorists at the pump. Meanwhile the oil companies make lots of money on their retail profits. However, when there is a slight increase motorists pay increased prices at the pump very quickly, as is happening now.

Does the Minister consider that to be fair? If he does not, what will he do about it to protect the average Canadian motorist from being gouged by the oil companies?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I would point out to my colleague that I just came back from St. John's, Newfoundland, where I had an opportunity to meet with my colleagues, the provincial Ministers of Energy who, for the second time, unanimously endorsed a joint communiqué with their federal counterpart, something which had not happened for eight years under the previous administration.

Second, I would remind my colleague that all the issues he is raising come under provincial jurisdiction, and I would be ill-advised to express my views in this respect.

[*English*]

MINISTER'S RESPONSIBILITY

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, in February, 1987, the price of crude oil was $24 Canadian a barrel as it was in February, 1986. However, the price of gasoline in May, 1987, after a three-month time lag, was 45 cents a litre whereas in May, 1986, it was 41.8 cents a litre.

Why do Canadians continue to be gouged at the pump? Why does the Minister not think he has any federal role to play in protecting Canadian motorists? Is that not what being Minister of Energy is all about?

[*Translation*]

Hon. Marcel Masse (Minister of Energy, Mines and Resources): Mr. Speaker, I can only say that the first responsibility of the Minister of Energy, Mines and Resources is to enforce the relevant legislation adopted by the Canadian Parliament. None of the statutes passed by the Canadian Parliament empowers the Minister of Energy, Mines and Resources to intervene in connection with gas prices at the pump.

Second, this Government's policy is market-oriented and has borne fruits, otherwise gas prices would be much higher than they are now.

* * *

[*English*]

CANADIAN ARMED FORCES

LOCATION OF SEA CADET TRAINING FACILITY

Mr. Morrissey Johnson (Bonavista—Trinity—Conception): Mr. Speaker, more than 60 per cent of all Sea Cadets in Atlantic Canada are from the Province of Newfoundland and Labrador. Due to this many people from the province, including myself, have been working hard to convince the Government to establish a Sea Cadet training facility in Stephenville.

I would like to direct my question to the Associate Minister of National Defence. Why has the Department accepted recommendations to establish the facility elsewhere?

Hon. Paul Dick (Associate Minister of National Defence): Mr. Speaker, the final decision was made between Stephenville and Cornwallis. A consultant's report showed that the initial capital costs would be 62 per cent higher in Stephenville and that the ongoing costs would be 52 per cent higher. Cornwallis

scored higher in eight of ten other areas as well and therefore the decision was made in favour of Cornwallis.

* * *

INVESTMENT CANADA

SALE OF WEST KOOTENAY POWER & LIGHT COMPANY TO UNITED STATES CORPORATION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is directed to the Minister of Regional Industrial Expansion. Investment Canada is saying that the Minister's decision to approve the purchase of West Kootenay Power & Light Company from Cominco by Utiliticorp, an American corporation, was based on two things, Cominco's financial problems and Utiliticorp's business plan.

The Minister did not take into consideration at all the fact that Utiliticorp has violated Missouri laws by overcharging consumers and that Canadians are not allowed to own public utilities in the United States.

Why was the Minister in such a hurry to sell off Canadian public utilities that he did not even investigate the fact that Canadians could not own public utilities in the United States, something we were giving to the Americans, or do any kind of investigation whatsoever?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): First, Mr. Speaker, I should like to indicate to my colleague that this Investment Canada decision dates back to December, 1986. As it happened, we did review every aspect of this deal and, in light of the Investment Canada Act regulations, we tried to make sure that the net benefits to Canada are always taken under consideration in any proposed transaction.

In the case to which my colleague is referring, Mr. Speaker, the net benefits to Canadians were obvious.

• (1500)

[*English*]

MINISTER'S POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, that was not taken into consideration at a meeting on March 13, 1987. Only those two points were taken into consideration.

I want to mention to the Minister that Mr. Jim Hubay of Kootenay Okanagan Electric Consumers Association says that he received a letter from the Minister which says: "Thus, before a decision is rendered, care is taken to ascertain that all the facts are available".

Mr. Speaker: I know that the matters the Hon. Member is referring to are important and form part of the general issue, but I would ask, especially considering the hour, that the Hon. Member put his question.

Mr. MacLellan: Mr. Speaker, care was not taken. Those facts were not taken into consideration. Why were they not taken into consideration, and why did the Minister not undertake his responsibility under the Act?

[*Translation*]

Hon. Michel Côté (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): I repeat, Mr. Speaker, we did examine every aspect of the deal. Better still, Mr. Speaker, I would point out to my colleague that the B.C. Public Utilities Commission also examined this transaction and found it to be in the best interest of all Canadians, particularly British Columbia residents. All aspect of the deal were indeed considered.

* * *

[*English*]

NATURAL RESOURCES

REPORT ON LOW SULPHUR WESTERN COAL

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Deputy Prime Minister. It concerns the report of the Intergovernmental Secretariat to the Action Committee on Western Canadian Low Sulphur Coal. Will the Minister indicate when that report will be made public? It has been promised for some time now. There are many people from British Columbia to Quebec who are interested in its recommendations. Will he indicate whether or not it will provide detailed plans that can be implemented by a government?

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, I certainly appreciate the Hon. Member's ongoing interest in this very important matter. I will be meeting with the coal industry on September 14. I think progress is being made.

As far as the release of the report which the Hon. Member has mentioned is concerned, I will look into it and get back to the Hon. Member as soon as I can.

* * *

TAX REFORM

SALES TAX—GOVERNMENT POLICY

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is directed to the Minister of Finance. On May 8 the Minister said in response to my question about whether food will be

subject to sales tax that his White Paper would be published on June 18 and, I quote from page 5890 of *Hansard*:

—that particular question will be answered fully.

Since the White Paper did not address that question, and the Minister declined to answer similar questions since, will he be kind enough to tell the House, especially now that his own caucus is asking the same question, when he will give information about his new sales tax?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member knows the answer to that question. I have made it quite clear. If she has read the White Paper on Tax Reform she will have seen that there is no proposal there to tax food. We have made a proposal for a change in the sales tax. We have put forward three mechanisms. We are now consulting with the provinces and others to decide what the mechanism might be. That process is taking place. I cannot give her a time as to when that process would be completed, but certainly it will not be too long.

Mr. Speaker: I must advise the House that the time for Question Period has expired.

* * *

BUSINESS OF THE HOUSE

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to the tabling of Bill C-85 this morning, and the subsequent discussions that have taken place since then between the House Leaders of the other two Parties and the Deputy House Leader of the Government, I think you will find agreement for the following proposition concerning today's business, and specifically dealing with Bill C-85.

The motion is as follows:

That, notwithstanding any Standing Order, when the Orders of the Day are called later this day, the Order shall be the second reading and reference to a Committee of the Whole of Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees;

Provided that:

1. Bill C-85 shall be the only item of business before the House until all stages of the Bill are completed;

2. This day's Private Members' Hour be suspended and the item scheduled for consideration this day be dropped to the bottom of the Order of Precedence;

3. This day's "Adjournment Proceedings" be suspended;

4. Should any recorded division be demanded, the provisions of Standing Order 13(4) shall not apply; and

5. The House shall not be adjourned until all stages of Bill C-85 are completed, whereupon the Speaker shall adjourn the House until the next sitting day.

Hon. Herb Gray (Windsor West): Mr. Speaker, the Order reflects the consultations that were carried out earlier today. The Official Opposition is ready to agree to this Order.

While I am on my feet, I wonder if I could ask the Government House Leader to give a statement of government business that is ordinarily given on Thursday?

Mr. Mazankowski: Mr. Speaker, I wonder if I might do that after this matter has been disposed of.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, on behalf of the New Democratic Party, regarding this important matter and emergency situation, we are certainly prepared to support this resolution to begin the debate.

Mr. Speaker: Does the Hon. Deputy Prime Minister and President of the Privy Council (Mr. Mazankowski) have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

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

Some Hon. Members: Agreed.

Motion agreed to.

WEEKLY STATEMENT

Hon. Don Mazankowski (Deputy Prime Minister and President of the Privy Council): Mr. Speaker, with respect to further business for tomorrow and the following day, I would hope that we might engage in some discussions with respect to the disposition of Bill C-71 which has been reported back to the House. That would be followed by Bill C-22 and Bill C-84, which has also been reported back to the House. We will not necessarily deal with those Bills in that order, but perhaps we can work that out through informal discussions.

GOVERNMENT ORDERS

[*English*]

MAINTENANCE OF RAILWAY OPERATIONS ACT, 1987

MEASURE TO ENACT

Hon. Pierre H. Cadieux (Minister of Labour) moved:

That Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees, be read the second time and referred to Committee of the Whole.

He said: Mr. Speaker, I rise today to speak on second reading of the Bill now before the House, namely, the Maintenance of Railway Operations Act, 1987. The purpose of the Bill is, above all, to order a resumption of rail traffic so vital to the nation's economy.

As Hon. Members will be aware, four separate labour disputes involving the major national railway companies and unions representing their employees have recently reached a critical stage. One of these disputes has now culminated in a national rail strike.

The four disputes comprise the Associated Railway Unions which represent some 48,000 railway workers in nine separate unions who negotiate jointly with the Canadian National Railway Company and CP Rail; two smaller groups of railway shopcraft employees represented by member unions of the Canadian Council of Railway Shopcraft Unions which is negotiating separately with each of the two companies, and the Brotherhood of Locomotive Engineers negotiating separately on behalf of its members employed by Canadian National.

It is perhaps obvious but nevertheless important to point out that this Bill would not have been necessary had the parties to the railway disputes been capable of meeting their responsibilities under the Canada Labour Code, Part V by renewing their collective agreements.

Despite considerable conciliation assistance provided to them by the Government, they were unable to do so without a work stoppage. This work stoppage, principally involving a strike declared by the Associated Railway Unions at midnight on Sunday, August 23, has paralyzed rail transportation and brought key sectors of the Canadian economy into jeopardy. As I advised the parties in a telegram on August 24, the Government cannot, and will not, tolerate a shutdown of the nation's major transportation systems.

• (1510)

I have concluded that there is no reasonable prospect for a negotiated settlement to the current work stoppage. Therefore, I have absolutely no hesitation in introducing the present Bill into the House.

In addition to ordering a resumption of work, the Bill provides for a means of settling the labour disputes between the parties. However, before dealing in more detail with the provisions of the Bill, I would like to emphasize to Hon. Members certain factors which have convinced the Government that rapid and decisive action is required to terminate the current strike and to restore rail services to the Canadian public and the national economy.

[*Translation*]

Other than Canada, there are few countries in the world where economic and social history rests so heavily on rail transportation. The establishment of the rail link was an enormous contribution to the development and expansion of this country in the last century, Madam Speaker, and in more recent times it has enabled Canada to rank among the world's major trading nations.

The railways built Canada in times past and they continue to be its economic mainstay.

[*English*]

Despite significant advances in other modes of transportation, notably by road and water, Canada's railways still account for close to 40 per cent of all freight tonnage moved in this country. More importantly, the producers of some commodities are virtually tied to rail transportation in order to move their products to markets economically. Western grain farmers present an obvious example of primary producers who rely heavily on the railways as part of an integrated transportation network to carry their crops efficiently from the prairie elevators to domestic and foreign customers.

This Government has previously demonstrated its commitment to western farmers. This highly productive group faces uncertain and extremely competitive world markets. It does not deserve to have additional obstacles placed in its way.

The producers of other bulk products in western Canada and in other regions are also seriously affected by the disruption of rail traffic. Manufacturers, exporters, importers and just about every sector of the economy is in some significant way harmed by a cessation of rail services. Increasingly, commuters in our large urban centres have come to rely on rail passenger services to take them to and from their place of work.

In addition to the direct impact of the halting of railway transportation, there is immeasurable harm resulting from the so-called ripple effect of a rail strike. Industries which cannot obtain parts or ship their goods are required to shut down production and lay-off employees. It is this ripple effect of a rail strike which is perhaps the most damaging to the over-all economy. The longer a strike lasts, the more far reaching the impact on Canadians throughout the country.

Via Rail employees, who have renewed their collective agreements without work stoppages, have already been subject to lay-off. Seafarers on the Great Lakes system and in our coastal waters could be among the next groups to feel the effect as rail shipments cease to arrive at or depart from our ports and harbours. Longshoremen and other port workers will be similarly affected.

It may take somewhat longer for the impact to be felt in other areas of trade and commerce. However, the effect would inevitably spread throughout the production and distribution chain if a work stoppage is allowed to continue.

[*Translation*]

Madam Speaker, this Government has invested too much effort to build a solid foundation for sustained economic recovery to let Canadian workers, Canadian producers and Canadian businessmen be the victims of the consequences of a lengthy breakdown of rail transport services.

It should therefore come as no surprise, Madam Speaker, to the parties concerned in the railway dispute, the Members of this House and the Canadian people that this Government decided to act quickly and table this Bill in the House, in order to put an end to a work stoppage that might prove disastrous.

It is only the fourth time in about 37 years that Parliament is being asked to put an end to a railway work stoppage. The last time was in August, 1973, exactly 14 years ago. At the time, Madam Speaker, despite numerous efforts to help the parties settle their differences, rotating strikes went on for nearly a month before they turned into a general work stoppage. After seven days during which the economy of this country suffered increasingly serious losses, the House was asked to intervene. This time, the Government did not wait that long. There were some local walk-outs in the Montreal and Toronto areas last week and also in Sarnia. A general strike was called to which we must put a stop.

Although we are acting quickly, Madam Speaker, one could hardly call our action precipitous. The parties had every opportunity to settle their differences and received all necessary help to that end.

[*English*]

In the Associated Railway Unions dispute, the previous collective agreements expired on December 31, 1986. Following notices of dispute filed by the parties in January of this year, a conciliation officer was appointed who endeavoured to assist the parties in the resolution of the dispute. Despite the officer's efforts, no settlement was achieved. On March 4, I appointed Mr. Douglas C. Stanley as conciliation commissioner. In the ensuing months Mr. Stanley met with the parties in an effort to conciliate their differences. As was the case at the conciliation officer stage, Commissioner Stanley was unable to assist the parties to resolve their differences and he proceeded to write his report and recommendations.

On August 10, I released Mr. Stanley's report to the parties, as I am required to do under the provisions of the Canada Labour Code. The report was subsequently made available generally and I am sure those Members who have read the report will have found it comprehensive. It was definitive with respect to wages, rejecting the positions of both parties, and instead recommending a settlement package already agreed to in other segments of the railway industry, such as Via Rail and the Ontario Northland Railway.

In recommending two annual increases at 3 per cent in a two-year contract, the commissioner commented that such a settlement was not unreasonable in relation to wage settlements being achieved in free collective bargaining. He was similarly definitive in other wage-related areas, rejecting the concept of a two-tier wage scale as demanded by the companies and recommending an increase in the night shift differential.

In other areas, notably contracting out and employment security, the commissioner was less definitive. Nevertheless, he suggested certain constructive avenues for pursuing the compromises and trade-offs required for settlement.

The initial reactions of the parties to the commissioner's report were encouraging. Reports indicated they regarded Mr. Stanley's recommendations as a useful basis for further negotiations. While the reported statements were guarded in some respects, it was reasonable to conclude that the parties found the commissioner's recommendations to offer a good framework for a possible agreement. These encouraging signs were enhanced when, on August 13, I was sent a joint request for a mediation assistance signed by the chairman of the Associated Railway Unions and the vice-presidents of the two railway companies responsible for labour relations.

I responded willingly to this request and on August 14 I appointed Mr. M. K. Carson, an industrial relations consultant, as mediator, pursuant to Section 195 of the Canada Labour Code. Mac Carson is a veteran of railway labour negotiations. A former railway employee and trade union official, he has some 15 years experience with the federal mediation and conciliation service and is well respected by the parties in this dispute.

• (1520)

Mr. Carson commenced his mediation meetings in Montreal on Monday, August 17, and worked constantly with the parties throughout last week. Although significant progress was made earlier in the week, it became clear on Saturday, August 22 that a settlement would still escape the parties prior to the expiry of a strike deadline set by the unions for midnight on August 23. Mr. Carson regretfully adjourned the mediation meetings and returned to Ottawa.

[*Translation*]

As my colleagues would know, Madam Speaker, the moment the strike was called on Monday I sent a telegram to the parties to convene their bargaining committees for a last attempt at mediation. Besides again offering Mr. Carson's services to the parties, I asked my Labour Associate Deputy Minister Bill Kelly to take part in the negotiations. Madam Speaker, I should think there is no need to remind Hon. Members that Mr. Kelly is fully conversant with railway issues and very well known as the federal Government's chief negotiator.

Mr. Kelly and Mr. Carson met with the parties in Hull on August 25, 26 and 27. This week Mr. Kelly led the mediation talks in his own characteristic way, keeping labour and management negotiators working hard through the night on Tuesday, late Wednesday night, and again today. Every single option likely to lead to a settlement was explored during the sustained and exhaustive mediation talks.

Madam Speaker, notwithstanding the urgency of the situation, the parties were unable to benefit from this ultimate opportunity to settle their differences and put an end to their conflict.

[*English*]

The conciliation and mediation activities to which I have been referring relate to the main dispute involving the Associated Railway Unions and both national railway companies. This dispute now involves a national strike. As I indicated earlier, there are other labour disputes currently

affecting the railways. As in the case of the ARU, these other disputes involve renewals of collective agreements which expired on December 31, 1986.

While the ARU includes trade unions representing a large number of railway shopcraft employees, some shopcraft unions are negotiating separately with Canadian National and CP Rail under the auspices of the Canadian Council of Railway Shopcraft Unions. The Council has three member unions negotiating with Canadian National and five member unions negotiating with CP Rail.

Conciliation officer appointments were also made in January in these disputes. Again, no settlements were forthcoming at the officer stage and I appointed Douglas Stanley as Conciliation Commissioner in each of the disputes on March 4, 1987, the same date as his appointment in the ARU case. Mr. Stanley was not able to conciliate the disputes and I released his separate reports to the parties on Monday, August 17, with general release taking place the following day.

While the unions and the council have now acquired strike rights, they have not exercised them. Their members are now subject to lay-off as a result of the shutdown of railway operations.

A fourth dispute involves the International Brotherhood of Locomotive Engineers. While the brotherhood is negotiating as part of the ARU with CP Rail it has opted to negotiate separately on behalf of some 2,600 members employed by Canadian National. Again, the collective agreement in this dispute expired on December 31 last year.

A conciliation officer appointment was made last February and a dispute remained at that stage until Monday last, August 24, when the parties were informed that I would not be appointing a conciliation commissioner. The parties will acquire strike and lock-out rights at midnight on August 31.

I have made this brief review of the status of the other current railway labour disputes because it is very relevant to the Bill currently before the House. The Maintenance of Railways Operations Act, 1987 has been drafted with separate parts applicable to each of the four disputes concerned.

In the case of the Associated Railway Unions, the appropriate part would come into force on the day following that on which the Bill is assented to. The other parts would come into force on days and times to be fixed by proclamation. I intend to explain this staged approach later. Before I do so, I would like to outline the principal features common to all four parts of the Bill.

Initially, the Bill provides that each affected railway company shall forthwith resume operations of its railway and subsidiary services. Every employee shall forthwith resume his or her duties when so required. Each affected union and officers or representatives of these unions shall forthwith give notice to their members to facilitate the required resumption of railway operations and of employment duties. No railway company or any of its officers or representatives shall impede an employee from resuming employment duties when required, or in any way discipline any employee for having been on strike prior to the coming into force of the Bill. These provisions are designed to fulfil the main purpose of the Bill, that is, to restore the railway service operations that are of key importance to our economy.

Beyond the resumption of rail operations, the Bill provides for the extension of each relevant collective agreement and for the settlement of the collective bargaining disputes by arbitration. Initially, each collective agreement is extended for a two-year period ending on December 31, 1988, with provision for this term to be extended at the discretion of the arbitrator for a period of up to one additional year.

I have just mentioned the term "arbitrator". Hon. Members will note that the Bill provides that I should appoint such a person following the coming into force of the Bill or its various parts. The arbitrator will be required to decide all matters referred within 60 days, with discretion vested in the Minister of Labour to extend this period if necessary. The report of the arbitrator shall be prepared in a form that will enable its incorporation into the appropriate collective agreements. The agreements as amended will be deemed to have effect on and after January 1, 1987.

Arbitration as a final dispute resolution method will be found in previous Acts which Parliament has adopted to terminate work stoppages in the railway industry. The present Bill requires the arbitrator to determine all matters that remain in dispute at the time of that person's appointment.

I am aware that there have been suggestions from the opposition that the resolution of at least one of these issues should be predetermined by the House. Frankly, I believe that such an approach would represent an abuse of this House. Parliament is not a labour court and the House of Commons is not an arbitration panel. The conciliation commissioner's reports made it quite clear that there are several interrelated issues in dispute, the resolution of which would involve trade-offs. These issues cannot be severed or dealt with in isolation from each other. Any Member who believes that they can does not in my view understand these labour disputes or, indeed, the labour relations process.

[*Translation*]

It would, of course, be preferable, Madam Speaker, to make the collective agreements part of a negotiated settlement. However, the parties have shown they were incapable of reaching an agreement through the bargaining process. The decision-making powers the parties could have exercised in pursuing the requisite compromise to reach a settlement will now be handed over to a third party.

I would nevertheless urge the parties not to completely abdicate their responsibilities. It would be in their best interests to put forward a number of sound arguments to support their positions before the arbitrator I shall appoint and to co-operate fully with this person.

This would be the best way for the parties to obtain an arbitration decision that would fully consider their respective needs and aspirations as they affect the issues on which a settlement has yet to be reached.

I mentioned earlier that the four parts of this Bill refer to four disputes in the railway industry. Once this Bill is passed, only the first part, which concerns the dispute between the conference of Associated Railway Unions and the two main railway transportation companies, comes into force. This is the only dispute where there is a strike at this time.

The other parts of the Bill, Madam Speaker, will not come into effect until after their proclamation.

• (1530)

[*English*]

At this time it would be unthinkable to remove, from the parties to the other three disputes, the prospect of freely negotiating their own settlements. However, it would be equally unthinkable for the House to ignore the potential for further disruption to the nation's rail services which these disputes present. The economic damage which the present strike is inflicting would also arise and, in fact, it would be magnified by its cumulative effect, if railway operations were to cease as a result of further work stoppages.

Consequently, the Bill provides for the future termination of any work stoppages that may arise, and for settlement of the three other collective bargaining disputes in the same manner as will be applied more immediately to the dispute involving the Associated Railway Unions.

I take no particular pleasure in introducing back-to-work legislation. However, I have a duty to protect the public interest when it is threatened by the inability of private parties to settle peacefully their labour disputes. The present strike is inflicting considerable damage on the people and the economy of Canada. The damage increases each day the strike lasts.

I am sure that Hon. Members are receiving representations from those whose vital interests are being compromised by the current shut-down of rail services. They are demanding that the Government take decisive action to restore railway operations. The Bill that is now before us orders such a resumption of rail services.

It should come as no surprise to the parties that this Bill has been introduced. They have had sufficient time and assistance to settle their own differences. They have failed to do so. If they had any doubt as to the Government's resolve not to endure a damaging work stoppage, it should have been dispelled by the telegram that I sent to them on Monday.

The parties have proved to be unable to respond to that urgent call for common sense to prevail in a final attempt at mediation. As a general policy, the Government does not believe in interference in the collective bargaining process. However, the parties to labour disputes should be left under no illusion as to our determination to intervene when the public interest so dictates.

When the facts are clear that the parties have abdicated their responsibilities to resolve their own differences, and a grave threat to the national interest ensues, the Government will act with all appropriate dispatch.

Some Hon. Members: Hear, hear!

[*Translation*]

Hon. André Ouellet (Papineau): Madam Speaker, speaking on behalf of the Official Opposition in this House, I would like to say first of all that we intend to co-operate with the Minister, so that the Bill can be adopted as soon as possible and a strike that is paralyzing the Canadian economy can be stopped, also as soon as possible, and we can thus put an end to this economic bloodletting.

Second, I want to say that I sympathize with the Minister of Labour (Mr. Cadieux), who today has to table a Bill to pick up the pieces left by his colleague, the Minister of Transport (Mr. Crosbie). I noticed the Minister of Transport was in the House during the Minister of Labour's initial remarks. He is the one who should have been tabling this Bill and who should have put in place the mechanisms required to protect both the Canadian railway companies and railway employees. What we are seeing today is the result of action that was ill-prepared and ill-conceived and basically a threat to the future of Canada's railway industry. I am referring of course to the transport industry deregulation which the Conservative Government and the Minister of Transport imposed on us without any guarantee or any safeguard for several sectors of our economy, and particularly without any protection for the workers in that industry. Quite clearly, this strike was to be expected.

[*English*]

It was absolutely no surprise; indeed, there was plenty of advance notice and warning. Because the strike came with plenty of advance warning, we on this side of the House, the Official Opposition, say that it could have been averted. It did not have to happen.

I was listening to the Minister of Labour explain and describe the consequence of a strike. The Minister knew in advance that a strike was coming that would hurt and affect the economy. Indeed, he has received a number of representations which indicated to him that the strike was imminent, and that the strike should not be tolerated. I have a series of telegrams and letters sent to the Minister asking him to intervene, and intervene quickly.

I wish to quote a telegram sent to the Minister:

> Regarding the rail strike. 1. Strike started this morning will be devastating to economy of Canada, especially western. 2. Obvious the parties cannot settle the differences between them. 3. The Government of Canada must intervene now and settle dispute. No point in waiting.

We know that there have been a number of Canadian companies that have indicated to the Government their displeasure at the manner in which the negotiation was going on. These companies knew that the inevitable was to come; it was a fix. The railways have almost been squeezed out of business by the Minister of Transport (Mr. Crosbie) and his insistence in going ahead with deregulation. The two railways had no alternative but to try to save some money on the heads of the workers. They knew that by being tough and unreasonable with the workers, they would get the Government, which first of all made a big blow to the railway industry, to come forward and try to save them with back-to-work legislation. There were no negotiations. There was no good faith at all in the process.

Mr. Crosbie: It's incredible.

Mr. Ouellet: The Minister of Transport can laugh. At least he has an interest in something, he is laughing a little.

Mr. Nunziata: It's no joke, John.

Mr. Crosbie: I am laughing with pity at you.

Mr. Ouellet: While we were discussing Bills C-18 and C-19 the Minister was absent. I am glad the Minister is here to listen to what we have to say, because we have repeated time after time that deregulation will be devastating to the railway industry, and the Minister did nothing about it. Today we are faced with a terrible strike.

I wish to cite what Dow Chemical had to say. They sent two letters to the Minister of Labour, and I am sure he has had a chance to read these letters:

> The Western Canada Division of Dow Chemical Canada Inc. at Fort Saskatchewan, Alberta is a major exporter—1.5 billion pounds per year of chemicals. We are also a major supplier to Canada's pulp and paper industry which itself is a major exporter.
>
> Western Canadian exporters have always had a tough time selling Canadian products abroad facing competitions from countries with ready access to ocean transportation lanes.
>
> One ace that Canadian exporters have had was their reliability factor—our Government is stable and transportation interruption has been minimal.
>
> Can we afford to lose this Ace?
>
> Our customers for Canadian goods abroad are facing the same economic realities that Canadian industry faces, and that means they must have their orders on time. Our division will lose $300,000 every day this strike continues and several times that in sales, but when you look over a list of Canadian exporters, Canada stands to lose much more in terms of future sales.

This is but one company explaining quite clearly its problems and difficulties when there is a railway strike.

• (1540)

All of this, I am repeating, Madam Speaker, could have been avoided if the Minister of Transport had been a little more sensible. All that the Government would have been required to do was listen to the unions, which came one after the other when we were looking at Bill C-18. The Transport Committee of this Parliament travelled across Canada and heard witnesses in every city it visited. One after the other told us that if the Government went ahead with Bill C-18 it would be devastating for Canadian railways. They gave examples of regulations in the United States and what happened after the Staggers Act was implemented there, which had tremendous consequences for the workers.

[*Translation*]

Of course the Government could have heeded these remarks since we were told quite clearly that deregulation of the transport industry would throw a lot of people out of a job. The workers told us that on the heels of deregulation in the United States American workers had been displaced, far from their families in many cases, just so they could hang on to their jobs, but that a great many of them ended up on the unemployment rolls.

[*English*]

But it was not surprising that the Conservative Government did not want to listen to union leaders. We know that it does not very often listen to workers. Conservatives prefer to listen to big companies. They gave billions of dollars to the oil industry. They gave away I do not know how much money through tax concessions to some big Canadian families.

Mr. Blaikie: Look at who is talking.

Mr. Ouellet: The Conservatives gave away almost the whole of our generic drug manufacturing industry to please the multinational drug industries of the United States and Europe. Now we have the consequence of their actions to please big Canadian shippers. On the backs of workers, the Conservatives have imposed deregulation in the transportation industry to please some big Canadian shippers. We knew the Government was not going to listen to the workers, but at least it could have listened to CN and CP. Certainly the Minister of Transport could have listened to his own Crown corporations whose representatives appeared before the Standing Committee on Transport. They indicated quite clearly that the plan to deregulate our vital transportation industry would put thousands of workers in the railway industries out of jobs. They told the Government not to go ahead with its plan to give American railways the chance literally to grab billions of dollars worth of business in the Canadian market without at least ensuring that Canadian railways had the same access to the American market. The railways told us, the Minister of Transport and the Conservative Members on the Transport Committee, that jobs would be lost if Bill C-18 proceeded. CN and CP told us that they would have no choice but to reduce the labour component of their costs if they were to survive American competition.

[*Translation*]

Again, the Minister of Transport refused to listen. He turned a deaf ear to the two railway companies and the railway employees who appeared before our Committee. Interestingly, an American expert, an impartial observer, appeared before the Transport Committee and told us a few

things that should at least have attracted the Minister's attention and made him more aware of the risk involved for Canada's railway companies. Let me quote what Mr. Dempsey, President of the Association of American Railways, came and told us at a sitting of the Standing Committee on Transport:

[*English*]

> We do not have anything in the United States comparable, as you know, to your proposed competitive line rates. It might be, or it might not be, and I pass no value judgment on it, a good thing to have a rail system in the United States which is like the interstate highway system. It might be a good thing to have railroads compete with one another like supermarkets do. All that I can say about it without passing a value judgment is that it will wreck the system in the United States, it would just wreck it, that is all.

That is quite clear, Madam Speaker. The Minister of Transport with the advice of some officials, some—

[*Translation*]

—theoreticians who were never exposed to the practice and realities of trade and competition, some officials who dreamt up a way to settle the problems of the railways and, sitting behind their desks, tried to convince people that Canada's railway system had to be completely overhauled.

[*English*]

Therefore, this Government stupidly bought Mr. Thompson's advice and created a terrible mishmash in the railway transportation industry. There is no experience of the comfortable line rate brought forward by the Government in any other country of the world. This is fiction, an imaginative thing of Mr. Thompson's that has been bought by the Minister of Transport and is now being implemented in Canada.

The President of the Association of American Railways said that if such a thing were implemented in the United States it would wreck the system. I am telling you, Madam Speaker, it will wreck the system in Canada, which we are now witnessing with this strike. It is a direct consequence of the irresponsible decision of the Minister of Transport to disorganize railway transportation in Canada. I blame the companies for being unable to convince the Minister to change the plans, but above all, I blame the Government for insisting on deregulation in the railway industry. Nobody—I say nobody—except the big shippers have asked for it. Everybody else who testified before the Transport Committee said, one after the other, that the plan was crazy. Today, because of the lack of action and lack of responsibility on the part of the Government, there is a strike.

• (1550)

I would like to read from an article that appeared in the *Toronto Star* last week. It reads in part:

> R. E. Lawless, President of Canadian National, warned recently that reduced rail services and lay-offs are "permanent and irreversible." But he also advocated compassionate treatment of employees who are the victims of deregulation. "There is no question" he said, "that we have to manage these changes properly and we have to treat affected employees generously."
>
> But when the House of commons approved the transport deregulation package in June after a debate that attracted little national attention, the government ducked the problem of potential layoffs. Indeed, the Tories flatly rejected proposals by Liberal transport critic Andre Ouellet to give the victims of deregulation certain "last-resort" financial benefits available to other workers under the Labour Adjustment Benefits Act.
>
> Surely it isn't too late for Ottawa to recognize the plight of railway workers who stand to lose their jobs due to deregulation and to reconsider some sort of safety net for them.

[*Translation*]

I am not quoting this article for my own personal satisfaction. I am quoting it to point out that today's crisis, this railway strike, did not come out of the blue. It was predictable. In fact, we saw this coming last June, when we asked the Government to take action to prevent a strike. I quoted this article that appeared in the Toronto Star to put the present strike into proper perspective.

We Liberals say to the Government that the strike became unavoidable when the Conservative Government refused to include a safety net for the workers in its deregulation Bill. Since the beginning of this dispute, we in the Liberal Party have been telling the Government that if negotiations were to fail, any back-to-work legislation would have to contain provisions guaranteeing a certain degree of job security for workers in the railway industry.

[*English*]

I asked a question of the Minister of Labour, indeed pressed him to make sure that, if he cannot undo the wrongs of the Minister of Transport, then at least to be fair to the workers in this legislation. He is the Minister of Labour and it is his responsibility to take the side of workers.

I am surprised that I do not see some protection for the employees in the legislation. One good example of greater job security, which Liberal Members are sure would have been acceptable to the labour unions and which would not have imposed an unbearable strain on the railways, is the recent settlement covering about 1,200 workers at the Ontario Northland Railway.

There is a new clause in the collective agreement between the Ontario Northland Railway and its employees, Clause 7(a), which gives the employees a sense of belonging to an organization. If there are difficulties, they will not be treated as if they are dispensable. They will not be laid off without proper care being taken for them.

Mr. Nunziata: After many years of service.

Mr. Ouellet: That is right. My colleagues remind me that most railway workers have been devoted employees and have worked their entire lives for the CN or the CP. They deserve better than to be kicked out of their jobs because the Minister of Transport decided to deregulate the railway industry.

This new Clause 7(a) indicates that any employee with seven years' seniority, as a guarantee of employment, as long as the workers agree, could take another job with the railway.

In some cases, it might be difficult to find another job for the employee, but then the collective agreement says that, should no work be found, the employee is placed in a waiting status until such time as a vacancy occurs within his or her classification. During that period, the employee's unemployment insurance benefits or his or her outside earnings will be supplemented to a level equal to 80 per cent of his or her weekly base pay until such time as a job is found.

[*Translation*]

It is obvious that the Government has a responsibility, bringing pressure to bear as it did on Canada's railway companies by forcing them to accept deregulation. It simply cannot wash its hands off this situation. I find this all the more deplorable that there is nothing in this piece of legislation comparable to what the Liberal administration did in 1973, the last time a similar law was adopted to force the rail workers back to work. The then Liberal Government had shown enough decency, generosity, sense of fair play and understanding of the legitimate concerns of these employees to give specific directives to the arbitrator so he would pay particular attention to the unions' claims concerning job security. I will quote Subsection 16(3) of the 1973 legislation. Subsection (3) of Section 16 of that act reads as follows:

> (3) An arbitrator appointed under subsection (1),
>
> (a) shall closely examine the job security demands of the unions and fully explore the feasibility of a job security plan based on the principle of attrition;
>
> (b) shall not alter or amend any existing work rules or practices in a manner that could have an adverse effect on rates of pay, earnings or employment opportunities, or safety;
>
> (c) shall, for the purpose of the arbitration, have all the powers conferred on a conciliation board under section 175 of the Canada Labour Code; and
>
> (d) shall in respect of wages specifically provide for the adjustment of wages to any increase or increases in the cost of living where the arbitrator is satisfied that such adjustment has not been previously or adequately provided.

It stands to reason that, when a Bill stipulates that all the collective agreement clauses which have not been ratified by both parties will be submitted to the arbitrator, that the decision of the arbitrator will be mandatory and binding on both parties, and that the Government fails to give any instructions to the arbitrator, the employees can indeed expect the worst. As it is now the Government washes its hands off the whole thing and says: The country has been thrown into economic chaos because the railways have stopped all operations and the Canadian economy is losing millions of dollars as a result of this rail strike. Well, we will take the hard approach. We will pass legislation and force the employees back to work. As to their wages, working conditions and job security, let the arbitrator do whatever he may feel like doing.

Well, I say this is not the way to proceed. In a similar situation in 1973, the Government at the time at least had the good sense to give certain instructions to the negotiator or arbitrator appointed at the time, to protect employee interests.

• (1600)

[*English*]

I want to outline very briefly the fundamental differences between the 1973 legislation introduced by the then Liberal Government and that introduced today by the Conservative Government. In 1973 we, like the Conservatives, decided we could not allow a railway strike to go on any longer because of the consequences for the Canadian economy. Therefore, despite our best wishes and hopes we introduced in Parliament back to work legislation. Let us not kid ourselves. It is always better to have a negotiated settlement, but we imposed a settlement in 1973 because we felt we had to do so for the sake of the Canadian economy. I do not quarrel with the Government in this case and we will co-operate in passing this legislation because we think the economy of our country cannot be damaged by a railway strike.

However, when we deal with the legislation on a clause-by-clause basis, I will have a number of questions to ask of the Minister. Indeed, I intend to introduce some amendments which could, to a certain degree, ease the fear and anxiety of the workers that such legislation is inappropriate. I hope the Minister in his wisdom will be able to give guarantees to the workers and hopefully accept some of our amendments which could certainly appease the workers under the circumstances.

In 1973 we put right into the Act a provision stating that some money was to be given to the workers immediately. Effective January 1 of the following year they would receive 34 cents per hour. In that way the workers, forced by legislation to go back to work, were not going back empty-handed. They had not won the collective agreement but at least they had won something. There was some incentive to go back to work and do good work. In this legislation there is nothing like that.

While I am not sure the Minister of Transport understands anything, I am sure the Minister of Labour realizes that when these workers are forced back to work they could slow down the process. There are many ways to do that. Their productivity could decrease. It is not in the interests of either the railways or the employees to see a situation like that develop. I would have thought, in a spirit of good faith, the Government would put at least some money on the line to induce the workers to accept the legislation and go back and do their jobs effectively as they are accustomed to doing. They may go reluctantly. They will be forced by law and they are law-abiding, but if they have no incentive at all, they might go back reluctantly.

Second, the 1973 legislation contained specific instructions for the appointed arbitrator. These included directions to come up with a feasible job security program. He was to recommend a fair wage increase. The present legislation contains no such directions.

Third, in 1973 no time limit was put on the arbitrator. We are dealing with a number of unions and different employers.

This is a very complex issue. Yet this legislation puts a 60-day limit on the arbitrator to come forward with the package. I accept the fact that the Minister has the discretion to extend that time, but I am afraid a 60-day limit will force the arbitrator to look only superficially at the problems. Those problems include job security as well as other issues which had been raised in the negotiations so far. I do hope the Minister is in a position to say to us that he will not hesitate to use his discretion to extend that time limit if necessary.

The arbitrator will have an immense responsibility. I do not want to cast aspersions on the Minister. I know he has to decide on who is going to do conciliation work, but the list of people available is not the one he would like. However, I had been told that the appointment of Mr. Douglas C. Stanley as the conciliation commissioner was very surprising. Not that Mr. Stanley is not a good conciliator, but his experience with and knowledge of the railways is minimal.

Some very complex issues have to be looked at by the conciliator, and the feeling is that the conciliation report did not thoroughly and correctly address those issues. That might have been one of the reasons why there was no success between the parties; the commissioner left a number of issues unresolved or untouched. It was certainly not to the satisfaction of the employees. Therefore, I say to the Minister, whoever you appoint as arbitrator, you have to be sure it is a person with full knowledge of the industry, well known by the parties, and a reliable expert in this area.

As we know, very few things have been agreed to at the bargaining table. The arbitrator is literally going to write the entire collective agreement. Therefore, he has to be someone who knows the railway industry very well.

As well, in 1973 the Liberal Government guaranteed no wage reductions. That might sound funny. People say, well, surely the arbitrator is not going to order a wage reduction. I do not know. I do not think it is appropriate that this legislation does not have such a clause. Frankly, if the two parties cannot agree on a wage package, it is too bad, but I do not think one party should suffer more than the other. Therefore, the real minimum is the *status quo*. I do not understand why the Minister of Labour has not included a clause precluding wage reductions as we did in 1973. The employees already believe that—

[*Translation*]

—the dice were loaded, that the whole collective bargaining process was useless because the companies did not want to negotiate a new collective agreement, since they had the assurance that the Government, in the first few days following the beginning of a rail strike, would inevitably introduce back-to-work legislation. Some clauses of the Bill tabled by the Minister contain phraseology that is very close to the terms used by the employers, which makes it very tempting to consider the possibility that the employers themselves drafted the Bill. I hope that is not the case. I not only hope that is not the case. I also hope that later on, the Minister will be able to give me not just the assurance but irrefutable proof that he will give the arbitrator instructions that employee salaries are not to be reduced.

Finally, I may recall that in 1973, there was no provision for a financial penalty in case of non-compliance with the legislation. I wonder why today the Minister is imposing such severe penalties for non-compliance. We are now talking about penalties of $20,000 and even as much as $100,000 per day. In 1973, we in the Liberal Party placed far more trust in the railway employees' ability to observe the law, and that is why we did not include penalties. I think the Minister of Labour, who as such represents the workers, should at least show the same respect and the same trust. In concluding, I want to say that the Bill before the House today is a most regrettable one, but that should not surprise us because we have to pick up the pieces left by the Minister of Transport.

• (1610)

[*English*]

Mr. Rod Murphy (Churchill): Madam Speaker, in speaking on this legislation I would like to state right from the outset that I am sorry that the negotiations broke down and no satisfactory settlement was reached. I think most Canadians feel the same way. We recognize that in such circumstances governments do have to act. However, the manner in which the Government dealt with this legislation and these negotiations proves its incompetence and shows why we must oppose this legislation. I will go into some detail later to explain exactly why I believe that to be the case.

However, let me start with what has happened in the House in the past week. We have been pushing the Minister of Labour (Mr. Cadieux) and the Minister of Transport (Mr. Crosbie) to act in a way which would help to resolve this dispute. We did not tell them to get into the negotiations themselves or to write every clause. We did, however, ask the Government to come forward with some policy on job security.

We explained the problems of people in the railway industry. We explained the obvious issue which was keeping the two sides apart. When we did that, the Minister of Transport got up and spoke about the present CN policy on job security and waxed eloquent, as he is wont to do from time to time, and did so passionately and wrongly, as he does quite often.

The present job security legislation has resulted in thousands upon thousands of people being laid off over the last number of years in our railway system.

Mr. Crosbie: Which legislation?

Mr. Murphy: Pardon me, the collective agreement. For the Minister to say that the collective agreement is wonderful and is guaranteeing job security for so many people when in fact those people are being laid off only helps to create problems for the negotiators and the people on strike.

Mr. Crosbie: I did not say it, but point out where it is.

Mr. Blaikie: Yes, you did. It is right in *Hansard*.

Mr. Murphy: Madam Speaker, the Minister knows what he said and he knows what he did.

Mr. Crosbie: Stick to the facts.

Mr. Murphy: As a result of this legislation and of what has happened in this House this week, workers across the country feel that they are being picked on by this legislation. They knew that there would be back to work legislation if negotiations were not successful. They also knew that the negotiations were under the hammer of a Government in which the Minister of Transport had already spoken out in favour of the CN position. That in itself made the dispute very difficult to settle in a positive manner.

We will oppose this legislation. We will not prevent it from passing because of the numbers in the House of Commons, but we will debate it. We will point out in detail the problems with it. We will be moving the required amendments. I hope the Ministers responsible will be open to those amendments.

We want to give fair warning now that we know that there is no artificial rush to pass this legislation in the next couple of hours because we all know that the Senate is not even being called back to discuss this legislation until two o'clock tomorrow. Therefore, this House can in fact sit for some length of time and we can discuss amendments and ensure that we do not pass legislation in three or four hours only because there is a political desire among some back-benchers to do so.

It is apparent that government policy was the cause of the strike itself. It was the issue of job security which kept the dispute from being settled positively. That is the same issue that caused the labour dispute within Air Canada. That is the same issue that caused labour unrest at CBC, and the same issue that caused labour unrest at Canada Post. If the Government had a positive policy on job security for Crown corporations and other government employees, there could have been positive negotiation for its employees. However, that is not the case and the remarks of the Minister of Transport this week proved that to be the situation. Other governments have also dealt with technological change. They have dealt with economic setbacks. They have realized that people have not always been able to keep their current job.

• (1620)

It is important to realize that the workers at CN and CP were not asking to keep the same job until they retire. In fact, they were asking for employment security with CN and CP and that those corporations should do all that is possible to make that a reality. It is important to realize that.

It is also important to realize that in seeking this goal, those same corporations should not be contracting out work that was done by people who are now being laid off. If one has worked for CN or CP for the last 15 or 20 years and has been doing a certain job in a shop or in one of the running trades and suddenly it becomes CN policy, which is supported by the Government, that this work be shipped to someone or some corporation that has never worked in this area before, how can one feel that one's valuable work for the company year after year is being appreciated? How can one believe that this country's legislation or the collective agreement one has negotiated will provide protection?

Obviously, the lack of positive government policy on employment security and the fact that the Crown corporations negotiated in a vacuum has led to this labour dispute.

In addition, we know that deregulation has been cited not only by the employees as one of the reasons for the strike, but, despite what the Government has said, the employer has also indicated that deregulation is one of the reasons it will not act to provide employment security for its employees.

Mr. Crosbie: They have not said that.

Mr. Murphy: Again, the Minister of Transport says they have not said that. I wonder how much the Minister of Transport knows about what CN is saying? It is obvious that the Crown corporation has said that at the negotiating table. It is obviously what that Crown corporation has—

Mr. Crosbie: You are quoting them. Where is your source?

Mr. Murphy: The Minister of Transport wants sources. He will get those later on in the day.

Let me turn to the Bill itself and compare it to what was put in place not only in 1973, and also deal with some of the problems this legislation is causing. Clause 4 of the Bill requires that the railways resume operations forthwith. It also requires that "every employee shall, when so required, forthwith resume the duties of that employee's employment." This means that the employer must start operations and the employee, whenever he or she is called back, must also begin working.

In 1973, that clause stipulating "when so required" was not in the back to work legislation. That significant change proposed by the Minister of Labour, presumably supported by the Minister of Transport, means that those companies can call back only those employees whom it wants to call back. In effect, it can have a lay-off taking place as a result of this legislation.

This legislation does not return us to the *status quo* before the strike. It gives a new power to CN and CP to pick and choose which employees it wants back. Certainly, it may have to follow the seniority provisions in the collective agreement, but obviously it is not required to bring back those employees it had working prior to the beginning of the breakdown in negotiations.

That is a major error and a change which the Minister of Labour has brought forward. We want to know why and we will be asking him when we get to clause by clause study.

I will not mention some clauses right now, but that does not mean we support them. I only have 40 minutes for my comments and want to deal with some of the main problems we see with this legislation.

Clause 6(1) states:

> The term of each collective agreement is extended to include the period beginning on January 1, 1987 and ending on December 31, 1988 and may be further extended by the arbitrator to include the period beginning on January 1, 1989 and ending on a day not later than December 31, 1989.

That clause gives the arbitrator the sole right to extend that agreement from two years to three years. What is the reason for that provision? The only thing that both parties in the negotiations agreed to in October, 1986, when they began their negotiations, was that they wanted a two-year collective agreement. No one has said since then that they wanted anything different.

If this Bill was simply back to work legislation, it would not be giving this very innocuous and powerful authority to the arbitrator. It has nothing to do with the dispute at hand.

The danger with this particular power is twofold: first, it reduces the power of the employees to negotiate at a time when they felt they had the power to do so; second, it means that if the clauses of this agreement have not solved the problems that occur in the railway industry they may have to wait one entire year longer before they negotiate.

The other problem is that the positions of the company and the union do not relate to a three-year agreement. The monetary clauses were based on a two-year collective agreement. The conciliation report was based on a two-year collective agreement. Some of the clauses that have been settled already, in open and honest negotiations, were based on a two-year collective agreement. Why would the Minister of Labour introduce legislation which gives an arbitrator the power to extend that legislation for one year at his or her whim? That clause must be eliminated.

Let us turn to Clause 8. The arbitrator, whom we do not know and who may not have any experience in collective bargaining or in the transportation industry, especially with railways, is supposed to solve this dispute within 60 days, although the legislation provides the Minister with the authority to give the arbitrator more than 60 days. However, this is a very complex set of negotiations.

We are not dealing with one employer and one union, but with two employers and many unions, involving many different situations and many different present collective agreements. Sixty days will not be enough, unless the arbitrator restricts himself or herself to a very limited investigation and role in determining what should be in a collective agreement. In that case, an arbitrator obviously cannot write a comprehensive and adequate collective agreement.

I am also concerned that the issues in dispute are not itemized in Clause 8. That was done in the 1973 legislation, and while it may not seem important to some people, because the disputes may seem obvious, there was a press release by the companies today saying that there are three items in dispute. The union is saying there are seven items in dispute. Obviously, there is a difference in numbers, and that is something about which we should be concerned. The legislation, based on prior history, should spell out what should be dealt with by the arbitrator.

• (1630)

The Government, in putting this legislation together, rejected the advice that I, among others, gave in the House of Commons. We suggested that the Minister of Labour meet with both the unions and the corporations prior to introducing this legislation. We were not advocating any further delay because we knew this legislation would be dealt with prior to the end of this week. However, we believed that if the Minister of Labour sat down with the parties, he could have at least had the advantage of recommendations based on the 1973 legislation with respect to the items still in dispute. Perhaps this legislation would then deal with the issues that both sides feel are the issues. He did not do that. As a result, some of the things I indicated earlier are problems and concerns.

In addition, the Minister has not met with the people who are not on strike at the present time, those people who are laid off as a result of the present labour dispute. This legislation affects these people as well. It affects the people in the shop crafts council and the locomotive engineers. For some reason it does not affect the railway controllers. That is an interesting question. We would also like to ask later on why that particular group was left out of this legislation.

The problem is that even those groups, or some of those groups who are not on strike at the present time, are affected by this legislation, and at any time the Minister wishes he can proclaim those parts of the legislation which say those people are now covered by the legislation. That is what I considered to be negotiating with an axe to your head.

This legislation is flawed. If the two sides ever had the ability to get together to resolve the items in dispute at the present time, that is now not possible because they know they have this blanket legislation hanging over their heads. The Minister should have at least consulted with the people who are not now on strike and ensured by his actions, and by the actions of this Parliament, that we are not put in a situation where we actually destroy any ability of those parties to come together by themselves and resolve any potential labour dispute.

With respect to the people who are not on strike, the shop craft workers and the locomotive engineers, this legislation gives the arbitrator the power to impose a three-year collective agreement even though they might be sitting down trying to negotiate a two-year collective agreement. It gives the arbitrator the power to decide what items should be in the collective agreement and what items should not be. It gives the arbitrator the power to take a position which is less than the

company offered and make that the final settlement. Again, to repeat the words of my Liberal colleague, that can happen.

I know it can happen because when I was a teacher in northern Manitoba it happened to me. The school board offered a certain settlement. The teachers turned it down, not because of the monetary aspect with which they were quite happy, but there were other conditions they wanted included in a collective agreement. They made that case very clearly to the arbitrator. They said that money was not the issue. They were quite happy with what was offered. But they wanted other clauses put into the collective agreement. The arbitrator said no to each of the items the teachers wanted, and then decided to give us less money than the school board was willing to give us. Thank God we negotiated a settlement the next year and the school board gave us the money back. That is the irony of open-ended powers given to an arbitrator.

An arbitrator not only has the power to stay away from anything in the conciliation report, because there are no guidelines in this legislation, but he has the right to ignore what both the parties think might be appropriate. Surely an arbitrator should not be able to go beyond the bounds of where the two parties are at the present time. That just does not make sense.

We must admit then that in 1973 the Liberals, who had a minority Government, put together legislation which was perhaps a bit stronger than they would have put together otherwise, but at least the legislation in those days had a wage guideline. It had other guidelines. It told Emmet Hall, who became the arbitrator, to deal with the conciliation report. All of those things were done. That is not happening here.

The workers are also being penalized because this legislation does not give them any immediate guarantee of money. Not only do they get no guarantee of money in the long run, but it does not even give them the money the companies have promised them. Why is that? The conciliation report indicated that 3 per cent this year and 3 per cent next year, presumably with a two-year collective agreement, would be a reasonable settlement. The companies have offered about half that. Arbitration may take longer than 60 days. I believe that if we are going to order people back to work, we should also ensure that they receive at least some of the money in the short run instead of having to wait what may be well over 60 days. It may be over a year or two years. It is known that arbitration awards are not settled quickly.

Madam Speaker, this legislation is extremely flawed. I am certainly going to reject any attempts by government Members to rush this legislation through the House. I hope that in the long evening in front of us the Minister of Labour and his Department officials, who will be up watching this debate, and his other officials will get in touch with CN and CP and will talk with the unions, because if this House does not rush this legislation through there may be parts of this legislation which could be improved with the concurrence of all parties. Again, I used as just one example the strange powers which have been given to the arbitrator to extend the collective agreement by one year when no one has asked for it.

We should be able to have a list of what is in dispute so that the arbitrator knows what he or she should be dealing with. It may well be that in order to ensure some peace at the work site, the companies might be willing to give some monetary increase at the present time. All of that is possible if the Minister and his officials make the attempt to contact the people involved.

One of the problems we have when we rush legislation through this House is that we do not allow for those who are affected by the legislation to participate in the legislation and to make that legislation not only relevant but as complete and as accurate as possible. Therefore, I think the Minister has a long evening in front of him and I want him in the House as much as possible. I also want him out in his government lobby talking to the people who are affected by this legislation to ensure that we do get the amendments that are necessary, because the legislation can be improved. The way it stands right now, we cannot support it. We have indicated all week that we would wait to see what the package was. We did not want to be in a position of saying we were against back to work legislation if it was good legislation. We wanted to give the Government a chance to provide adequate legislation if negotiations did break down. But that is not what has happened. This is weak legislation. It is flawed and vague. It is the Minister's job to fix it. If he does not, then we will.

• (1640)

Hon. John C. Crosbie (Minister of Transport): Madam Speaker, I am intervening in this debate against what my preference would be. However, I have to intervene because of the silly allegations made principally by the Hon. Member for Papineau (Mr. Ouellet) who spoke earlier in the debate. As one would expect from him, most of his remarks were innuendo, *non sequiturs*, and nothing followed from one another. For example, I would like to deal with some of his platitudes and pitiful pettifoggery, which might, of course, bore the House. He claims—

Mr. Nunziata: Come on, John, this is serious business.

Mr. Crosbie: If the hon. gentleman will listen he will understand what the points are that I am making—

Mr. Epp (Provencher): No, he won't.

Mr. Crosbie: He will at least have the opportunity to understand.

The Hon. Member for Papineau attempted to blame the present strike in the Canadian railway system on deregulation. How is it possible to blame this particular strike on deregulation when deregulation so-called, or the Canadian version of it, does not come into effect in Canada until January 1, 1988? Is this anticipatory? How can he possibly blame it on deregulation?

Deregulation has not caused any loss of employment in the Canadian rail industry because we have not had deregulation. Of course, there has been a loss of employment in the rail industry in Canada caused by the changing nature of the transportation system. For example, in 1974 there were 107,569 employees in the Canadian rail system. In 1984, before we came into office, there were 81,710 employees working in the Canadian rail system, 25,859 fewer than in 1974. Is that to be blamed on deregulation when there was not even any deregulation at that particular time?

If we listen to the Hon. Member for Papineau, I suppose we should make it all retroactive—the blame is certainly retroactive. As a matter of fact, his Government was in office during all those years except for eight months. So the problem with the railway industry, and many other industries in Canada, particularly the smoke-stack industries, the heavy industries, is that the nature of our economy has changed. It has changed to a service and communications kind of economy. The smoke-stack heavy industries and the railways which depended heavily upon them have therefore suffered as a result. That is the problem that is faced by the railway industry.

The Hon. Member for Papineau suggested that when the committee was dealing with legislation passed earlier in this session leaders of the railway industry said that employment would be lost because of deregulation. I happen to have some of the quotations here, which is more than he did. He did not quote one. As usual, he made these slippery comments, old slippery-heels from Papineau, and he did not produce any quotations at all. I have here in my hand a quotation from Mr. I. B. Scott, the Chairman and Chief Executive Officer of CP Rail. He stated:

> We would have to adjust our workforce—but that is going to happen anyway. Those cost pressures are there for our customers in the market competition aspect of rate-setting, let alone the regulatory aspect.

That was Mr. Scott's evidence when he appeared before the Standing Committee on Transport, as well as when he appeared before the Senate committee.

On July 14 Mr. Morin, the Vice-President, Marketing, of CN Rail, stated:

> The total amount of traffic in volume may not be different on each of the railways, but it will move at a much lower revenue. If that is the case, then there will not be any job loss because of it.

This is exactly contrary to what the Hon. Member for Papineau has said everyone from the railways was saying.

Mr. Lawless, who is the President and Chief Executive Officer of CN Rail, said on March 2:

> Whether this Bill comes in or not, the railways have to rationalize their services and they have to find a way to reduce their costs or they will not be able to remain competitive in the market-place today.

That is what he said. It is in direct contradiction to what the Hon. Member for Papineau said.

The rail industry faces a difficult, competitive situation, not because of deregulation but because of fundamental changes in the economy. They faced it in the United States. They face it in every other industrialized country in the world. It is because of changes in railway technology, not because of regulatory reform.

Since the passage of the National Transportation Act in 1967, rail employment in both these railways dropped 29 per cent. In CN and CP freight operations, rail employment dropped 19 per cent in the five years from 1980 to 1985. So deregulation has no more connection with the present impasse in collective bargaining in the rail companies of Canada than the man in the moon would have.

If this strike were caused by deregulation, then what caused the strikes of 1966 and 1973? What a silly suggestion to make. This strike is caused by the fact that the two parties involved, management and employees, have not been able to reach an agreement on various aspects of their collective agreement. We have a free collective bargaining system in Canada. It has some penalties as well as a great number of benefits.

This industry is important to Canada. It is important to our grain farmers and our resource industries. What is carried by rail today, by the way, is grain, which accounts for one-sixth of all the railway tonnage, bulk freight, coal, sulphur, potash, steel, chemicals and forest products, which comprise over one-half of rail traffic. The smaller, more valuable traffic has gone to the trucks and all the rest of it. Because it is so important, we have to intervene. We cannot allow the rest of the country, innocent third parties, to be penalized in this way for very long. That is why we have to intervene.

Rail handles only 27 per cent of all freight tonnage today. That is still very important, which is why we are intervening. But in 1984 the rail system handled 33 per cent. So one can see the declining situation with respect to the share of rail in our freight transportation and the competition it faces from trucks, ships and air.

To return to the remarks of the Hon. Member for Papineau, I am intervening to set the record straight. He claimed that we should have known that the strike was coming and that we should have intervened earlier. We all knew that there was the possibility of a strike. We all know in any set of collective bargaining that there is a threat of a strike. There is always the threat of a strike. That is the power, the weapon, that the employees have, and the employer has the threat of a lock-out. We all know what can happen when negotiations are not successful. But because we know that, are we supposed to intervene right from the start? Is that what the Liberal Government did in 1973 or in 1966? Of course it did not. It is a piece of errant stupidity to suggest that somehow we should have intervened any earlier.

The Minister of Labour (Mr. Cadieux) did everything he could through the use of conciliation and the use of mediators to try to assist these two parties to reach a settlement. Because they have been unable to reach a settlement the House has to intervene to see that the disruption in the rail system of Canada ceases. The only way to do that is by the appointment

of an arbitrator. This House cannot and should not arbitrate this dispute. We are not capable of doing it. We are not impartial, as we all know. We just heard the opening speaker, the Hon. Member for Churchill (Mr. Murphy). He is obviously not an impartial observer of the scene. He has already given his opinion that work should not be contracted out and so on. We are not even allowed to give the facts with respect to the present collective agreement that is in effect at Canadian National.

• (1650)

When I was asked questions in the House on August 24 by the Hon. Member for Churchill, he objected to my answers and tried to allege that somehow this shows some type of bias. I was only explaining that the Crown corporation, for which we are responsible, has one of the more generous systems in effect in Canada, and that the matter was now subject to mediation and collective bargaining. We are not even supposed to say that our own Crown corporation has a system of job security at present. It is one of the matters that has been discussed in this collective bargaining negotiation, because naturally the railway employees want a better and a more generous one, and the employer has to be concerned about its costs, competitiveness, and productivity. They have a different point of view.

We are not even allowed to give the facts in the House when we are questioned and when the motives and the actions of our own Crown corporation are impugned. But the Hon. Member for Churchill can stand up and take a position on all of the matters that are disputed in the present situation, and give his opinion that they should not contract out work. What is sauce for the goose is not sauce for the gander. That is a typical NDP double standard. They think that they hold all the morality, and that all the rights are in the hands of the NDP. We all know how impartial they are. When the labour movement states that they are against free trade, the members of the NDP bob their heads and they are against free trade. If they are against deregulation, this crew bobs their heads and they are against deregulation.

I will say that the Hon. Member for Churchill put forward some relevant points on the Bill. They were of interest to hear. The Hon. Member for Papineau said that the railways have been squeezed out of existence by deregulation imposed by the Minister. How can they be squeezed out of existence by something that is not yet there? Deregulation does not start until January 1, 1988. How can the railways be squeezed out of existence in that manner? It is shocking. It is anticipatory squeezing. It is premature squeezology.

The Hon. Member for Papineau talked about labour adjustment. There are labour adjustment programs of Government. We are aware of the fact that the economy is changing and certain industries have to be assisted. There have to be adjustment programs. We have to deal with the problems of lay-offs and unemployment. My hon. colleague, the Hon. Member for Kingston and the Islands (Miss MacDonald), was dealing with that, and it has been dealt with by the present Minister. Of course there are a number of government programs for employment and training. Companies like CN also have programs. I will not comment on whether or not they are adequate. I think it would be fair to say that they certainly have programs that are among the best in the Canadian industrial scene. I am speaking on this point to defend CN, which is our Crown corporation, from unfair criticism from the Hon. Member for Papineau—prejudice, criticism, political, polemical, putrid attacks from the poltroon from Papineau. That is why I am speaking.

The Hon. Member for Papineau criticized the fact that there is no extra money for the employees in the Bill now before the House. That is because this is a Bill to send this dispute to arbitration. How could we intervene and take one or two aspects of the present impasse in the relationship between these groups and deal with that ourselves in the House? We do not think that is the way that the collective bargaining system should operate. Despite our best efforts, these parties have been unable to resolve this matter themselves. It is not for the House to say what the collective bargaining agreement between them should be. Now they have failed themselves, it is for some other impartial authority.

I ask Hon. Members to remember that any new agreement that is reached or imposed by the arbitrator will be retroactive to January 1, 1987. The parties can still agree on any items that they want to agree upon when they first go before the arbitrator. If they say to the arbitrator that we agree on X, Y, Z, this item, that item, or 30 items, the arbitrator will not bother to deal with the items that they agree on. There is nothing stopping the parties from agreeing on anything at the present time right up to the arbitration. Under the legislation, the parties can agree after the arbitration. They can change the agreement that the arbitrator imposes, if the arbitrator has to impose an agreement, by agreement afterwards, as you will see by reference to the Bill. They can change the agreement. They can change their present agreement now, and they can change any agreement that the arbitrator finds he has to impose, if they agree together. Their fate is in their own hands, which is where it should be, if there is to be a free collective bargaining system, as this country is supposed to have. That is how this legislation leaves it. It leaves the dispute largely in the hands of the parties, but if they cannot resolve it then the appointed arbitrator will resolve it.

The Hon. Member for Papineau also said this—a scurvy piece of business, that's the best way I could put it. I am trying to be statesman-like today. He did not say that the employers wrote the legislation, but he said it seems to some people, or it could be that—I forget the exact words he used—the employers wrote this legislation. The Hon. Member for Papineau did not make an allegation that the employers wrote this legislation. He did not make the charge that they wrote the legislation. He just suggested that it might be that they wrote the legislation, and if they did he was against it.

What type of scurvy, dog in the manger, lack of backbone statement is that, Mr. Speaker? The Hon. Member for Papineau has not as much backbone as a rubber ducky.

Mr. Nunziata: Big joke, John.

Mr. Crosbie: He knows very well that the employers did not write the legislation. He knows very well that the employers had nothing to do with the legislation. He knows very well that the employers did not see the legislation any more than the railway unions saw the legislation before it was introduced in the House. He does not want to make a direct charge because he does not have any proof to back up a direct charge. He just mentions this in the hope that the press or somebody will pick it up and put it on the wire. The rubber ducky is not even here to listen to me.

Mr. Gauthier: It takes one to know one.

Mr. Crosbie: The hon. rubber ducky from Papineau.

Mr. Nunziata: Madam Speaker, I rise on a point of order. We are dealing with some very important and serious legislation with regard to Bill C-85. I find it very offensive that the Minister of Transport (Mr. Crosbie), as a Minister of the Crown, should make fun of this particular legislation, and in so doing use unparliamentary language and break parliamentary rules in order to criticize my colleague, the Hon. Member for Papineau (Mr. Ouellet).

Mr. Blaikie: I rise on a point of order. Through you, Madam Speaker, I would appeal to everyone here to take this matter more seriously. I know that the Minister of Transport (Mr. Crosbie) has a talent for dragging down the level of a debate. The fact of the matter is that he is not supposed to reflect on the absence of Members from the House.

Mr. Nunziata: And the Hon. Member for Papineau is right here.

Mr. Blaikie: And the Member whose absence he did reflect upon is talking to the Member's own colleague, the Minister of Labour (Mr. Cadieux), presumably about the legislation.

Let us treat the matter a little more seriously, if we may.

The Acting Speaker (Mrs. Champagne): Order, please. I am sure that everyone in the House realizes that this is a very important piece of legislation. I am sure that the Hon. Minister will refrain from mentioning whoever is and is not present in the House. The Hon. Minister should know better, and I know that he does.

Mr. Crosbie: I would not dream of violating the rules any more than any of the Members opposite who constantly comment on who is and who is not present in the House.

I am not treating this Bill with any levity. I am treating the poor, tasteless remarks of the leading, opening speaker for the Liberal Party. It is better to treat them with levity than to treat them the way that you feel.

I will pass on to the Hon. Member for Churchill who says that the NDP Party will oppose the legislation. This is the usual hypocrisy. They are all for terminating the railway strike, but they will oppose the legislation that terminates it. Why? Because it does not contain the provisions they think it should contain in favour of one of the parties to the legislation. That is how impartial the Hon. Members from the NDP are. They are going to take stand, and it will not be an impartial stand. They say that the legislation is hanging over the heads of the parties. It is not hanging over the heads of the parties. It has been brought into this House so that the present strike will cease and the parties can bring the matters in dispute and present their arguments to an impartial arbitrator. As I said a few moments ago, there is nothing stopping them settling all or any of the items in dispute before they ever get to the arbitrator, including the question of wages.

• (1700)

We know there is a recommendation from Mr. Stanley on wages. I think he recommended 3 per cent and 3 per cent. It is quite possible for these two parties to settle that. Perhaps it is part of the dynamics of a labour collective bargaining negotiation that they do not want to do that. Normally it is a situation of "I will do this, if you will do that", and there is the to and fro on all of the issues. You cannot pick out just one issue. The parties do not want to pick out one issue and settle on one issue because they have a whole lot of other issues they are trying to get settled. That is the dynamics of the negotiation. They have no legislation hanging over their heads. The legislation is in this House today. If the Senate comes back, as it is supposed to do tomorrow at two o'clock, presumably the House will pass the legislation, and hopefully the Senate will, and the strike will be over tomorrow and the two sides will still be free to go forward and settle their dispute by themselves if they can or before an arbitrator if they cannot.

Society has changed. In the 1950s, the automobile started to become the predominant means of inter-city travel, as we all know, and the share of the freight transportation market held by the two railways was then around 60 per cent. In the seventies, it declined to 40 per cent, and today they are carrying 27 per cent of all goods shipped. If that is the case, how can the railways possibly have the same number of employees today as they had in the 1950s after this huge change in the nature of their business? Deregulation has nothing to do with this dispute. It may affect the attitude of the parties who are bargaining, but deregulation did not create this situation.

Our hope is that through deregulation the business of the railways will expand, that the market and competition will give them back a lot of the business they have had, and that in the future they will be able to employ more people, which is what happened in the United States in the trucking field and in the air field. Hopefully it will have a healthy effect here in Canada in the rail field as well.

Mr. Orlikow: Madam Speaker, I have a question for the Minister. He has said repeatedly that deregulation is not responsible for the difficulties. Since deregulation is not in effect, it is not a factor in the fears of the workers that there will be further lay-offs.

I put it to the Minister that the whole purpose of deregulation—and the Government has said this all along—is to make transportation more competitive. The railways will have to compete much more with trucks than they have in the past. Obviously if the railways are going to be more competitive, they will have to cut costs. They will obviously have to accelerate as quickly as the regulatory agency will permit. They will have to get rid of branch lines, cut back on maintenance, and farm out to non-union workers as much of the work now done by railway workers as they can. They will accelerate as quickly as they can in the reduction of the number of employees who work for the railways because deregulation will require that for them to be as competitive as possible.

Why does the Minister keep on insisting, despite the claims of the unions, substantiated by the conciliator, that deregulation is an important factor and will lead to much more in the way of lay-offs?

Mr. Crosbie: Mr. Speaker, I quoted from the leaders of the rail companies themselves as to the effect of deregulation. I would like to refer to the quotation again. Mr. Scott, who is the Chairman and CEO of CP Rail, stated:

> We would have to adjust our workforce—

That is under deregulation.

> —but that is going to happen anyway. Those cost pressures are there for our customers in the market competition aspect of rate setting, let alone the regulatory aspect.

It is not deregulation that is causing the problem, as I have tried to explain, it is the change in society. For example, if we take statistical information on the modal share of major Canadian exports to the United States, including fertilizers, newsprint and paper, wood pulp, steel products, chemicals and acids, the rail share of those exports to the United States in 1980 was 72.5 per cent. In 1985, it was under 60 per cent. The share of the trucking industry increased from 19 per cent to 28 per cent, while water's share rose from 7.5 per cent to 12 per cent. This is why the rail industry has had a significant reduction in the number of people who move in the rail industry.

In 1980, rail moved 17,033,000 tonnes to the United States. In 1985, rail moved only 15,148,000 tonnes. Although there was a larger movement, the total movement went up from 23 million to 25 million but the rail share went down. That is why they have these problems. That is why job security is important to people who work in this industry, not because of deregulation but because of the nature of the changes in society and in their industry in the last 15 or 20 years.

Mr. Blaikie: Madam Speaker, the Minister of Transport (Mr. Crosbie) is right when he says that the situation in which Canadian railways find themselves, or for that matter in which other railways in the United States find themselves, is not totally attributable to deregulation. All the things that the Minister cites are true. No one has claimed—he is setting up a straw man here—that the events and the reductions in employment that have occurred over the last 10 or 15 years are due to deregulation. The Minister is right when he says deregulation will not take effect until 1988. But it is also a fact, with a smidgen of intellectual honesty here, that the last year of the contract being negotiated is a year in which deregulation will be in effect. The only point we are trying to establish here is the connection, that deregulation is a factor in these negotiations. Therefore, it is related to government policy.

The conciliator himself on page 6 says that in their submissions to us the railway companies outlined their view of the future. They go on to note things which the Minister has already noted. They see little growth in their transportation stronghold, namely, bulk commodities, because of slack demand for Canadian resources. On top of this they see fierce competition in the 50 per cent of the market where they compete with the trucking industry. They see deregulation and relatively low wages giving trucking an edge in this competition. That is right from the conciliator's report, Madam Speaker. It is not something the NDP Members are making up. All we are trying to establish is a connection between deregulation and what is going on, the arguments which the railways are making, and the Minister has consistently denied this all week. For what reason, I do not know, because it is right there in the conciliator's report.

Will the Minister kindly explain whether Dr. Stanley is subject to all the accusations that he has made about us because we have tried to establish a connection, not the supreme connection but a connection between deregulation and what is going on?

Mr. Crosbie: Madam Speaker, let me try to alleviate the trauma under which the hon. gentleman from Winnipeg—Birds Hill is suffering. If he is saying that deregulation is a factor, yes.

Mr. Blaikie: It took a week to get you to say that.

Mr. Crosbie: I was not asked that question. There is no answer to any question by me that indicates otherwise. I was answering the Hon. member for Papineau who tried to blame this whole strike and situation on deregulation in a most dishonest manner, certainly intellectually dishonest. He did not suggest that there was a connection. He said that deregulation and the Minister of Transport were the cause of the strike.

• (1710)

The Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) has a bit more intellect and a bit more intellectual honesty. He said that deregulation was a factor. Certainly it was a factor—

Mr. Nunziata: A big factor.

Mr. Crosbie: Not a big factor. I can quote from Dr. Stanley's report as well. For example, he says that certain proposals go against the rational foundation upon which the system was built, and he was dealing there with job security. He has made his report and has analysed the position.

Deregulation means that the railways will have to be, just as they have been before, as competitive as possible. That is a factor, but their problems started long ago. The big fall in employment in the railways came during the Liberal years.

Between 1974 and 1984, 25,000 people disappeared from the rail employment rolls. The hon. gentleman's Government was in power then and did nothing about it, presumably because there was nothing it could do about it. I might even concede that to the Government because that is the nature of changes in society. I was not here then to use any intellectually dishonest arguments to try to blame the situation on the Government. I did not try to blame the Government for factors such as that steel was no longer important, the railways now depending on bulk commodities, two-thirds of business now going to the West rather than the East, and the percentage carried by trucks, ships and airplanes. That is life and not the fault of any Government. I hope the hon. gentleman will withdraw all the remarks he made and admit that he was wrong.

Mr. Ouellet: Madam Speaker, I have only a few seconds at my disposal. I will just say that I guess the truth hurts very much. The Minister of Transport (Mr. Crosbie), who was so silent and invisible during the debate on Bills C-18 and C-19, has now suddenly appeared and started responding to my constant objections to deregulation.

It is now clear that deregulation is badly hurting employees. We now have an example of this, and I am glad to see that the Minister is waking up to it. He does not like it but he is waking up to it. I think the Minister should take care of relations with France. He has a lot to do there and he should go back, concentrate on that and let his Parliamentary Secretary continue doing the job on his behalf.

The Acting Speaker (Mrs. Champagne): A final word from the Minister of Transport (Mr. Crosbie).

Mr. Crosbie: Madam Speaker, my final word is bushwah.

Mr. John Nunziata (York South—Weston): Madam Speaker, before I begin my remarks on Bill C-85, I would like to point out that the Hon. Member for Saint-Jacques (Mr. Guilbault), the labour critic for the Official Opposition, would have liked to have been here today to participate in this important debate. Unfortunately, his mother is seriously ill in Montreal and his presence is required at his mother's side.

In the last 45 minutes, Canadians had an opportunity to judge and assess the credibility of the Minister of Transport (Mr. Crosbie) speaking on behalf of the Government of Canada. I am certain that the overwhelming majority of Canadians have concluded that this Minister is not a serious Minister. They have concluded that he does not take this rail strike seriously. He has used the opportunity to make jokes about a serious matter affecting some 55,000 or more employees rather than to justify this back to work legislation. He is making light of a strike that is costing the railway companies $20 million a day, a strike that is costing private industry tens of millions of dollars a day.

What we get from the Government is a Minister of Transport responsible for the railway industry making joke after joke. I would like to tell the Minister of Transport that members of the Official Opposition do not treat this matter lightly. We do not believe it is a joke that tens of thousands of Canadians are affected in a very negative fashion by this legislation.

Having said that, I would like to now turn to Bill C-85, a Bill entitled an Act to provide for the resumption and continuance of railway operations and for the settlement, et cetera, et cetera. It is back to work legislation. By its very nature, back to work legislation is objectionable. It is offensive in a country that believes very strongly in collective bargaining. However, there comes a time when the Government must act in the best interests not only of the unions and the management but of Canada as a whole.

We are faced here with a national emergency. Parliament was recalled several weeks ago to deal with a so-called national emergency on refugees in Canada. We questioned whether or not that was a true emergency or a true crisis, but the situation Canadians are faced with today is a true national emergency, a true national crisis. If Parliament were not sitting, there is no doubt that it would have been recalled to deal with this legislation as it has been on several other occasions.

The public interest commands that we pass legislation today to get the railways running. As of tomorrow, the railways will be running, notwithstanding members of the New Democratic Party.

I would like to comment very briefly on the position taken by members of the New Democratic Party. We in the Official Opposition believe that their position is totally irresponsible. The New Democratic Party through its main speaker said that it intends to oppose the legislation unless certain changes are adopted. It was not quite made clear whether or not, even if all the suggested amendments were accepted by the Government, the New Democratic Party would in fact accept the legislation.

NDP Members would rather have the rail strike continue. They would rather have the railway companies losing $20 million a day. They would rather have grain farmers in western Canada suffer in a very serious fashion because of the rail strike. Members of the New Democratic Party would rather have the hundreds of thousands of Canadians who are affected directly by the railway strike continue to suffer. Is that a responsible position for a national Party to take? I conclude that it is not. Members of the NDP are up to their mischief again. They are speaking out of both sides of their mouths.

Today I had the opportunity to speak to several representatives of the unions affected. Members of the New Democratic Party say they represent unions in Canada. Several union people had some difficulty getting through to members of the New Democratic Party to express their points of view.

If members of the NDP had taken the opportunity to speak to the unions, the individuals affected by this strike, they would have known that the unions themselves will accept back to work legislation. They have concerns about who the arbitrator might be and about some of the matters raised by my colleague, the Hon. Member for Papineau (Mr. Ouellet), but when push comes to shove, they understand that the railway must run.

Members of the NDP take the irresponsible and naive position that if some minor technical changes to this legislation are not accepted by the Government, they will oppose it. If there were an NPD Government in Canada, heaven forbid, then the railways would be closed, shut down forever and a day. There would not be a collective bargaining agreement entered into between labour and management.

• (1720)

As the Hon. Member for Papineau pointed out, we in the Official Opposition will support the Government. We are prepared to work all night long. As you know, the Senate has been recalled and it will be in a position tomorrow to give royal assent to this legislation which will be followed by resumption of railway operations.

The Hon. Member pointed out some of the deficiencies in this legislation, but we believe that, notwithstanding the deficiencies, the legislation is supportable. Unlike members of the NDP, who are opposed to everything, we will try in a very constructive manner to improve the legislation.

What are the changes we would like? We are concerned, as are the unions, about several matters. Let me begin with job security. Approximately 54,000 railway employees are affected by the strike. We are talking about 54,000 families. Is it too much for those people to want some type of job security? I suggest it is not. It is fine for us who sit in this beautiful Chamber and collect a pay cheque every month not to be concerned about job security, but the Government must be concerned about job security for the workers. We believe very strongly that certain guidelines should have been entrenched in this legislation to address the whole problem rather than simply giving the arbitrator a mandate to come up with some type of settlement.

In 1973, the Liberal Government was required to legislate railway workers back to work. That legislation contained specific instructions for the appointed arbitrator. Those instructions included directions to come up with a feasible job security program, avoid amending work rules in such a way that they would harm workers, and recommend fair wage increases. There are no such instructions in Bill C-85. In 1973, no time limit was set. Under Bill C-85, the arbitrator must do his or her job within 60 days unless the Minister in his discretion decides to extend that period of time. We believe that the arbitrator should not be required to do his or her important job while being worried about time constraints. Once again, we will attempt to convince the Minister to remove that clause.

In 1973, there was a guarantee of no wage reductions. There is no such guarantee in the present legislation. It should have been made absolutely clear in this legislation that there would be no wage reduction. At the very worst, the arbitrator should be allowed to maintain the *status quo*. There is a reason for that.

The workers are being forced back to work by law. There are provisions for fines in this legislation if they do not go back to work. It will be an offence for an individual to contravene this legislation with a minimum fine of $10,000 per day and a maximum of $50,000 per day if they were acting in the capacity of an officer or representative of the railway companies. A union official who breaches this legislation will be fined a minimum of $10,000 a day. There was no such provision in the 1973 legislation. The Government is holding a gun to the heads of union officials. That is not conducive to discussions in good faith. It is obvious that the Government, perhaps inadvertently, is tilting the legislation in favour of the employers. We will work with the Government to eliminate that provision.

Individual workers are also subject to substantial fines, a minimum of $500 and a maximum of $1,000 a day. That applies to individuals not acting in their capacity as representatives of the union. It seems to me the workers might not go back to work in a very positive mood. It also seems to me there are ways of ensuring they will go back to work and put in an honest day's work, as well as ensuring that they work with management and the arbitrator in order to come up with a report fair to all sides.

As you know, the workers can be legislated back to work or, to use the wording in the Act itself, be forced to resume their duties. However, we all know about working to rule. They may go back to work but they may not do anything that is not required of them. As you know, working to rule could be just as devastating and negative as a full-scale strike.

• (1730)

We believe that in order to show good faith certain provisions should exist in the legislation. First, there should be guidelines for the arbitrator with regard to job security, fair wages, et cetera. In our view that would assist to provide the atmosphere for positive, good faith discussions and bargaining. We believe that a time limit would assist in setting the right stage for a fair agreement. We believe that there should be no wage reduction.

We will try to convince the Government at least to legislate an increase as proposed by the conciliator. Rather than the employees having to wait the period of time required for the

arbitrator to report, we believe that at the very least the workers should receive an increase in their pay cheques in the amount the conciliator has recommended. We believe that will show good faith by the Government.

I would like to comment very briefly on the cause of this crisis, this national emergency. In between jokes the Minister of Transport denied that this strike was caused by deregulation. He admitted, upon being pressed on the issue, that deregulation was a factor in this strike. We know that Bills C-18 and C-19, the two pieces of legislation which will deregulate the transport industry in Canada, have had a profound impact on this strike. The Minister of Transport should assume a lot of the responsibility for this strike because he dealt with this legislation in the same joking manner as he dealt with Bills C-18 and C-19.

As you know, Madam Speaker, there was a Cabinet shuffle today. I suspect that the Prime Minister (Mr. Mulroney), in his wisdom, will have recognized the lack of credibility of the Minister of Transport and shuffled him not only out of the position of Minister of Transport but right out of Cabinet. Given his propensity to joke about very serious matters, it seems to me that the Prime Minister and his Government would be well served by removing the Minister of Transport and replacing him with someone who will accept his or her responsibilities in a more serious way.

This strike was anticipated by a great number of individuals and organizations. During committee deliberations on Bills C-18 and C-19 the Government was warned that there would be massive lay-offs in the transportation industry.

I note, Madam Speaker, that you have indicated that my time is about to expire. Therefore, I will conclude my remarks by reiterating the position of the Official Opposition. Our position, unlike that of the New Democratic Party, is that we support this legislation. This is a national emergency and we will work over the course of the evening and the morning to try to convince the Government to adopt some, if not all, of the recommendations that we are proposing. We believe that by tomorrow evening this legislation will become law. I hope the Minister of Labour (Mr. Cadieux) will be able to convince his colleague, the Minister of Transport, to consider our amendments in a very positive way.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Madam Speaker, if there were laws in this country against intellectual pollution as there are against environmental pollution, the Member for York South—Weston (Mr. Nunziata) would be one of the first to be prosecuted. He, better than anyone else, incarnates the current pathos of the Liberal Party, the well-deserved tragedy which is now coming upon that unlamented Canadian institution.

It would be funny, if it were not so offensive, to hear Liberal Members of Parliament making a case against deregulation in the course of this debate when we know that deregulation began under the Liberal Government prior to 1984 and that many of the things which the Conservative Government has done would have been done by the Liberals had they survived the election of 1984.

We also know that during the course of debate in this Parliament about deregulation the Liberals played a very lacklustre part, both in the House of Commons and in the Senate. Quite unlike their behaviour with respect to Bill C-22 to amend the drug Patent Act, Liberal Senators moved no amendments and suggested no changes on deregulation. With respect, the Liberal position on deregulation, as it has been put in the House today with the concern that they have now developed about it, is probably one of the most hypocritical things I have witnessed here in a long time and, God knows, we have witnessed a lot of hypocritical things in the House of Commons. This ranks among the top 10, to be sure.

There are also funny things being said on the government side with regard to deregulation. We finally got the Minister of Transport (Mr. Crosbie) to admit that there is some connection between deregulation and this rail strike. Yet, after having admitted that, the Minister wanted us to believe that he never made any indefensible claim about deregulation.

I point to *Hansard* of August 25, 1987, where the Minister of Transport said, in reply to the Leader of the Opposition (Mr. Turner), the following:

> Mr. Speaker, this situation of the railways has no more to do with deregulation than the hon. gentleman has to do with the moon.

That is not the sort of comment that Cabinet Ministers should be making in any event, but the Minister of Transport in effect withdrew that statement when he admitted to me this afternoon that deregulation is a factor. It is a factor because the last year of the contract which was being negotiated, 1988, is a year in which deregulation would already be in effect.

As I read into the record before, the conciliator himself, Mr. Stanley, notes on page 6 of his report that the railways see deregulation and relatively low wages as giving trucking an edge in this competition.

We are talking about the railways' attempt in this negotiation to anticipate the effects of deregulation. One of the effects of deregulation is that they will have to compete with the lower wages paid in the trucking sector. That means that railway workers will be asked, by virtue of government policy, to accept lower wages than they have traditionally been paid in order that the railways might fit into the deregulated framework that is being imposed upon the Canadian transportation sector by the Government. Lower wages for working families mean a reduced quality of life and reduced opportunities. It is not an exaggeration to say that deregulation was one of the biggest pieces of anti-labour legislation ever passed in the United States. We will come to see that deregulation in Canada will prove to be one of the biggest pieces of anti-labour legislation ever passed. We see the beginnings of that in this very dispute, in the way the railways have tried to anticipate the framework within which they will have to live after deregulation.

• (1740)

I do not say this to exonerate the railways because I think there are ways in which they can respond to the difficulties of deregulation without taking it out on their employees. For instance, they could have been more persuasive with the Government in making it realize the absolute lunacy of the policies that are being adopted as a result of deregulation.

Doctor Stanley says on page 6 of his report, again referring to deregulation, that all this leads to the railways' efforts to improve productivity to meet the competition from trucking and from the U.S. rail industry.

One factor, which is not unoriginated but comes right from the conciliator's report, is that one of the most ridiculous, unjust, unpatriotic unCanadian, and damaging steps the Government is taking is that of competitive line rates. Like no other country in the world, we will allow foreign-owned railways, in this case American railways, to compete directly for Canadian traffic that would normally be transported across Canada. Currently, traffic that might originate in British Columbia or Alberta would be transported across western Canada to points in eastern Canada or the northeastern United States. I find it incomprehensible that the Conservatives are making it possible this traffic which formerly made its way across Canada might cross the border from Alberta into Montana and be transported across the northern United States to points east.

This would eliminate the jobs of all the people who operate the trains, who maintain the trains, as well as the jobs of people in spin-off industries that the railway creates.

That is the Progressive Conservative regional development strategy for western Canada. It is eliminating all those jobs as a direct result of deregulation and Bill C-18. That is why the Government must take responsibility for creating the context in which this dispute has occurred.

Railway workers are not only arguing in favour of their own economic well-being when seeking job security and job protection from the effects of deregulation. They are on the front lines in the battle for the very transportation infrastructure of Canada. They are on the front lines fighting for the very nature of this country, if you like.

I hope we can finally put to rest any remaining contention that deregulation is not somehow involved in the present situation, whether it be negotiations, a strike, or back to work legislation.

I have some concerns about the Bill itself. First, it is quite unlike the Bill that returned people to work in 1973. This is partly because the Bill in 1973 was passed by a completely different Parliament in which the New Democratic Party held the balance of power. We were able to have a much larger say in the kind of back to work legislation that would be passed at that time than we obviously will be able to have with the current Government. However, we have not given up hope that the Minister of Labour (Mr. Cadieux) will listen to some of our suggestions.

Furthermore, this Bill is quite different in detail and in tone, which is especially disturbing. The tone of this legislation and the remarks that have been made, not by the Minister but by certain other government Members in the last few days, have shown that there is a prejudgment on the part of the Government about who is making the most legitimate claims in this dispute. Yet it is my opinion from the conciliator's report that he is more severe with the companies than the employees.

Some of the details of the Bill, which again related to its tone, were mentioned by the Hon. Member for Churchill (Mr. Murphy). For instance, workers are to go back to their jobs when so required. What is the meaning of "when so required"? Is it when the company decides it wants them back, or could they decide not to require some people to come back and require others? I hope this wording is only a sign of sloppy drafting rather than deliberately inserting into the legislation a new power for the railways to play havoc with the lives of their employees.

The Bill in its present form provides no guarantee that everyone who went out on strike, believing it was his or her right under the usual circumstances, will even be called back.

However, this afternoon there was a call for return to work, but under quite different circumstances than what I am describing. Some local yokel at the CPR diesel shop at Winnipeg decided to recall the employees at that shop. The employees at the CPR diesel shop who belong to the Canadian Council of Shopcraft Unions are not technically on strike. They were to report to work immediately and therefore be put into the position of having to cross the picket lines of their fellow workers. This created a potential for a very ugly scene but, thanks to the intervention of the Hon. Member for Winnipeg North (Mr. Orlikow), who made a few phone calls to people in authority at Canadian Pacific, wisdom prevailed and the decision of the local yokel at the CPR diesel shop at Weston was overruled.

Why can the Minister not agree to the suggestion by the Hon. Member for Churchill that there be an itemization of those matters in dispute placed in the Bill? Why leave open the possibility that during the course of the arbitration the items in dispute will not be those things now being negotiated? Why not ensure that what is in dispute will be the subject of arbitration, rather than creating chaos upon chaos? The Minister should follow the suggestion of the Hon. Member for Churchill that those matters which are in dispute be itemized so that there is no disagreement about what is in dispute.

In his telegram to the railways on Monday ordering the parties to have one last round of negotiations the Minister cited the conciliator's report as the context in which they should be conducting their negotiations. Yet this legislation sets no context in which to proceed. There is no mention of the conciliator's report or any other guidelines or instructions.

I hope the Minister will explain why he left out any reference to the useful context that this report might have provided to the arbitrator in the process that the Minister is setting up. Why did he decide not to have any guidelines whatsoever, or any minimum conditions for that matter?

It has already been pointed out that, unlike the Bill that was passed in 1973, there is no guarantee that there will not be any reduction in wages. There is no guarantee of anything. Workers who are going back to work are being asked to sign a blank cheque and put all their faith in some person who has been given no particular instructions or guidelines and all authority in a piece of legislation in which there are no protections whatsoever. There is no protection against rulings by arbitrators, which may be completely out of line with any sense of justice or what is happening with the railways. So I hope the Minister will take that to heart and consider amendments in that direction.

• (1750)

There are some things that one just cannot understand unless one is close to the issues. What has happened in the railway industry is that there has been a complete breakdown of trust over the last five years to 10 years between labour and management. For many people in the community I come from, in Transcona, the railway they worked for and knew for decades, the railway their parents and their grandparents worked for, as is the case with me, has disappeared. What we have now is a completely different world in which management, for whatever reason—and they will be stimulated to be even more like this as a result of deregulation—is constantly looking for ways to get rid of jobs, to get rid of people.

We see this also in the way in which rules are being enforced. Employees are constantly in a position where they are damned if they keep the rules, because if one kept all the rules set down for operating a railway there is not a boxcar that would move. They are damned if they keep the rules. In fact some of them have actually been subject to harassment by the company for keeping the rules. But by God, if they break one of those rules and an accident occurs, they have to take the rap.

At one time it was understood that employees were in a difficult position with respect to these kinds of things as well as with respect to other situations, but this acknowledgment has completely broken down, and so nowthere is no trust.

Let us take an issue the conciliator addresses but does not understand, that is, the desire of the railways to have trainmen hook up hoses. These hoses comprise the break system on a train. The railways say all they want is some flexibility. When there is no carman available whose job traditionally is to hook up these hoses, they want trainmen to be able to hook them up so they do not have to go halfway across the yard to get a carman to hook up the hoses. They say all they want is flexibility. However, anyone who works for CN now knows full well that that is not the real reason. The real reason the railways want to get permission for trainmen to be able to hook up hoses is that they want to be able to lay off about 50 carmen. That is why they want that flexibility. So there is a built-in dishonesty in the bargaining.

There is a built-in lack of trust because time and time again things which have been asked for on one basis are known to be motivated by something completely different. The houses are a good example. With all due respect to the conciliator, he missed that altogether. For whatever reason, he just did not know the full story behind that request.

Railway workers cannot be expected to continue to work cheerfully or productively if they know that at every turn the company is looking for a way to get rid of them, and if they know that at every turn, in terms of public policy established by this Government, their own federal Government is looking for ways to provide opportunities for American railways to take their jobs away. That is not exactly the kind of thing that provides people with a sense of security, well-being or confidence that there is anyone on the government side who cares about them at all.

There has been some argument about whether we knew the strike was coming. We all knew the strike was coming. We knew it was coming because we knew we had a Government that was unwilling to instruct its Crown corporation, Canadian National Railway, to abandon the kind of concession bargaining in which it was engaged. Because we know that railway workers are human beings, that they have some dignity, that they do not intend to live on their knees, and that there was no way in God's heaven they were going to accept such ridiculous demands, we all knew there was going to be a strike. As long as there were self-respecting railway workers around, there would be a strike. It is on the Government's head, not on the heads of the railway workers, that this strike occurred in the first place. If the Government had two brain cells to rub together, it could have figured out what was going to happen, but it did not. So all the people who are complaining about the effect of the strike on their businesses or whatever, can look at the Government opposite and not anywhere else for someone to blame.

Mr. Redway: Madam Speaker, I was interested in the comments of the Hon. Member with respect to the impact of deregulation as a cause, or one of the causes, for the existing strike at the present time. He stated in fact that deregulation, which will be going into effect on January, 1988, is really the cause of the current strike.

I wonder if the Hon. Member could explain to us why it was that between 1974 and 1984, when there was no deregulation in the country and when the present Government, of course, was not in office, there was a reduction in the total workforce of the railways of some 25,000 people, something like a 29 per cent reduction?

Mr. Blaikie: Madam Speaker, I would be delighted to tell the Hon. Member for York East (Mr. Redway) because there

has been an implication here—and the Minister of Transport was basically following the same line—that somehow because there were significant reductions in the railway workforce prior to deregulation, therefore, any argument we make about how deregulation will reduce the numbers even further is somehow illegitimate. That is a complete *non sequitur*, as far as I am concerned.

Yes, there were significant reductions in the railway workforce prior to 1984 and it did not have anything to do with the deregulation. Big deal. So what? What bearing does that have on my argument that deregulation as such will make an already bad situation worse? The already bad situation we are in with respect to the reductions in the railway workforce has happened because of some factors over which no one had any control. I am quite willing to admit that. The use of hopper cars as against the traditional wooden boxcar, the reduction in the traffic of bulk commodities, the change in the economy from a less resource-based economy to a more service based economy, all had a bearing. However, just because there were legitimate factors involved does not mean we should be silent about the voluntary things that were done.

The things I just mentioned were involuntary. They were things no one could do anything about. But there are things that have caused the rail workforce to be reduced that people could have done something about, things which were a matter of public policy. For instance, the present Government refused to instruct the railways to abandon their policy of renting rolling stock by the thousands from the United States railways which put people out of work in Transcona, Moncton, Point St. Charles and right across this country. The Hon. Member has probably seen those yellow rail boxes on trains. The next time he is stopped by a train, he should count just how many rail boxes are on the train. Those are American cars. They are repaired in America, they are made in America and when it is all over they will go back to America, and every time the Hon. Member counts an American rail box, he can count Canadian jobs gone down the drain because this Government did not have the guts to tell the railways to make their own boxcars here in Canada and to use Canadian-made equipment.

• (1800)

Mr. Bob Horner (Mississauga North): Madam Speaker, we meet here today to deal with the suspension of the nation's vital rail operations which began on August 24, 1987, after many months of bargaining, conciliation and mediation. It is somewhat ironic that it is almost 14 years to the day since the last time the House was called upon to deal with a national rail strike.

I look around in the House and I see the Right Hon. Secretary of State for External Affairs (Mr. Clark). I am sure that he remembers in 1973 as a new Member of Parliament the violence that went on during that rail strike. I am not naive enough to blame the Liberal Party for the violence that went on. The Liberal Party was in power but it in no way had anything to do with the violence. I blame the unions for the violence at that time. However, I do blame the Liberal Party of the day for the way it handled the strike. It took the Party 14 days before it started to deal with the problem. The Government of today is in charge. It knows that after eight days we are entering a critical period, when economic effects will be felt by the people of the country. People become very restless. We have moved on this, and we have moved substantially. We will settle the situation.

The last 14 years—indeed the last 20 years—have seen vast technological change, innovation and subsequent worker adjustment on the railways. The new competitive environment stemming from national and international forces requires that labour and management seek better ways to adjust to the changed economic circumstances. As has been emphasized by the Minister of Labour (Mr. Cadieux), this disruption of services has the potential to cause widespread economic loss in national and international trade, to an extent that would endanger the welfare of our nation.

The significance of rail transportation to Canada is reflected in the fact that about one-third of the total freight tonnage in Canada is moved by the rail mode. Many bulk commodities, of course, can only be moved economically by rail. Many manufacturing industries and our resource sector depend heavily upon the rail industry.

Rail passenger traffic continues to play an important role in Canada's passenger transport industry. It, too, is significantly affected. It is the interruption of this vital social and economic communications link that is the subject of my comments today.

Vital services on VIA Rail, GO Transit and the Montreal area commuter system have been disrupted by the withdrawal of operating crews and facilities provided by Canadian National and Canadian Pacific, the major companies involved in the present dispute. It is reported that about 30,000 Toronto area workers who use GO Transit daily and about 25,000 Montreal area commuters will have to seek alternate transport to and from their places of employment.

Let us think about the impact this will have. Tonight, later on, I will be flying to my riding of Mississauga. I have to drive into Toronto later on tonight. I am told that Queen Elizabeth Highway and Highway 401 are completely blocked, bumper-to-bumper. The people of this area are not going to sit at home. They are industrious people who want to get out and go to work, and they are going to work, but at great inconvenience.

The traffic congestion and general disruption to normal work schedules and associated travel can only have negative economic and social consequences for the many individuals and businesses dependent on these services. While alternate travel arrangements are being put in place for the commuters affected, the alternatives have reached the limits of their capacities. The situation in Montreal and Toronto is well beyond being a mere inconvenience. It must be resolved, and it will be resolved.

It was only last year that VIA Rail celebrated the one-hundred-and-fiftieth anniversary of rail passenger service in Canada. VIA Rail, which employs some 6,000 workers in all regions of Canada, and operates 800 trains per week, carried 6,286,000 passengers last year. VIA Rail was established 10 years ago following a government decision to reorganize the rail passenger system and to create a single entity to deliver service to all Canadians.

In that 10-year period thousands of employees were transferred from Canadian National and Canadian Pacific and integrated into VIA operations. Station and maintenance facilities were acquired, while the new company endeavoured to modernize in an effort to retain existing rail travellers and to expand in the highly competitive passenger travel market. It is noteworthy that the transfer of workers from Canadian National and Canadian Pacific was accomplished with a high degree of co-operation between the railway companies and the many unions involved. Unfortunately, these co-operative efforts have been disrupted due to a work stoppage on our major railways.

The Government continues to be dedicated to the important goal of making VIA Rail an effective and efficient transportation system for all Canadians. It is crucial that the current railway strike not jeopardize VIA Rail's future potential in this respect. Canadians must not lose confidence in VIA Rail's ability to provide reliable, uninterrupted service across the country. The historic unifying role of the rail passenger system in Canada must be retained for the benefit of all regions.

I would like to mention a few words about GO Transit. GO Transit carries daily 61,000 passengers to and from work, about 30,000 people. It has been my pleasure many times to meet with these people in GO train stations in Meadowvale, Streetsville, Erindale, Cooksville, Dixie, and others in the riding which I have the honour to represent. The GO trains also travel through Oakville, Clarkson and Port Credit. I know that these people are being very seriously affected. I know that they want to have their mode of transportation returned to them, and we plan to do that.

VIA Rail is making an effort, with the support of many train users and train lovers, to expand its role in the Canadian tourist and general travel industry. It is attempting to tailor and upgrade services for those thousands of Canadians who either prefer to use the train or who, for economic or other reasons, have no other viable alternatives. To many Canadians the passenger train is a vital link that has major significance for their personal lives.

In the interest of maintaining VIA Rail's contribution to this country's rail transportation system, I support Bill C-85, the Maintenance of Railway Operations Act, 1987. This back to work legislation is responding to a serious situation in which the railways and the nine unions involved in the Associated Railway Unions coalition have made every effort, with extensive third-party assistance, to resolve their differences. But they have not succeeded. We believe that moving in five days is the way to go, and I know Canadians support us in that respect.

After the many collective agreements involved terminated on December 31, 1986, the parties engaged in direct negotiations among themselves in an effort to resolve their conflicting demands. As a result of requests under the Canada Labour Code, Part V, to the Minister of Labour for conciliation assistance, a conciliation officer was assigned. The officer's efforts were also unsuccessful.

Subsequently, an outside expert was appointed as a conciliation commissioner to aid the parties in settling the many contentious outstanding issues. When the report of the conciliation commissioner did not succeed in providing the basis for settlement, the Minister of Labour named a mediator to try to bring labour and management together. These efforts, too, ended in an impasse.

• (1810)

On August 24 the Minister of Labour directed his Associate Deputy Minister, Bill Kelly, to meet with the parties in a last-ditch effort to arrange a negotiated settlement. The union workers and railway management know that this Government has done everything possible to reach a settlement. All of these extraordinary efforts have been to no avail.

I listened with interest to the Hon. Member for Papineau (Mr. Ouellet) discuss the railway worker reductions over the past number of years. A few moments ago, the Hon. Member for York East (Mr. Redway) asked a pertinent question on how they could account for the fact that 25,000 railway workers lost their jobs between 1974 and 1984 when our Government was not in power. That is a reduction of 29 per cent, and they are trying to blame it on transport deregulation. That is absolutely ridiculous. The Hon. Member for Papineau was easily annihilated by the Minister of Transport (Mr. Crosbie), who shot down his arguments with great ease.

Unfortunately, several important issues still divide these parties. A national strike has begun with significant economic and social consequences for the country. Swift action is needed to bring this disruptive national rail strike to an end.

I support this Bill which provides a means to resolve the many outstanding issues through final and binding arbitration. The arbitrator will be faced with several extremely difficult and divisive issues involving a means to improve railway productivity within a framework of suitable compensation and job security. This Bill will provide the means to resolve the outstanding issues, and get our railways running again.

In conclusion, I urge Hon. Members to support the Bill. The people of Canada deserve no less than the best rail system that we can provide. This Bill is a crucial component in ensuring that our railways return to full operation as quickly as possible.

Some Hon. Members: Hear, hear!

Mr. David Orlikow (Winnipeg North): One could not either live in the City of Winnipeg, or be a Member of Parliament from the City of Winnipeg and not realize and understand how important the railways are to Canada, and how very important they are to the people of Winnipeg.

All rail traffic going from western Canada to eastern Canada, and all rail traffic going from eastern Canada to western Canada has to pass through Winnipeg. For many, many years there have been thousands of CPR and CNR railway workers living in Winnipeg. The CPR maintenance shops are located at Weston. The CNR maintenance shops are located at Transcona. Winnipeg is a major centre for all the running trades and the workers who actually operate the trains as they travel both to eastern and western Canada.

When I was elected as a Member of Parliament in 1962, the railway unions represented more than 200,000 workers. Today they represent less than 70,000 workers. That should make it obvious to the most ignorant Member of Parliament that the railway workers of Canada and their unions are not Luddites. They have not opposed modernization, automation, and computerization. They have known for many years that times were changing, and that the changes would mean less employment.

I listened with interest to my colleague, the Hon. Member for Winnipeg-Birds Hill (Mr. Blaikie), because I know that he was correct when he talked about people living in his part of the constituency in Transcona who work for the CNR, whose parents and grandparents worked for the CNR, and who know that their children will not be working for the CNR. Exactly the same situation is true for the CPR workers who live in my constituency. They know that their children are not likely to work for the railways. They would not advise their children to try to work for the railways, because they know what has happened.

Neither the unions nor members of the New Democratic Party have said that all the reductions in the numbers of people who work for the railways are taking place as a result of deregulation. Deregulation has not yet come into effect, as the Minister of Transport (Mr. Crosbie) pointed out. It will not go into effect until January, 1988. Deregulation not only gives a message but an instruction to the railways that they have to be more competitive. That means that the railways have to be more mean and tough, because they have no alternative. After all, the railways are responsible for building, financing, and maintaining the railway lines. They are responsible for clearing the railway lines after a snowstorm, and for rebuilding the bridge that may be washed out when there is a flood. The railways have to compete with the trucks which travel on the public highways. Of course, their percentage of the traffic has gone down because it has been increasingly difficult for them to compete with trucks.

What deregulation says to the railways is that they have to be meaner, tougher, and more cost conscious than ever before.

What do you do if you are the railway, especially if you are told that the days of deficits, if they are not gone yet, will be gone soon? You abandon branch lines as quickly as the regulatory authority will permit it. Given the approach of this Government, we will see a quickening of the rate at which branch lines are affected. That will mean a reduced number of railway workers.

I do not know if my Conservative colleagues who represent rural constituencies can follow and understand this, but they should. When the railway worker loses his job because a branch line has been abandoned, the farmer's costs increase to get his grain to the market. Up until now he has delivered his grain to the local elevator, and now he will have to truck it probably 50, 60, or more miles.

We are looking at a continuing reduction in the number of people who work for the railways. We are no longer talking about what has happened up until now, which has been a fairly gradual reduction which the workers, their unions, and the companies could absorb almost in a natural way without too much difficulty.

The CNR has made it clear that in the next few years it expects to reduce its workforce by a quarter. The CNR has always been the good guy and if it is proposing to reduce its workforce by a quarter, we know, and the railway workers know even better than us, what the CPR will do. If the CNR can reduce its workforce by a quarter, we will see the CPR aim to reduce its workforce by a third.

• (1820)

It is not surprising that the workers and the unions tried to get improvements in their job security system. The Minister of Transport says that the railways have a good system, one of the best in the country. I will not dispute that. I do not think the unions will dispute it, but that is what they have had up until now. When they are looking at a proposed planned reduction of the CNR and CPR workforce by one-quarter, then that sort of normal gradual decrease will not continue. What we are going to have are very major disruptions in the lives of workers.

What does it mean when one-quarter of the workforce has to look forward to no longer having jobs? We will probably see workers who started to work for the railway at, say, age 20 who have worked for the railway for 25 years lose their jobs. I ask Members of Parliament, where will the worker who at age 45 or 50 loses his job, a job which was, as compared to most workers in this country, a fairly well paid, get another job? We have no answers for that kind of problem, Mr. Speaker.

Let us think about the problems of the workers who have 20 or 25 years experience and who do not lose their jobs. The reason that many will not lose their jobs is that people, workers in their kind of work in their craft for the railway, with less seniority will lose their jobs first. That is what the union agreements provide for, as they should. What happens to a worker who has a lot of seniority who lives in La Pas, or in

Dauphin, Manitoba, one who works on the maintenance crew and is able to keep his job because somebody in Winnipeg with less seniority was laid off? That worker in La Pas or Dauphin, Manitoba, has to move to Winnipeg. What happens when the railway worker who lives in Quebec City in order to keep his job has to move to Montreal? What happens when the worker who lives in Ottawa has to move to Toronto to keep his job? Just think of the disruption to the lives of those workers. Let us think about some of the smaller towns.

My colleague, the Hon. Member for Yorkton—Melville (Mr. Nystrom) has quite a large railway community in the Town of Melville. When the workers in Melville lose their jobs or when, in order to keep their jobs, they have to move to Regina or to Saskatoon, that is a major disruption for them. They are not the only ones who suffer. What about the restaurant where they used to eat; the hardware store where they used to buy the things needed to fix their houses; the store where they used to buy paint and the school where their children used to go to school? We know how many towns have died when the grain elevators and the railway turnaround points disappeared. It is not surprising that the workers and the unions wanted improvements in the provisions in their contracts which guarantee them some protection.

That job security system is no longer going to give them the protection which they need in order to be able to continue to live with some kind of dignity and some kind of decent circumstances. As I say, changes have taken place and are going to continue, but the Government's deregulation policy, the program which will begin January, 1988, will accelerate that process of change in a way which none of us have seen.

Let us talk about some of the things which the railways have done. They have increased their contracting out. After all, if they have to be more efficient and if they have to cut their costs why, for example, would they get their maintenance work on the tracks done by workers who work for the CPR or the CNR? These are people who have belonged to unions for many years, who have been involved in collective bargaining agreements, and have been able to negotiate a relatively good rate of pay. Why would the railways want to continue employing their own staff when they can contract the work out to some small employer? The small employer will hire non-union workers who will work for substantially less. They will not get the benefits of a pension plan or a health and welfare plan. These are the kinds of things which workers were determined to try to protect and improve. We heard the Minister of Transport today argue that deregulation would have no effect at all on employment. We heard him a few days ago answering questions, calmly assuming technological change has to come—and nobody questions that—and saying that really there is nothing one can do about that. But there is, of course, a great deal you can do about it if you have some concern about humanity and about the lives of people. There are all sorts of things which can be done to cushion the change. But this Government, which believes in untrammeled free enterprise, will not think about those kinds of problems.

What is going to happen to the many people who will be laid off, people who for many years have been able to work for a company which they thought would give them employment for their whole working life? They do not know. When we see the direction in which the companies are going and the direction in which the Government is driving the companies to go, we have no answers for them. I believe it was the Member for York South—Weston (Mr. Nunziata) who suggested in his speech that because we said that we would vote against this Bill that we were intent on prolonging the strike. I have heard that Member make many ridiculous remarks but I don't think I ever heard one which was more stupid than that.

After all, members of our Party agreed that because of the importance of the question we are debating today, because of the tremendously serious effects that a prolonged strike will have, that the House should deal with this Bill through all stages to completion today, no matter how long it takes. The Bill will be completed in this House today and it will go to the Senate tomorrow afternoon at two o'clock. I am certain it will be completed there fairly quickly. Then the strike will be over.

• (1830)

Because we think that there are many defects and faults in this Bill, we propose to move amendments which we believe will improve the Bill, but because we are 99.9 per cent certain that the Government will not accept many and certainly not all of the amendments we think are necessary, we have made it clear that we intend to vote against the Bill. Our voting against the Bill will not delay for one minute the workers going back to work.

We will vote against this Bill because we say that it does not deal fairly or adequately with the problems of the railway workers.

Mr. Crosby: What if you win the vote?

Mr. Orlikow: Mr. Speaker, we will win the vote after the next election because at least 100 of the Members across the way will not be here. When I say 100 of them will not be here, I am being very conservative.

As I indicated, we intend to vote against this Bill, but it will pass through all stages before this day is over.

Mr. Clark (Yellowhead): What a cop-out. This is the Party of principle?

Mr. Orlikow: It is very interesting to hear the Secretary of State for External Affairs (Mr. Clark) accuse us of copping out. If there ever was a Member who has forgotten many of the things he said when in Opposition, it is the Secretary of State for External Affairs.

Mr. Murphy: Mr. Speaker, I am tempted to ask the Hon. Member to talk more about the inconsistencies of the Secretary of State for External Affairs (Mr. Clark), but that is not really the issue that is before us.

Mr. Clark (Yellowhead): Name one.

Mr. Murphy: One thing that is interesting is that in 1973, for example, the Tories sought to ensure that there were guaranteed minimums in the legislation. When in Opposition in 1973, Conservatives made amendments, some of which were accepted by the House.

Perhaps I could ask the Hon. Member for Winnipeg North (Mr. Orlikow), who was a Member of the House at the time, if he can explain this inconsistency which is being assisted by the Secretary of State for External Affairs. I was not a Member of the House in 1973. Perhaps he could explain to me why a Conservative Party in Opposition believed that back to work legislation must contain certain guarantees and protections for workers and why a Conservative Government with a vast majority will not give any guarantees whatsoever in terms of wages, job security or limitations on the arbitrator? It offers no guarantee that the arbitrator look at the conciliation report—

Mr. Clark (Yellowhead): You are not very comfortable in this fraudulent position.

Mr. Murphy: It is very curious that the Secretary of State for External Affairs is still rambling on instead of making a speech. Why has the Conservative Party, which fought for minimum guarantees when in Opposition, not given any guarantees at the present time?

Mr. Orlikow: Mr. Speaker, it would be impossible for me to explain the thinking of the Secretary of State for External Affairs, but my colleague from Churchill is of course correct. When the Conservatives were in Opposition, they were able to move amendments which would help the workers because they knew on the one hand that it made them look better to the workers involved and on the other hand that their amendments would not pass. Now they are in Government and they are much more conservative now than they were back in 1973.

It seems to me that Conservatives in Government have accepted the Goldwater-Reagan approach to Conservatism: just let the free-enterprise system go all the way, do not put any restraints on it. That was not the way of Sir John A. Macdonald and it certainly was not the way of Mr. Diefenbaker or Mr. Stanfield. However, it is the way of this Conservative Government.

Mr. Belsher: Mr. Speaker, the Hon. Member said that there were no strings attached to the arbitrator. He outlined some of the problems that might come up through normal changes that will take place as businesses evolve. How would he see the arbitrator's hands being tied by legislation if the arbitrator is to be asked to arbitrate between two bodies? How can the Hon. Member ask companies to make guarantees when they do not have any guarantees as to the amount of business they will have, when the business will take place or at what time of the year they will get it? How can an arbitrator be made to work within those confines?

In labour negotiations, we really want an arbitrator without his hands tied. We want him to be able to bring the two parties together and to arbitrate between them.

Mr. Orlikow: Mr. Speaker, I will give the Hon. Member just two illustrations out of many. The rate of inflation is now running at close to 4 per cent a year. The conciliation report recommended increases for the workers of 3 per cent each year over the next two years. That is less than the increased cost of living.

It seems to me that the legislation could very well instruct the arbitrator, as it has on other occasions when railway workers were legislated back to work, that he should begin discussing the wage question with a minimum of 3 per cent in each of the next two years in mind.

The other illustration was referred to by my colleague, the Hon. Member for Churchill (Mr. Murphy). In the bargaining which went on between the employers and the employees, there was complete agreement that when an agreement was reached, it would be in effect for a period of two years. There was not one suggestion, as far as I have been able to find out, that the agreement should be in force for more than two years. This legislation gives the arbitrator the authority to impose a settlement not for two years but for three years. I suggest that that is completely unnecessary and uncalled for.

I would hope that the rate of inflation will not go up, but if the war between Iran and Iraq escalates and if the supply of oil is adversely affected, the price of oil may go up very substantially and that would have an immediate effect on the cost of living. I am not saying that that will happen but it could happen. Therefore, I ask why the legislation gives the arbitrator the right to impose a three-year settlement. Those are just two illustrations of the many defects we believe to be in the Bill.

Mr. Crosby: Mr. Speaker, I listened intently to the Hon. Member's presentation to the House. I understand that on second reading of the Bill, we debate the principle of Bill C-85; that is to say, whether it is right and proper in the circumstances to terminate the strike that has caused such harm across the nation, particularly in Atlantic Canada and especially in the Port of Halifax, or whether we should allow it to continue. I do not mean to give the Hon. Member a lecture. He is well versed in labour law. He knows the right to strike is granted by the Parliament of Canada under appropriate legislation. It does not exist in common law or in the normal course. It has to be granted.

• (1840)

If the Parliament of Canada gave the right to strike under certain conditions, then clearly it is capable of taking the right to strike away when that appears to be in the public interest. The Government believes it is in the public interest in these circumstances to take away the right to strike or modify it in the way it has in this Bill. What I and I am sure everyone wants to know is what is the NDP position on this issue? Do

they agree with eliminating or modifying the right to strike in these circumstances in the public interest, or do they believe it ought to continue?

The Acting Speaker (Mr. Redway): We need a one-minute answer from the Hon. Member.

Mr. Orlikow: I can give him a one-minute answer. When we agreed this Bill could be debated and passed through all stages, voted on and enacted by this House in one day, we recognized, one, the right of Parliament to do that and, two, the importance of dealing with this strike which has such major adverse effects on all parts of the country.

Mr. Clark (Yellowhead): What a contortion!

The Acting Speaker (Mr. Redway): The time for questions and comments has expired.

[*Translation*]

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, I consider myself a relatively new Member of the House of Commons of Canada, and I thought the two socialists who made allegations concerning the Right Hon. Secretary of State for External Affairs (Mr. Clark) gave us a rather sad spectacle. They attacked his policy, knowing full well that our procedure in the House would prevent him from responding. I think that Canadians—socialists or others—should show respect for one another and refrain from attacking a Canadian statesman who is gaining ever wider recognition on the international scene, especially when they know he cannot defend himself.

If the socialists care to listen to me, during the 10 minutes following my speech they will have an opportunity to question me on what I am about to say, keeping in mind the interests of Canadian generally. I urge you to question me and I will respond. But do not strike at those who cannot speak at this moment. That is the message I wanted to give you.

Mr. Speaker, not unlike most Members here I am very concerned about the striking railway employees in Canada. My concern also stems from the impact this conflict may have on Canadian industry as a whole, on potash workers, softwood lumber workers, coal workers, farm workers, just to name a few. I am sure this is what we have in mind as we seek a solution.

I am also concerned because my native town, Charny in my riding, happens to be one of the major railway centres on the south shore of the St. Lawrence, in the Province of Quebec. And that is where we find a large number of these employees.

I am very sorry we have to introduce back-to-work legislation in the House of Commons. It is not an agreeable task for a Government that, in order to expand the economy, has promised to put the economy on a sound basis and encourage private sector initiative.

Canada's big railway companies fulfil an important role in providing a service to most of our other industries, and any interruption in these services is also a major threat to the well-being of millions of Canadian workers working in those industries. The Government has tabled a measure that is decisive to ensure that the individual rights of the parties to the dispute do not abrogate or diminish the common rights of innocent third parties who have no say in the settlement of this dispute.

Mr. Speaker, we have known similar disputes in other vitally important sectors of the transportation industry that are subject to Division V of the Canada Labour Code. These disputes were also a threat to the national interest. At the time, various groups loudly demanded a major reform of our approach to the collective bargaining process, and invariably, some very well-intentioned people recommended taking away the right to strike or to declare lock-outs from the parties concerned. I say well-intentioned, Mr. Speaker, because these people are usually concerned about the impact of work stoppages on innocent third parties who have no say in settlement of disputes by which they are affected. They may be well-intentioned but I think they generally have a poor understanding of the complexity of labour disputes and the importance of the right to strike and to declare lock-outs as part of the labour relations practice that has developed over the years in Canada, the United States, Western Germany and other major industrialized democracies.

Division V of the Canada Labour Code provides measures to ensure that collective agreements are implemented and provides a comprehensive and flexible mechanism to facilitate the bargaining process.

Mr. Speaker, upon examining the provisions of the Code concerning the settlement of disputes, I was impressed by the flexibility these provisions offer for settling various problems in the collective bargaining field. We cannot expect a single policy or guideline to consistently resolve labour disputes. The flexibility provided under the provisions of the Canada Labour Code relating to the settlement of disputes is truly admirable and reflects one of the most sensible approaches developed over the years in the labour relations field. I feel the Canada Labour Code offers all the flexibility we need in an effective mechanism for settling disputes.

The right to strike or declare lock-outs exists only seven days after the Minister has exhausted every avenue provided by the conciliation process under the Canada Labour Code. Furthermore, the Minister may, at any time, in accordance with Section 195 of the Canada Labour Code, appoint a mediator to assist the parties to a dispute in settling the dispute.

Under Section 171 of the Canada Labour Code, the parties may, at any time before the Conciliation Commissioner or Conciliation Board makes his or its report, agree in writing that the recommendations of the Commissioner or the Board shall be binding on the parties. Briefly, Mr. Speaker, this procedure offers management and the unions all the resources of the conciliation and mediation process, to assist them when negotiations become deadlocked and also leaves them free to make use voluntarily of a mechanism that will help bring

about a final settlement of the dispute, a mechanism under which the parties agree to be bound by the recommendations of a Conciliation Commissioner or a Conciliation Board.

Mr. Speaker, the Government has tried to encourage private sector initiative in Canada to a far greater degree than before and to discourage resorting to government assistance to achieve economic and social ends. This attitude with respect to the role of the state gives individuals more responsibilities and, in the field of industrial relations, labour and management should feel some kind of obligation to settle their differences without government intervention.

As a matter of fact, this happens to be the purpose of the conciliation and mediation procedures provided under Part V of the Canada Labour Code: the first responsibility of the parties involved is to negotiate and resolve their conflicts. In certain cases they may need third-party assistance to shed light on complex negotiation proceedings. In this respect, conciliation and mediation procedures have been established to help labour and management achieve their ultimate aim, namely sign a collective agreement.

In that context the role of the state is to make things easier.

Although Canada Labour Code Part V sets the limits of the rights and responsibilities of the opposing parties, such limits obviously include responsibility for solving themselves the differences which come up during collective bargaining talks.

Mr. Speaker, these limits are prerequisite to what we sometimes refer to as free collective bargaining dynamism. In a way, the responsibility of the parties give them the driving force which enables them to seek common grounds, fair and reasonable compromises which reflect all available options, and to convey to their rank and file or to their senior management the outcome of the collective bargaining sessions.

The Labour Code strikes a balance between the rights and obligations of each party to the collective bargaining process. This framework paves the way for and promotes a renewed sentiment of mutual respect without which collective bargaining remains an idling mechanism.

Unfortunately, there are times when, for whatever reason, management and unions forget they have a responsibility to settle their dispute and try to shift that responsibility to a third party, usually the Government.

Mr. Speaker, both management and the unions must be discouraged from showing any inclination to abdicate their responsibilities in this way. We as parliamentarians cannot allow this institution to be transformed into a kind of labour tribunal by people who cannot or will not make use of the collective bargaining process. When the national interest dictates that we must intervene in a labour dispute as is the case today, Parliament must proceed with caution.

We must avoid any solution that would give the impression that one of the parties had an edge because it brought about Parliament's intervention in its dispute. This kind of solution would, in the future, make us vulnerable to pressures from any party or entity trying to achieve, through Parliament, goals it is unable to achieve through the collective bargaining process.

Mr. Speaker, since we are confronted here with a dispute that has truly disastrous consequences for the economy, I feel that the Maintenance of Railway Operations Act is a wise and appropriate solution.

I would urge my hon. friends to adopt the text quickly so that our railway network, which is indispensable to the economy of this country, will be able to start operating again without delay.

• (1850)

[*English*]

Mr. Angus: Mr. Speaker, I listened to part of the Hon. Member's address. Is he prepared to recognize that part of the reason we are here today having this debate on legislation to remove the collective bargaining rights of rail workers is as a direct result of the policy of his Government which witnesses from the rail companies themselves have told the Standing Committee on Transport is forcing them to eliminate jobs, that being deregulation? Is he prepared to recognize that the Conservative Government of Canada has a responsibility for setting the stage that has created the unfortunate situation we are facing today?

[*Translation*]

Mr. Fontaine: Mr. Speaker, I will try, if that is at all possible, to inform my Socialist colleague on both counts. First, he claims that this Government is removing the collective bargaining rights of 45,000 to 50,000 railway workers. Our Government is not, like the Socialist fringe would have us believe, a Government that considers private interests only. Our Government considers the common interests of all Canadians. If potash workers were involved, our colleagues opposite would be talking only about potash workers because they simply cannot bring themselves to imagine a wider perspective of the interests of Canadians. Our Government is protecting the 45,000 railway employees of the Crown corporation and of the other company. Our Government is also preventing tens of thousands of lay-offs among the workers from which this Party illegally collects dues, as Ontario Supreme Court Justice White said in his ruling. My colleague opposite is pushing on his own self-destruct button.

As to the deregulation policy of the Government I represent in this country—the Conservative Government and the Conservative team—they have failed to understand the message conveyed through this policy. They have failed to understand that Canadians now live in an international context, that Canadians are in a much better position to sustain, face and benefit from competition when each and every one of these Canadians is given the means to be productive and aggressive, to open up new businesses. They seem to think that decisions favouring Canadians are made in laboratories. They seem to think that Canadians are devoid of

intelligence, that they must blindly follow the dictates of socialist laboratories, of Socialist International gatherings which the leader is so eager to attend every year with a few of his colleagues. We in this Government have faith in the creativity of each Canadian, and this is why we believe that our deregulation policy will make it possible to deliver our goods at lower costs, mainly to the United States, our best economic trading partner, but including as well the products we ship from the Pacific coast to Japan and the Pacific countries. A good many Canadians will find less expensive channels than a laboratory of socialists which can only thwart the development of Canada and drive us into bankruptcy within a few decades.

[*English*]

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, I am pleased to have the opportunity to speak on Bill C-85, the Maintenance of Railway Operations Act, 1987. It is not a very pleasant duty, however. The pleasure comes from the opportunity to question some of the things contained in the Bill, not from the certainty in my own mind that we have to pass this legislation this evening.

Having said that, I believe very sincerely that this legislation must be passed as quickly as possible because of the loss it is causing to the commerce and industries of the country. This cannot be allowed to drag on. However, there in itself lies a very serious problem. When there are negotiations with the knowledge that back to work legislation will follow, management has a very distinct advantage.

I do not think that has ever been more clear than in the negotiations which have gone on this year. That is very unfortunate. I strongly believe that management did not put its best foot forward in trying to reach an agreement on this. I believe that had it done so, we would have been able to study this legislation with the knowledge that many of the issues now outstanding had been resolved.

What is the future for this type of negotiation? Will this continue? Will negotiations between the railroads and the unions be a formality where all management negotiators will have to do is stay awake long enough to frustrate the mediator, break off negotiations, and have the Government run in with back to work legislation? I would like to think that this will not happen again, that there will be meaningful negotiations in the future. I say that very sincerely because I believe that the railroad worker is the forgotten entity in this legislation. It is even more tragic because I believe the railway workers, particularly Canadian National, have been forgotten for a long time.

• (1900)

Clause 4(b) of the Bill states:

> every employee shall, when so required, forthwith resume the duties of that employee's employment with a railway company.

Why do we need the phrase "when so required"? Either these men and women are employees of the railroads or they are not.

Do these words mean that people who are gainfully and steadily employed by the railroads may not be called back to work when the strike is over? Is the Government really aiding and abetting the insecurity that will be the result of this wording? I believe that would be most unfortunate.

The Government has no business putting wording such as this in a Bill to end a strike. The role of the Government is to try to bring both sides together and get the commerce of this country rolling again—

Mr. Mazankowski: That is what we are trying to do.

Mr. MacLellan: —without placing the worker in a detrimental position. The Government must intend to scrap Bill C-87 and bring forward a Bill C-88. Of course, the Deputy Prime Minister (Mr. Mazankowski) remembers my pleadings to him on behalf of railroad workers, particularly in Nova Scotia—

Mr. Mazankowski: And you have pleaded very well.

Mr. MacLellan: Thank you. I am still pleading.

The words "when so required" are really not necessary. Those working with the railroads when this strike began should be working with them when it ends. If there are to be any with lay-offs, then those lay-offs should be justified, and, not take place simply because the railroads were given the option by the Government in this legislation to not call back any more workers than it absolutely had to.

I ask the Government to consider that point because there is already too much unemployment with the railroads and with former CN family companies. These job losses most seriously affect the smaller communities which, in many cases, are one-industry communities. They include small communities in eastern Canada in my area of Nova Scotia and other Atlantic provinces, as well as farming areas of western provinces.

These jobs are important in those areas because they not only provide wages for the employee and his or her family, they provide an economic base for the respective communities in which these employees live. It is important to maintain these services in those communities. The downstream effect of deregulation will be a loss of service and a loss of jobs in many communities. The fact that they will no longer be able to offer railroad service will affect their opportunity to attract new industries.

Clause 6(1) of the Bill states:

> The term of each collective agreement is extended to include the period beginning on January 1, 1987 and ending on December 31, 1988 and may be further extended by the arbitrator to include the period beginning on January 1, 1989 and ending on a day not later than December 31, 1989.

I object to that clause as well. It is not the Government's role to bring a new aspect into the negotiations. I believe that one of the key questions in negotiations would be the term of

the agreement. That is for both sides to agree upon and, presumably, negotiations have been going on in that regard. If the parties have not agreed on a term, that is an outstanding issue.

I suggest that it is beyond the scope of the Government's responsibility to ask Members of Parliament to allow the arbitrator to increase the term of this agreement from a two-year agreement to three years. That is beyond what the Government should be trying to achieve with this legislation, and I would ask it to delete that clause.

It is not its role to recommend points of negotiation to the sides in this dispute. It is not our role in Parliament to tell the arbitrator that he should be considering points that are not already being discussed between the parties in this dispute. It sets a very dangerous precedent for the Government to become involved in suggesting to the arbitrator that the term can be extended from two to three years. It represents the thin edge of the wedge, where the Government can then put anything into legislation that it believes the railways should have obtained but, in their knowledge of the situation, chose not to negotiate.

The Bill also includes stiff penalties for non-compliance, including lock-outs and strikes before December 31, 1988. These penalties are between $20,000 and $100,000 a day. There were no penalties in the 1973 legislation with which the former Liberal Government dealt. I believe it is better to leave that question to the arbitrator because there could be very good reasons why these penalties could be more or less than the ones suggested by the Government. It is not the Government's role to suggest the penalties.

I believe Clause 8 will have a great effect on the arrangement that will be achieved once the Bill is passed and the arbitrator has completed his or her task. Clause 8(1) states:

> The Minister shall, after the coming into force of this Part, appoint an arbitrator and refer to the arbitrator all matters relating to the amendment or revision of each collective agreement that, at the time of the appointment, are in dispute between a railway company and a union and the further extension of the term of each collective agreement permitted by subsection 6(1).

Clause 8(2) states:

> The arbitrator has, with such modifications as the circumstances require, all the powers and duties of an arbitrator under section 157 of the Canada Labour Code.

There are no guidelines provided for the arbitrator. There is nothing to compel the arbitrator not to reduce the benefits already held by the workers. There is nothing which would restrict the arbitrator from bringing new items into the negotiations.

• (1910)

I think it is important that the arbitrator has some guidelines, certainly as far as the workers are concerned. There are no legislated increases. In 1973 there were guidelines for the arbitrator. The 1973 legislation as well contained specific instructions for the arbitrator which included the direction to come up with a feasible job security program, not to amend any work rules that would harm workers and to recommend fair wage increases. I do not think it is asking too much to have those guidelines included in this legislation. As I say, we are trying to balance the rights of the workers against the rights and duties of the companies.

The companies already have a very strong advantage because they have had the knowledge that the Government was going to bring in back-to-work legislation, and they may have had some idea of what this back-to-work legislation was going to contain. I do not know that. I am not making any allegations, certainly, but it is a possibility. I do feel, however, that what the Government should be doing is helping the workers, trying to do something to safeguard the workers with respect to this legislation and the role of the arbitrator.

There were no time limits set on the arbitrator in 1973. This legislation sets a 60 day time limit which can be extended only at the Minister's discretion. While it is important and vital that the railways move again because the economies at the extreme ends of our country depend on the railroads, I do not feel we should be blinded in pursuing our goal of bringing the railways back into operation to the rights of workers. Too often that is done. I think we have only to look at the situation which has existed in our country over the last 10 years to see how railways have not only reduced their workforces but I think, to a large extent, reduced the relative position of the workers of the railway companies *vis-à-vis* other occupations in this country.

Workers for the railroads had every opportunity, for example, for a secure and valid pension plan, but too often railroads did not protect the older workers. For instance, a man who retired at age 65 with what he thought might be a satisfactory pension, found out at age 82 that the railroads had not added anything to his plan and that inflation had eaten away the benefits of that plan and he was really in one of the most unfortunate economic positions in the country. There are a great many workers today in that position. That is one aspect.

Another aspect is that quite often workers' benefits are given when it depends upon the urgency, political or otherwise, of the situation. I would like to mention as an example the situation of the Moncton shops.

I feel the workers of the Moncton shops were treated quite well. I would like to have seen them get jobs, but I thought the benefits that were offered were good benefits. However, a lot of people, particularly workers at CN in Atlantic Canada, although they thought the benefits were very good too, were upset because these benefits were not offered to them.

Take the case of a man who retires, for instance, at age 55. The workers at Moncton were able to take pre-retirement without any penalty at age 55. Other workers who were not working at the Moncton shops and were between age 55 and 60 had to accept a penalty for every year they were below the age of 60 when they retired. That was just because their lay-offs in the downgrading of CN in their area did not receive as

much attention as did those at the Moncton shops. I think that is unfortunate. I do not think that should be the case.

I think the treatment should be standard across the country, particularly in small towns where the job is at least as important as it would be in any other area. That person's job should be kept in mind and that person should receive the same treatment as a worker in a larger centre. I hope the Government will take this into consideration and try to do something.

The Government stated in the Budget that it is concerned about the older workers who are unemployed. I think fair treatment with respect to pre-retirement would do an awful lot to help these older workers.

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, we have been asked today to consider Bill C-85 which orders the resumption of work by Canada's railways and provides for a mechanism to determine the final terms of settlement between the parties. It is perhaps obvious, but nevertheless important to point out, that this Bill would not have been necessary had the parties to the railway disputes been capable of meeting their responsibilities under the Canada Labour Code, Part V, by renewing their own collective agreements.

Despite considerable conciliation assistance provided to them by the Government, they were unable to do so without a work stoppage. This work stoppage, principally involving a strike declared by the Associated Railway Unions at midnight on Sunday, August 23, has paralyzed railway transportation and has brought key sectors of the Canadian economy into jeopardy. The Government cannot, and will not, tolerate a shut down of the nation's major transportation system. I am certain I share the sentiments of all Members in recognizing the critical importance to our national economy of the passage of this timely legislation.

As we consider this legislation, we will want to bear in mind that the present dispute is having immediate effects on various sectors of the economy and that decisive action by this House tonight is required under the current circumstances. I want to emphasize to the House, and draw out the particulars of the impact of this railway dispute on the western economy. Indeed, as we consider the legislation before us, we all want to bear in mind its immediate relevance to the grain farmers in the prairie provinces and in other provinces, including Ontario and Quebec.

The Province of Ontario and the Province of Quebec each have within their boundaries substantial acreage of grain production of various types, whether it be wheat, rye, flaxseed or corn. The grain economy in each of these provinces is affected by this railway dispute. In the western economy, the grain producing areas located in the prairie provinces are our richest endowment of domestically produced grain for domestic consumption and for export. The importance of the legislation before us in dealing with the devastating impact threatened by this present rail dispute certainly cannot be over emphasized.

I cannot stress enough the importance of this dispute to small businesses and to the small towns throughout the prairies which rely on the railways to transport grain, potash and other basic commodities that are the income base to the prairies and provide the source of livelihood for thousands of our citizens.

When we think of the western economy, and the vital importance to it of the grain economy, what comes to mind will most likely be the major grain terminal operations at Thunder Bay and the Lakehead and on the West Coast, Vancouver and Prince Rupert. This is as it should be, because it is at these points that the activities of approximately 2,000 primary elevators throughout the Prairies, as well as the trucking and railway transportation industries, are focused.

• (1920)

Thunder Bay and the West Coast ports are the focal points of the industries, as well as the major points at which grain is processed for shipment by water to our export markets, either directly from the West Coast or indirectly from the Lakehead to the numerous elevators. Most of our eastern-bound export grain is stored temporarily in transfer elevators at Montreal, Quebec City, Port-Cartier, and other eastern locations, awaiting shipment to our European markets.

It is this complex infrastructure of grain production and transportation that is affected by the railway dispute, a dispute between private parties which has brought to a halt the movement from the Prairies of more than 7,000 railcars of grain per week and which threatens a devastating blow to the western economy.

I want to make clear to Hon. Members my reasons for supporting this Bill and what I see as its necessity. The conditions under which prairie grain farmers compete in the international grain markets today reflect developments that have unfolded over a number of years. These are developments that have been clearly adverse to the pricing of internationally-traded grain and, consequently, to the dollar return to the farmers and the western economy of each bushel of grain produced.

One of the most significant developments in this regard is the increasing ability of some of Canada's international grain competitors to grow more grain. This has contributed to a growing world surplus and has led to further developments that have had some severe effects on our grain producers. I am referring here to the effect of the world grain surplus on grain prices and to the attempts by major market competitors, especially the United States and the European Economic Community, to expand their share of the world market by the use of export subsidies that have amounted to billions of dollars. The efforts of these countries to export their grain have been nothing short of formidable.

The decline in world prices has made it all the more important that Canada export a larger volume of grain to compensate as much as possible for the weakness in international grain prices. In this regard the crop year ending July 31,

1987 has been a year of success in that, according to the statistics of the Canadian Grain Commission, bulk exports of grain and oilseeds totalled a record high of 30.2 million tonnes, surpassing the previous record attained in 1983-84 of 29.9 million tonnes, and last year's exports of 23.7 million tonnes.

Canada's railway companies and the workers on their networks and in their shops have made a vital contribution toward the attainment of yet another record for the western grain economy. Their achievements need to be recognized. In doing so we must also underscore the necessity to the western economy of uninterrupted rail transportation services. Hundreds of thousands of workers in resource industries, including forest products, coal, potash, grain, as well as the chemical and fertilizer segments of the western economy, face lay-offs as declining sales and a rippling effect throughout the economy are threatened by this rail strike.

We have not had a national rail transportation stoppage in approximately a decade and a half. The stability of collective bargaining negotiations has been a positive factor in our grain export achievements during that period of time.

As I mentioned, western grain farmers are already struggling to survive in an era of collapsing world prices and overproduction. They desperately need the income which comes from a steady sale of the grain they produce. These farmers are vulnerable as well to the loss of markets, the loss of sales, which could result from a prolonged strike.

You know, Mr. Speaker, there is no shortage of grain available in the world. The subsidy war between the U.S. and the European Economic Community already threatens to erode traditional Canadian markets. Any difficulty getting Canadian grain to export ports is an open invitation to Canadian grain customers to turn elsewhere. Canada is a country dependent upon its railways for commerce, and we need action now.

I would now like to talk a little bit about coal in western Canada. In 1985 the coal industry produced a record 60.7 million tonnes, 45 per cent for the export market and 55 per cent for the domestic market. The coal industry has become a direct source of economic activity for several provinces. However, 93 per cent of Canada's reserves of minable coal is located in western Canada, especially in British Columbia and Alberta, with some in southern Saskatchewan. Development of coal deposits depends on many factors, but transportation is the main one.

The Pacific Rim is Canada's largest market zone. In terms of individual countries Japan, South Korea, Brazil, France, Hong Kong and Taiwan are the top six. Western Canada moved 32 million tonnes of coal in the year 1985 to all regions, that is, both domestic and export markets. Our export customers depend upon Canadian coal for its quality, its reliability and its security of supply. We must move the coal.

Tourism is another major industry for Canada. Alberta depends upon its rail service to attract and transport tourists into its two well-known parks. Banff and Jasper are indeed unique mountain park resorts that depend upon tourists for their livelihood. Over four million people visited these recreational areas last year, many via train.

Forestry is a number one industry in the Province of British Columbia, and it is a growing industry in Alberta, especially northern Alberta. The mining industry in central British Columbia and Saskatchewan relies on rail transport, as do all resource industries.

As I said before, because of its size and its geography, Canada is a country which must have rail service. And it must have continued, dependable rail service.

The level of economic activity in the western economy, as in our national economy, is vitally linked to the operation of our railways, as is the necessity of the legislation before us this evening. It is legislation which we must review and debate. I ask all Hon. Members to support Bill C-85 and to give it speedy passage here and now. It is extremely important for all of Canada, especially for western Canada.

• (1930)

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, normally I preface my remarks by stating that I am pleased to contribute to a debate on certain legislation. Sometimes I agree with the legislation, sometimes I disagree, and sometimes I wish to see improvements. I must say that tonight it is with very little pleasure that I am required to make comments on Bill C-85, the back-to-work legislation to end the strike, particularly because of the manner in which it is being done.

As a Member of Parliament from Kamloops, British Columbia, a city, and a region, through which both the CN and CP railways pass, and I recognize the value the rail systems plays in my constituency in terms of the employment that is created, and the infrastructure provided for economic development.

Tonight we are dealing with something extremely serious; I think we would all agree, an emergency situation. When the rail transportation system of Canada is paralyzed, a good portion of the economy quickly shudders to a stop. It is unfortunate that in the latter part of August the unions and the two railways involved reached an impasse, and a strike was the result.

Because of the importance of this labour dispute and the fact that it touches the lives of so many Canadians, either directly or indirectly, one might get the impression that labour strife or strikes, or back-to-work legislation in the railways is a common phenomenon which takes place on a regular basis. Such is not the case. We have been blessed with relatively few railway disputes and national strikes. By and large there has been complete labour peace.

For many years labour and management have been able to negotiate their differences at the bargaining table. In the last 35 years there have only been three national rail strikes in

Canada. That is a compliment when one considers the size of the operations, the thousands of employees, and the large number of unions involved. It is a compliment to the process of free collective bargaining. It clearly indicates that on balance free collective bargaining functions well. In the last little while such has not been the case.

I think it is important that we identify what we are doing here tonight. The Bill before us needs considerable improvement before I, personally, would feel comfortable in seeing it through to completion. Naturally, we plan to propose many amendments tonight or tomorrow morning as the debate continues. We are committed to being here in our places tonight, in the morning, or during the day, whatever it takes to complete thorough discussions and examination of this Bill and put forward what we consider to be the appropriate amendments.

It is also fair to point out that if we feel it is necessary to debate this issue all night and into the morning, the Senate has not been recalled until two o'clock tomorrow afternoon at which time it will be in a position to begin its stage of debate on Bill C-85, so nothing can proceed beyond that time. We do have ample opportunity to discuss the ways and means of improving this Bill which requires workers to return to work.

I think it is also useful if we ask why this strike occurred. When one looks at the facts, it does not seem to have anything to do with the unions or the companies involved. If we wish to identify the cause of this strike, it has to be the Progressive Conservative Party of Canada and the Conservative Government. I wish to take a few moments to articulate why I believe that to be the case.

We all remember the hours and hours of debate on the transportation Bills that were commonly referred to as the deregulations Bills. The Government decided that it was time to deregulate the transportation sector, and particularly the railways. As those discussions continued it became clear to all people who were knowledgeable in this area that if the Government proceeded with the deregulation Bills the result would be massive lay-offs in the rail transportation industry. No one would dispute that fact. The evidence was clear, namely, the experience of the United States, where they have already gone through deregulation, and where tens of thousands of railway employees were tossed on the scrap heap. Countless witnesses explained that that would happen in Canada if the Government proceeded.

As a matter of fact, it was worse than that. The deregulation Bills introduced by the Government included provisions found nowhere in the entire world. These deregulation clauses are not found in any other jurisdiction. Experienced people came before us, and I remind Members that the president of a railway in the United States came up here and said that if this deregulation goes through it will actually wreck our rail systems. Those are very strong comments. In light of the evidence before us, the Government soldiered on with its ideological commitment to deregulation. With the massive majority of the Government it was able to pass the legislation in the latter part of June.

As officials from CN and CP stated to each of us individually, and certainly collectively in the committees and in the various forums where we received information, this would result in a disaster for the railways, and that they would have to significantly cut back their labour force. The railways felt that on average they would lose $560 million a year. That amount would be knocked off their balance sheets. As the Canadian rail system was put in direct competition with the American rail system and trucking companies, the result would be massive lay-offs; the railways would be forced to cut deep and mean in order to maintain a competitive edge in the transportation market-place.

Who wanted deregulation? The railways and their employees certainly did not. The large shippers did. They got through to our friend and colleague, the Minister of Transport (Mr. Crosbie) and some of his associates, and presumably used their corporate muscle and decided that in the best interests of the country, the rail system, and what has made this country, which is our rail system, that they were going to go ahead and wreak havoc on the critical transportation infrastructure of Canada.

Now that is all history. The Government went ahead, as it said it was committed to do, and it deregulated. The important thing that we should recognize today is that the employees of the railways are the victims of this legislation. Those hundreds and thousands of men and women across the country are no longer employed by our national rail system. The victims of deregulation were the men and women who worked for the rail companies.

I am sure that most Members of Parliament have railways going through their constituencies. We know the rail workers, and know that they are committed, dedicated employees. These people seem to be a lot more closely associated and committed to rail transportation. They have a proud feeling working in this critical transportation sector. Fathers and sons, and sons of sons have worked for the CN or CP. That is a compliment in terms of the commitment shown by these employees to their type of work. How have they been treated? The Minister of Transport with his deregulation said that they were prepared to write off thousands and thousands of railroad employees. They may be victims on the scrap heap, but that is the way it is. That was the view of the Minister of Transport.

One would expect a little more from the Minister of Labour (Mr. Cadieux). After all, presumably he is concerned about what happens to labour on our rail systems and elsewhere. One would have thought he would have taken some steps to provide a safety net, so that when thousands and thousands of people lost their jobs the Minister of Labour would have an obligation, a responsibility to ease the pain and do something about the situation.

• (1940)

Some people ask what can be done; what options does the Minister of Labour have? What can we do in collective agreements, not so much in preserving jobs. I think job security is a misnomer. It is really employment security that we are talking about. In other words, if you have worked with a rail company for many, many years and that part of your work is being contracted out or technological change makes it redundant, you do not just take that employee and say " So long, Joe" or, "So long, Mary, you are on the scrap heap, you are on your own. Thank you for 20 years", or five years service or whatever. I think it is time that we showed some sense of compassion, some concern, some interest and took steps to provide some safety mechanisms.

I want to hold up as an example—it is not a perfect one, but it far ahead of where the Minister of Labour is taking us with this legislation—the Ontario Northland Railway. In its agreement with its employees there is a clause, 7(a) which says that anyone with more than seven years' seniority with that railway has guaranteed employment. Ontario Northland does not guarantee that job forever. That would be silly, but it says that after seven years of good employee performance that person is guaranteed employment. If that job is phased out through technological change, the company moves the individual or retrains him for another job within the Ontario Northland Railway. If there is simply no job at that moment for that man or woman with seven years seniority, then that person is put on waiting status through a variety of mechanisms and is able to collect 80 per cent of his or her regular pay until a job comes up in the company. It is done successfully and it is negotiated into the collective agreement.

There is no reason that we cannot do something for our employees. By that I mean CN's employees, the government run railway, and also for those of CP. There is no reason that major corporate railways like that could not have that type of employment security built into the contracts, as opposed to the present treatment, which is to boot out the people, and that is it.

Mr. Crosbie: That is dishonesty.

Mr. Riis: In 1973 when we legislated an end to that rail strike there was a real difference. It was a Liberal minority Government, and I suspect because of that there was a little more sensitivity to the agreement. A number of things are absent in this legislation that were there in 1973, and that is the crux of the matter that we are debating tonight.

We are asked as responsible elected representatives to sign a blank cheque tonight, to buy a pig in a poke. This legislation says that we want you, Member of Parliament, to support legislation that will identify an arbitrator. Will it be Bill Kerkhoff in B.C., Peter Pocklington, or in all fairness, will it be Bob White or Jack Munro? Who will be the arbitrator? It is a very critical situation. It is imperative, since the arbitrator has only 60 days to resolve the issue, that the individual knows the transportation industry inside and out. He or she should be an expert and an individual respected for fairness in judgment; honesty and equity in decision-making. That is important. However, there is no reference to that in this legislation.

What are the guidelines? What is this arbitrator going to do? There is no guideline, no direction, and there is no suggestion. There is no blueprint or strategy. It is just, do whatever you want, Mr. Arbitrator. That is what the law is going to be and that is what the workers and the companies will have to accept. That is silly, Mr. Speaker. Who in their right mind fulfilling a responsible position as a Member of Parliament would support something so open-ended?

For that reason I want to remind the Minister of Labour that back in 1973, when similar legislation was introduced, it had guidelines for the arbitrator clearly laid out, guidelines in terms of what the wage settlement ought to be as well as a whole other set of guidelines. It laid out what were the issues to be resolved. It said, follow the basic recommendations in the conciliator's report. Members of Parliament could at least make a reasoned decision whether or not to support it.

Now we are asked to sign a blank cheque and to have faith in the system or in some individual to impose a reasonable settlement. That is really asking a little bit too much as far as I can see. We are expecting a lot when we say that the arbitrator must resolve this matter within 60 days, although there is a provision where the Minister can extend that time somewhat. We are talking about two major employers, many, many unions and thousands and thousands of employees right across the country. With only 60 days, we will need someone with an incredible amount of knowledge who is able to do an incredible amount of investigation very quickly, and I think that is a bit unrealistic.

There is no reference in Clause 8 to what are the disputed items. The union says that it has identified seven major areas of dispute. That was in the media today. The companies say that they have identified only three areas of dispute. Obviously there is some difficulty as to what is the problem at this point. Again, the legislation should have that included and it should also include something about general wage settlement areas. I know when our amendments as they come forward will suggest a four per cent range. That is the cost of living. In the conciliator's report there was general agreement that something over 3 per cent would be more than reasonable. I do not think anyone would say that the cost of living increase of 4 per cent for the first year is unreasonable. To indicate our good faith as elected representatives we feel that is a reasonable guideline for the arbitrator to pursue. We could go on and on.

Mr. Crosbie: You have.

Mr. Riis: All of the discussions today have been that this is a two-year negotiated settlement. That was the goal. The unions feel comfortable with a two-year settlement—reasonably, at least. The companies thought two years was a reasonable goal, but the legislation says that if the arbitrator

wants he can impose a three year contract. Where does that come from, Mr. Speaker? Three years has never been mentioned anywhere in the discussions in the last 18 months. Why three? Is it a reflection of legislation that has been hastily and inappropriately drafted? I guess at this stage of the debate we are talking about the principle of the Bill. We are not going through it clause by clause and I think it would be inappropriate of me to pursue that at this point. We will have ample time later this morning to do that.

I believe it is appropriate that we spend a lot of time today attempting to improve this piece of legislation. I think this back to work legislation is totally inappropriate, completely lacking in any substance. For us to sign this blank cheque, so to speak, would be irresponsible as Members of Parliament. At this point, unless there are significant changes, I, personally, and others in my caucus, will have to oppose the legislation. I am hopeful that sane heads will prevail and that there is a will on the other side of the House to say, "Yes, those are reasoned amendments and suggestions that make a great deal of sense".

Mr. Crosbie: Where are they?

Mr. Riis: They are before us.

Mr. Crosbie: No.

Mr. Riis: Yes, they are.

Mr. Crosbie: I haven't seen a sign of them.

Mr. Riis: Rather than be distracted by my hon. friend, let me say that we hope that we can improve this piece of legislation as the evening wears on and the morning approaches. If not, it will be impossible for us to support legislation of this type.

The Acting Speaker (Mr. Redway): Questions or comments? Debate. The Hon. Member for Capilano (Mrs. Collins).

Mrs. Mary Collins (Capilano): Mr. Speaker, I am pleased to have the opportunity to take part in the debate today on Bill C-85, particularly as a Member from British Columbia. The situation that we have been faced with over the past week has had a detrimental impact on British Columbia and if allowed to continue would have a devastating impact on our B.C.'s economy.

I want to start by complimenting the Minister of Labour (Mr. Cadieux) and his cabinet colleagues for the very prompt, decisive and fair action they have taken to put an end to the railway strike in Canada. That is what the people want the Government to do, to act fairly, decisively and in a timely fashion. That is what they have done on this occasion.

• (1950)

As the Minister and some of my colleagues have said, no one wants to intervene in a labour dispute. One would hope that the regular negotiation process would be successful and that parties to a dispute could find the answers themselves. Obviously, in some cases, as in this case, that has not been possible, despite the best efforts of all parties, so it is essential that the Government intervene and bring in this legislation today, and hopefully by Saturday morning the railways can be running and the freight moving across the country.

We know that 30 per cent of Canada's freight is carried by rail and has therefore been affected by this work stoppage. However, I want to point out the particular importance of rail in British Columbia. In British Columbia, 90 per cent of freight is carried by rail. Considering that fact, one recognizes how important it is that we get the railways back to work.

When thinking of British Columbia, one thinks of resources. Coal comes from eastern British Columbia to the ports and overseas. Potash comes from the Prairies to British Columbia ports by rail. Grain, which is just now coming to harvest, moves by rail to the West Coast and on to foreign ports. All this is totally reliant upon prompt and efficient rail movement.

Of course, lumber is not as totally dependent on the railways, but certainly for some parts of the pulp and paper industry rail is an essential component which enables those commodities to get to market. We talk about essential services. I cannot think of a service more essential to British Columbia's industries than rail transportation.

Over the last few days, I have read some of the commentaries in the Vancouver press and I would like to share these with some of my colleagues so they can recognize the concerns and feelings that exist in British Columbia.

The Vancouver *Province* ran an editorial two days ago headlined: "A long rail strike can't be allowed". *The Vancouver Sun* ran this headline: "Coal, timber, grain halt as freight strike starts". Again, *The Province* had these headlines: "Strike raises anger", and "Shutdown hurts B.C.". Yesterday, the headline read: "All eyes on Ottawa", because it was recognized that the representatives of the people of Canada and of British Columbia would now have to take action.

I do not necessarily always agree with the editorial policies of my local newspapers, but I would like to share a few comments from a particular editorial with my colleagues as I think it does enunciate well the importance of what we are doing here tonight. It reads as follows:

> The Mulroney government really can't wait very long before legislating an end to the national rail strike. This is essentially a strike against the nation and it can't be tolerated more than a few days.
>
> Either the negotiators must find a voluntary settlement early this week or the government must bring in a back-to-work bill and have the dispute settled by arbitration.
>
> A coast-to-coast transportation system may not be an essential service in the sense that life and limb are threatened. But a rail shutdown is different from any other—
>
> —if it goes for long without its railway freight system, the national economy will, to a large extent, grind to a halt. The damage from a rail shutdown would affect too many industries, too many communities and too many people for us to allow it to go beyond this week—
>
> The dispute should be sent to an independent arbitrator or arbitration board.

So the story goes. I think that enunciates very well the feeling that it is so important to bring an end to this strike through government intervention.

Indeed, on Monday of this week the Premier of British Columbia called for a legislated end to the labour strike. He indicated that he would be talking to the Prime Minister (Mr. Mulroney) and he said the following:

> —I will tell him that the country can't afford this strike, not when key industries like wheat, potash, coal and forestry are affected. This is the only means for transporting these products, and I would go so far as to say strikes shouldn't be allowed in the rail sector to begin with—

Let us look at another aspect of the strike. Perhaps it is not as essential, but hundreds of British Columbia travellers are steaming mad because their plans have been derailed by a Canada-wide railway strike. That is a human aspect of the strike of which we are all aware.

There have been indications that a walkout of more than a week would cripple British Columbia because the provincial economy relies heavily on port traffic. I refer to both export and import traffic. The Vancouver ports will become stalled because much of the containerized traffic moves from the ships right onto the rail.

Indeed, we know of the excellent record of the Minister of Labour when earlier this year it was necessary to legislate the longshoremen in British Columbia back to work. What came about as a result of Mr. Weiler's findings was the elimination of the container clause, and that has certainly been a very important benefit to British Columbia. We appreciate that kind of support.

In the nearly four days since the strike began, these are the facts of life. In British Columbia, Westar Mining Limited is facing $10,000-a-day demurrage fees if the railways do not start operating today because it has ships that are due in at Westshore Terminals; it will not have the products to put on them and it will have to pay the penalty because it has already ordered the ships and it is too late to send them back. The Saskatchewan Potash Marketing Agency notified customers that it can no longer guarantee shipments. At least one producer in the province says that it may have to close. The Coal Association of Canada has said that the strike threatens Canada's international reputation as a reliable supplier of coal and petrochemicals. The Alberta Wheat Pool said that Ottawa should get the railways moving first and then deal with the labour issue. The Dow Chemical plant in Fort Saskatchewan, Alberta, could lose $300,000 a day and will have to shut if the strike is prolonged. Ipsco of Regina will be forced to cut back steel production and lay off employees if rail services are disrupted for just a few days. CGTX Inc. of Red Deer, Alberta, a company that repairs railway tank cars, has issued layoff notices to 43 workers and may have to close in two weeks.

It is not only the 48,000 men and women who are directly involved in rail work who are affected, it is all the other men and women in the other industries who are beginning to be affected. Certainly all Hon. Members on all sides of the House agree that we cannot let a strike in the rail services continue. It must be brought to an end.

One of the other issues I feel is very important is reliability of service. Canada and British Columbia are dependent on exports, and our customers expect their products when they are promised. If we cannot deliver, there are a lot of alternative bargains to which they can turn.

We need only look at the example of what happened in Australia over the past few years as it developed a reputation of having strikes and being unreliable in delivering products. That has certainly had a tremendously adverse impact on Australia. We cannot afford to let that happen. We must keep those products, the wheat, the potash, the coal and the lumber, going through those ports. That is another very important aspect of the issue.

• (2000)

What has happened in the process leading up to the legislation we are dealing with today? It has been difficult but I compliment the Minister. I think he made a tremendous effort to achieve a negotiated settlement. In his remarks earlier he indicated that he approved a full range of third party assistance which is available under Part V of the Canada Labour Code. Following direct negotiations between the parties he appointed a conciliation officer in an attempt to assist both the railways and the unions in the resolution of their differences. When that approach was unsuccessful a conciliation commissioner was assigned to the dispute to provide additional assistance in an effort to achieve a mutually satisfactory settlement. When his report was provided to the parties there was a request for mediation assistance and Mr. Carson was appointed by the Minister. Despite his efforts, major differences remained and that blocked the achievement of a new collective agreement.

As a further indication of the commitment of this Government to the collective bargaining process, earlier this week the Minister appointed the Associate Deputy Minister of Labour, Bill Kelly, along with Mr. Carson, to make a final attempt to assist the parties in reaching an accord. We have seen it on television every night. They have been meeting around the clock. Certainly we know Mr. Kelly's tremendous reputation for obtaining settlements in these disputes, but with all his skills and expertise it was still not possible to reach a negotiated settlement. Thus the Minister gave notice to the House that we would have to bring in the legislation we are dealing with today.

There has been some concern expressed from the other side of the House that 60 days is not an adequate time for an arbitrator to come to a settlement. It certainly seems to me that within 60 days an arbitrator would receive the full range of views and should, indeed must, come to a settlement because both the railways and the unions are going to have to know where they stand. I think you need that sort of gun to the

back to get things going and get it over with, and I fully support it. Indeed, it is very appropriate that in this legislation the Minister has seen fit to include provisions to deal not only with this particular work stoppage but any other stoppage resulting from the negotiations presently going on between the railways and other unions. We will not have to come back and deal with a different Bill each time.

I also believe it would be very foolish to put conditions on the arbitrator in the sense of telling him what he should be doing. It seems to me an arbitrator has to look at all the facts and proposals and come forward with the best combination. His or her hands should not be tied by this legislation.

I have really been quite amazed by the position of the NDP in this matter. They told us this evening they cannot support the Bill. Yet earlier this evening an NDP Member said that they know the Bill will go through and just because they are opposing it will not mean the railway workers will not go back to work. What hypocrisy. What does that tell the people of Canada? The NDP claim that they could form the next Government of this country. If they did, what would their position be in this situation? Would they order the railway workers back to work or would they let the strike go on with the resulting devastation to the economy? They cannot talk out of both sides of their mouth. The Canadian public will not take it. They are not that stupid. This is only one example of the NDP trying to fool the public and we are going to see many others. I hope they come to their senses and support this Bill and ensure that the railway workers get back to work.

I know there are others who wish to comment on this Bill and we want to get it into Committee of the Whole as quickly as possible. Therefore I will conclude by repeating that there are, unfortunately, situations where collective bargaining fails and the Government, as the defender of the public interest and caretaker of the economy, must intervene and prevent irreparable harm to Canada. This is one of those situations. We all regret the necessity for parliamentary intervention in the collective bargaining process, but on this occasion, and I believe all my colleagues will share this view, we must do it. This in no way detracts from the resolve which I feel must be exhibited to deal with situations in the future, but in this situation we must move quickly to ensure that the Canadian economy proceeds on course and is not crippled.

I therefore urge all Members to give this legislation their full consideration and support, and promptly pass it so that the Senate can deal with it tomorrow. In that way the railways will get back to work and our goods will once again be moving across this country from Newfoundland to British Columbia and into our ports on Saturday morning.

The Acting Speaker (Mr. Redway): Questions and comments? Debate.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, first let me reassure the Hon. Member for Capilano (Mrs. Collins) that the Canadian people are not so stupid as not to be able to understand the position of the NDP.

Mr. Crosbie: You are a mugwump.

Mr. McCurdy: I will repeat that for the understanding of the Minister of Transport (Mr. Crosbie). The Canadian people are not so stupid as not to understand the position of the NDP. It is unfortunate that the Hon. Member for Capilano does not share that same level of understanding. She has documented the obvious at great length. There is no question in the eyes of the NDP, nor, I think, in the eyes of any Member of this House, that a national railway strike constitutes a severe test, indeed a threat to our economy. There is no doubt that this country cannot bear a strike that would have such severe economic and human consequences as this strike would cause if it were prolonged. Let us dispense with the necessity for elaborating too much on the self-evident.

We are faced with a serious problem. However, when looking at the impact of this strike on the Canadian people and our economy it is necessary to do what the previous speaker failed to do, and that is look at the situation of those who have been driven to strike. I do not recall in my boyhood my father saying, "Oh, God, I am going to have to strike this week. I have been working too long, I want a couple of days off with no pay and no food". I do not remember anyone saying strikes were nice ways of bringing about settlements. I do not think most people on strike enjoy not answering the door when the bill collector calls. Let us make sure we understand that a strike is not an option easily chosen by those who strike. It is the ultimate weapon against economic power that ordinary workers must use as a means of ensuring that there will be seriousness at the collective bargaining table.

• (2010)

Let us also take note of a few additional facts, one being that the workers in the railway industry have looked around and, from time to time, noticed that one of their fellow workers is no longer working with them. Day by day fewer workers are employed in the railway industry. Others have pointed out the changes in transportation and our economy generally that have brought that about. However, the fact is that thousands have found themselves unprotected after years, indeed in many instances after decades of having worked faithfully for the railroads. When it is all over they find that they not do not have jobs, they have no hope of jobs.

I think that most of us who are not trying to make pretty television pictures for an audience in British Columbia understand that there are some severe human issues involved here. One of the most significant human issues, sometimes I think not seen in human terms, is the threat posed by deregulation. One would have to have a very short memory not to recall the consistent warning provided by this side of the House that mimicking the process of deregulation which has occurred in the United States would mean that thousands of workers

would lose their jobs in the transportation industry, most particularly in the railway industry.

There are a lot of factors operating in any case as I have previously enumerated. Superimposed upon that now is deregulation. Mr. Speaker, can you think of any rational human being or collectivity of rational human beings who would not try to protect themselves against a situation which is a threat to their very survival, their economic well-being and the well-being of entire families? Can they on the other side of the House not understand that that which is at issue here is fundamental to the lives of a great many people?

The New Democratic Party has said that it is opposed to this legislation. We believe that it is possible to take the human equation into account in an appropriate way, even when faced with the imperative of having to legislate back to work within the context of the overwhelming economic threat which it constitutes.

However, we will vote against this legislation because it is so typically Conservative. It is part of the pattern of this Government when facing a crisis to go to the most extreme measure, divorcing itself as much as possible from the human issues involved. If the Government truly shared, on the one hand, the concern about the need for urgent action and, on the other, the need for humane action, we would be able to sit down as three different political Parties and approach in a reasonable way the drafting of this legislation.

We have prepared amendments for presentation which would make the legislation at least acceptable. We know, of course, that the Government will reject them. We know that the Government will once more abuse its overwhelming majority and impose legislation that will fail to take into account all that should be taken into account in the circumstances. Therefore, we will oppose what surely will be voted on, that is, unamended legislation presented by the Government.

Perhaps the Hon. Member for Capilano does not understand what the New Democratic Party is saying, but I am sure there is sufficient intelligence out there in the real world to understand what I have just said and what the New Democratic Party is saying.

In referring to legislation passed in similar circumstances in 1973 we find guidelines for amendments that might be accepted; guidelines that would make this back-to-work legislation tolerable. The 1973 legislation provided minimum guidelines for wages. A direction to provide an award was given to the arbitrator. After so many months of negotiations and being faced with back to work legislation, the workers would have at least some financial improvement in their situation.

In fact, we have a conciliation report which recommends 3 per cent over each of two years. I do not understand why, if the Government wants a humane piece of legislation, it cannot accept an amendment which would do such a thing. I do not understand how the Canadian people could accept that; the Canadian people are not stupid, and they know what is reasonable and humane and what fails to take into account all sides, as the Government so consistently does.

There is another difference between this legislation and that of 1973. The legislation of 1973 returned the workers to work under the *status quo*. The legislation now before the House says that operations are supposed to resume forthwith, but with respect to workers going back to work it says that they will do so when so required. This could mean that any number of workers presently on strike may not be called back, in effect could be laid off. That is certainly not fair in a situation where the key issue is job security. We understand why that provision is there, because the Minister of Transport has already declared which side he is on with respect to job security.

Mr. Crosbie: Be honest now.

Mr. McCurdy: The wording "when so required" is a typical Conservative concession to the employer.

This is only a part of a fabric of failure by the Government to deal with issues affecting workers. One might have thought, job security having become such an important issue in Crown corporations generally, that the Government would have thought to adopt a policy with respect to job security and Crown corporations at least as a guideline by which it would proceed. Of course, we have deregulation without any such provision either.

If one asked me why we think it is necessary to respond to this strike in an urgent way while at the same time opposing this legislation—

Mr. Crosbie: You are a mugwump.

Mr. McCurdy: —I would say that we oppose this legislation because the Government so consistently fails to measure the fine aspects of humane responses to critical issues, just as it has done with Bills C-84 and C-55. I say this with great sadness because I had hoped that this would be a place where reasoned discussion would lead to reasonable action. It is not necessary that on every issue we confront one another like two armies across the bloody field.

• (2020)

Mr. Crosbie: You invite it.

Mr. McCurdy: We are faced with a national emergency. It should be possible, in those circumstances, for all three Parties to reach a reasonable consensus and not disregard the reasonable, helpful propositions advanced by the Liberal or New Democratic Parties in an effort to reach a consensus that the whole nation would accept and which would be in the interests of the workers as well as the economy. But no, we go on listening to often ridiculous speeches, stating the obvious—

Mr. Crosbie: As we are now.

Mr. McCurdy: —avoiding the substance. The Minister of Transport awakes from his slumber every now and then to utter something that is as incomprehensible as it is illogical.

There is another element to this legislation that I must say I find completely weird. Even though both sides in this dispute have agreed that a two-year contract is appropriate, right out of the clear blue sky the Government decides to give the arbitrator the power to impose a three-year contract. Madam Speaker, I notice you are picking up the legislation to see if it is really true. I can assure you that it is.

This is a government that does its thinking off the top of its head. The issues in this labour dispute are serious, as I have indicated before. There are many workers who are worried about their futures and families who are worried about their security. They are not asking for hand-outs, they are not asking for a sinecure in the jobs they presently occupy. They are not asking that there be no change in technology. They are asking that if their jobs cannot be maintained, there be jobs or a means available by which they can maintain the security of steady employment.

The railways say that they are themselves having to face deregulation and that they will have to streamline and cut back the number of employees because there will not be enough work to go around. How does that square with the fact that one of the issues in this dispute concerns contracting out? The railways will lay off the workers presently working for them because there is not enough work, yet it will contract out work to other companies. Surely that requires very careful examination in order to understand it even to the slightest degree. It indicates to me that management lacks the kind of recognition and concern for the loyalty of its employees that would allow decent people to find ways to ensure that the concerns of their employees would be met in the form of new security provisions in the contract.

I hope that a good contract for the employer and employees will be gained from all this. I hope the contract will result in a different kind of labour-management relationship which will make it possible for workers and management to plan together for a changed future, and that will recognize the economic as well as the human imperatives.

I hope that within this industry a new beginning might be made in the social democracy of the workplace. Quite frankly, I believe that is what is lacking here. There have been too many confrontations. There are too serious impacts on society whenever a dispute of any significance arises.

I know that the kinds of hope and aspirations that I and my Party have for a new kind of relationship between labour and management cannot possibly be assured by a government that would propose the kind of back to work legislation that is before us, which is so lacking in any effort to go even a little distance in recognizing that there are workers in this dispute as well as management.

Mr. Crosbie: Madam Speaker, I wish to make a comment because every now and then in this debate we have to try to bring the New Democratic Party down to the ground. We must ask ourselves, if the members of the NDP formed a government what kind of solution would we have to the present situation tonight. Every speaker from the New Democratic Party has taken a stand in this issue. Each of them has argued the case for the union. We heard the Member who just spoke do the exact same thing. What kind of impartiality and even-handed treatment could the people of Canada expect from a New Democratic Party government if they were in the same majority position as we are tonight? They criticize the Government if we even explain, for example, what the provisions of the previous collective agreement are with respect to job security. If we happen to say that these are among the most advanced contracts and provisions in Canada in that area, we are accused of being biased. We are not even supposed to outline the provisions of a collective agreement into which one of our Crown corporations has entered. That is supposed to be nefarious.

However, members of the New Democratic Party get up and speak in a biased manner in favour of one side in this collective bargaining dispute. According to those Members, there is no free collective bargaining system. The only collective bargaining system there can be is one that favours the people whose support they look to for election. They are like the dogs of a Canadian Labour Congress Pavlov; they are the dogs and when that Pavlov says "salivate", that crew over there salivates.

We are not hearing an impartial discussion of how to end this dispute. They want to solve the dispute themselves. They want to be the arbitrators and set the terms. They do not want the matter referred to arbitration. The 33 nattering nabobs—

Mr. Blaikie: Of negativism.

Mr. Crosbie: Not of negativism, of "interferism", interventionism, of partiality. That group of 33 want to determine what the collective agreement should be.

Do they or do they not believe in a collective bargaining system in this country? Do they believe that the NDP have all the wisdom and they are to decide these issues, or do they believe with us and the Minister of Labour (Mr. Cadieux) that these are matters that should be left to an impartial arbitrator?

Certainly, members of the New Democratic Party are not impartial. They are the most partial people in the House. Every one of them who has risen today has taken a position in this matter. They are for absolute prohibition of contracting out, they are for *x*, *y* and *z*. They support anything for which the unions are asking. Then they have the gall to suggest we should not even expound on what the terms of the old agreement were. They are mugwumps, by the way. They are trying to say they are going to be supportive of having this strike end. At the same time they are trying to do everything they can

tonight to prevent it, to frustrate it, to impose their own will not only on this House, where they are a small miserable minority, but on the whole country.

• (2030)

An Hon. Member: Sit down, John.

Mr. Crosbie: I am not sitting down, Madam Speaker, this is the time for comment or question.

Mr. Blaikie: Keep talking, John.

Mr. Crosbie: Let me ask a question of the members of the New Democratic Party. Should we set the terms of the contract in this House? Because there are 210 of us and there are only 33 of you. If that is what you want done, the terms that are set might not be the terms you want. And there are 40 Members of the Liberal Party. So I suggest that you forget your partisan, prejudicial approach to this problem and that you go along with this Bill.

We are leaving it up to an impartial arbitrator. We are not interfering at all. We are not saying what the arbitrator should do. You are trying to bully the arbitrator, pressuring him to find this and that, contracting out, changing this legislation and so on, exerting your insidious pressure in one direction only. If this country ever has a government formed by your party, by God, we can expect no impartiality, no justice, no free collective bargaining system, nothing but mugwumpry and discrimination against everyone you do not agree with. It is a disgrace.

Mr. McCurdy: Well, Madam Speaker, one might get the impression that the Hon. Minister of Transport (Mr. Crosbie) was provoked to anger and supreme irritation. Indeed, became so angry that he resorted back to using phrases he had only used up to 20 or 25 times 10 years ago. I would have expected to have heard something innovative out of such an eloquent mouth, but evidently logic has left him and imagination has left him as well. That is unfortunate because he was so busy sitting there simmering that he obviously missed practically every word I said.

Mr. Crosbie: Answer the question.

Mr. McCurdy: I am having great difficulty understanding, however, how back to work legislation represents an example of free collective bargaining.

Mr. Manly: Crosbie style.

Mr. McCurdy: What I said was that it should be possible, not on the side of labour, but considering the concerns of labour, not on the side of management, but considering the concerns of the industry, that all three parties—all three parties—not confrontationally, not bragging about "my 210 seat majority", but as concerned representatives of the people of Canada, come up with a piece of legislation which would be at least as humane as that brought forward in 1973.

I do not think that one could have alleged that that legislation at that time was written in the offices of Bob White. On the contrary. The Hon. Minister of Transport would have the people of Canada believe that the New Democratic Party stands for only a very narrow portion of the population.

Mr. Crosbie: Absolutely.

Mr. McCurdy: The Minister can say "absolutely" as much as he wants, but there is a pretty absolute difference between 44 per cent and 23 per cent. I would prefer to stand up with the fishermen, the labourers and the farmers rather than with a Reagan, a Shultz, or anyone else on the other side. Do not tell me I am un-American because I want to be Canadian because that does not fit into the argument either. I am saying that if the Hon. Minister of Transport wants to engage in reasonable discussion about reasonable legislation, we will be pleased to do so. However, we know that neither the Hon. Minister of Transport nor his Government will entertain any amendments that are at all at odds with the preconceived notions on which his legislation has been written. We know on what side he stands because he has already indicated that clearly to this House.

Ms. Mitchell: I would like to ask my colleague a couple of questions which I think are related. He said that the key issue in this dispute is job security, that workers are concerned about jobs. I believe he said that the basic cause goes far beyond the current crisis, back to the government policy of deregulation as a result of which, I believe, it is expected that some 15,000 workers will be displaced, including workers with 25 years' seniority.

Mr. Crosbie: Absolute nonsense.

Ms. Mitchell: Also—and I think the Hon. Member for Kingston and the Islands (Miss MacDonald) should be concerned about this—workers, including women and representatives of minority groups who are employed under the new Employment Equity Program, of course, will be the people who are last hired and first fired.

I would like to ask the Hon. Member for his views. What could the Government have done to avoid this crisis which has now resulted in back to work legislation? And if the Conservatives insist on going ahead with the deregulation, which, as a Government, they are going to do as a concession to free trade, does this mean the end to employment equity as it applies to the railways, which of course are under federal jurisdiction?

The Acting Speaker (Mrs. Champagne): Upon recognizing the Hon. Member for Windsor—Walkerville (Mr. McCurdy) again, I would like to point out that there are only two minutes left.

Mr. McCurdy: Our parliamentary Spiro Agnew, who shares other characteristics with his progenitor, would not admit that deregulation is an essential underpinning to the dispute before us now, but let us not forget what deregulation is all about.

Deregulation is essentially about the application of Reaganomics in Canada. When we have a situation in which only recently women were accorded employment equity and they are the last hired and will be the first fired, I do not recall the Minister expressing one iota of concern. Perhaps his is the same level of concern as Spiro Agnew might have expressed. That disturbs members of the New Democratic Party.

Let me tell you, Madam Speaker, that to say that employers and industry, should be concerned about workers is not a challenge for industry or for employers, and to imply anything so ludicrous is a measure of the intelligence of those who would utter such nonsense.

Mr. Crosbie: Madam Speaker, do I have time for another question?

The Acting Speaker (Mrs. Champagne): The time for questions and comments is now over.

Mr. Crosbie: I wonder if the hon. gentleman could give me the answer to this question—

The Acting Speaker (Mrs. Champagne): Order.

Mr. Crosbie: There is no time? He does not have the answer anyway, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The time for questions and comments is over. We need unanimous consent to give the floor back to the Hon. Minister. Do I have unanimous consent?

Some Hon. Members: Agreed.

Mr. Crosbie: Thank you, Madam Speaker. I just wanted to ask the Hon. Member a question. He is going on about deregulation causing all these problems. What does he think caused the problem between 1974, when there were 107,000 employees in the rail industries in Canada, and 1984, when there were 81,000, a loss of 25,000 jobs? Deregulation was not even in the air in that 10-year period. What does he think caused the loss of those jobs?

Can he not have at least some intellectual honesty and admit that a lot of the problems in the rail industry today are caused by the change in the nature of our transportation system, not by some sinister plot of somebody who is going to deregulate and put people out of work, and all the rest of it. None of us want to see people out of work. You do not have a monopoly on virtue. You do not have a monopoly on the good feelings. You do not have a monopoly on helping people. I have been helping them for 20 years and I am not NDP, nor a Liberal, I am a Conservative. Why do you think you have all the compassion and sympathy? You are a bleeding heart. You are bleeding that stuff, but you have no more of it than I have. I want you to answer that pragmatic question. What happened in those 10 years?

Mr. McCurdy: Madam Speaker, I did not say the Hon. Minister was devoid of sympathy. He is devoid of sympathetic action.

Miss MacDonald: Answer his question.

Mr. McCurdy: I am surprised that the Minister of Transport does not know why there has been a decrease in employment in the railway industry over the period of time cited.

Mr. Crosbie: I do know.

Mr. McCurdy: I find this absolutely amazing. Why would a man be chosen to be Minister of Transport if he does not know why there has been a change in the distribution of transport among railways, trucking and shipping? If he does not know that there has been a change in technology, and if he does not know any of those things, then he has no business being Minister of Transport.

• (2040)

Mr. Iain Angus (Thunder Bay—Atikokan): Madam Speaker, I had hoped that we would hear from another member of the Government on this very important matter. I guess my colleagues to the right of me are spending their time watching a past Leader on television rather than being concerned about the legislation that is before us.

I wish to do two things in my contribution to the debate this evening. I wish to outline briefly and in a general way why my Party and I are opposing this legislation. Then I want to give an indication as to the type of amendments that we will bring forward during the committee stage.

An Hon. Member: Let's go ahead, then.

Mr. Angus: The Hon. Member says that we should go ahead and do it. We will. One of the realities with this type of complex legislation—and in a great many ways I do not think the public really appreciates this—is that to understand what it does and then to find ways in which it can be approved takes time. A number of us have been working since eleven o'clock this morning with members of our staff going through the Bill to try to see what can be improved upon to make a bad deal a little bit better for the people whose livelihoods will be affected by it. I wish to remind Hon. Members that it is not the presidents of the railroads or the shareholders—and let's face it, we, the people of Canada, are the shareholders of one of the two major ones—but it is those men and women who work for the Canadian railroads whose whole existence will be affected by this legislation. It will affect their ability to bargain. It will affect their ability to achieve a settlement that is fair. Once this legislation is passed and those people are sent back to work, whether it is tomorrow, Saturday or Sunday, it will be up to a nameless individual to decide on their fate for the next two years. It will be up to that individual to decide whether or not they will have a job, as a result of the type of policies he or she allows the rail companies to put into place with respect to job security, contracting out and technological changes.

We in this Party believe in the principle that the worker has to have a say in matters that affect him or her on the job. It is something which affects them as workers and, of course, it affects their families.

I wish to deal now with the crux of the matter. We heard part of it in the exchange between my colleague, the Hon. Member for Windsor—Walkerville (Mr. McCurdy), and the Minister of Transport (Mr. Crosbie). The Deputy Prime Minister (Mr. Mazankowski) well knows, because of our debates in the House over *Freedom to Move*, deregulation, and specifically Bills C-18 and C-19, that our profound belief is that a move to a free market system in transportation can only lead to the elimination of vast numbers of jobs within the rail sector. In effect, what will happen is that, as with contracting out, the Government will allow the theft of jobs from one sector to another, allow the elimination of jobs, jobs that are being held today by Canadian men and women, jobs which will not exist in the future.

Deregulation is at the heart of the problem we have before us today. It set the stage for the type of negotiations that the rail companies entered into with their worker representatives. It is fair to say that a great many jobs in the past were not due to deregulation. But it is also fair to say that much of the pressure on the companies is being brought about because of deregulation and the move to a free market system.

Let us remember that this is a very long country. We are not like the United States where everything is in a grid and there are people north, south, east and west. Here it is only east and west, by and large. It is the ribbons of steel that connect the oceans that are the hub, the dream, that have kept this country together. That dream is based on stability, a stability of service. It is one of the things the Government has forgotten about. Service must come first. The economics, although important, must play a secondary role.

I would now like to deal with the general concerns in the Bill. The Bill provides for a two-year imposed extension of the collective agreement, with the arbitrator given an opportunity, or the permission, to extend it to three-years. It is our understanding that at no time during the negotiations was there a three-year contract discussed. Both sides, company and union, were talking two years. We think there is no reason whatsoever that the arbitrator, this sole individual, should be able to add another year on to a collective agreement that has not been achieved through fair collective bargaining but has been imposed upon both sides by an individual who is not the choice of either side but is the choice of the Minister of Labour (Mr. Cadieux).

The question of contracting out—in effect, a process that allows a company to take a full-time, well-paying job from an existing employee and give it to someone else's employee—is job stealing. That is what we call it. I can understand the unions, not just in the railway industry but in all other sectors, fighting this type of clause. It undermines our whole fabric. It undermines the consumers who buy goods and food to put on the table for their families. I think that it would be better for the economy if we could retain these jobs within the rail sector, within the unionized sector, to ensure that the money that is needed in our economy continues to circulate.

This ties in with employment security. Hon. Members will note that I said "employment security" and not "job security". There is a difference. What the unions are arguing for is not job security in which an individual keeps the same job throughout his or her career but employment security in which an individual is assured of ongoing employment within the company. Workers are already being required to change jobs and to change locations frequently as companies continue to try to reduce their workforce. There is almost no one now working for the railroads who has not been there for at least eight years.

There are also concerns over centralization. A few years ago the CNR closed the bunkhouses in Atikokan and offered relocation to some of the employees to Winnipeg, which is 200 or 300 miles to the west. House prices in Winnipeg are a great deal different from those in Atikokan. If one is a 50 or 55-year-old married man who owns his own home in Atikokan and finds himself having no choice but to relocate, what he was making in Atikokan can no longer provide him the same type of lifestyle that he would be able to achieve in Winnipeg. The unions are legitimately concerned about the impact of those types of decisions on the people whom they represent.

• (2050)

One of the other items in the Bill is the question of the responsibility of the arbitrator. Basically, the arbitrator has a blank cheque. During the clause by clause debate, we may hear from the Minister on the intentions of his Ministry in regard to instructions to the arbitrator. Clearly, from the manner in which the Bill is written, it is a blank cheque. The arbitrator can decide on what he wishes to deal with which is in dispute, and perhaps ignore the key elements that either side may wish discussed.

In our amendments, we are proposing that we give the arbitrator a shopping list. This is not a unique occurrence; it has happened in other legislation which dealt with back to work matters.

A Bill passed in the first session of the 29th Parliament in 1973 dealt with a work stoppage on the railroad. That Bill included components, it established base increases in wages and criteria which the arbitrator, Mr. Emmett Hall, had to consider.

We are proposing that incorporated into this Bill there be a 4 per cent wage increase effective January 1, 1987. This leaves the second year of the imposed collective agreement to the arbitrator to work out with the two parties. This would ensure that those workers who have been without a collective agreement for some time will have the benefit of a moderate increase in their pay cheques sooner rather than later.

We will also recommend that a list of the key items determined by the parties be included in the Bill, but not necessarily limited to them. I wish to state briefly the types of things that we want to say to the arbitrator through legislation that he must consider and deal with.

The arbitrator must deal with wages, starting rate for new employees, dental plan for new employees, extended vision health care for new employees, shift differentials, medicare allowance, job security benefits, employment security, contracting out, incidental work rules, yard switching limits, coupling—uncoupling hoses, disability pensions, dental plan, extended health care, and vacation. We are not limiting the arbitrator to those issues, because there may be other items that both sides feel it is important to resolve. We want to say to the arbitrator, "This is your starting list. You must not overlook these points because they are deemed to be important to the conclusion of the arbitration and any negotiations that take place".

We also wish to lift a section out of the 1973 legislation which states that the arbitrator shall closely examine the job security demands of the union, and fully explore the feasibility of a job security plan based on the principles of attrition.

In that amendment, we are saying that the Bill should have built into it the principle that no individual will lose his or her employment except through attrition. This means, within the terms of the collective agreement, when that individual is ready to retire voluntarily, or leave the workforce. There will not be massive eliminations of jobs, and massive permanent lay-offs of individuals. We did not dream that up. It is in legislation previously enacted by the House several years ago in a matter relating to a work stoppage in the rail industry.

Another amendment that we will put forward deals with an interpretation of the instructions in the legislation to the companies and the unions. There is a section which states, "every employee shall when so required forthwith resume the duties of that employee's employment with the railway company".

We are concerned that any of the railroads may use that particular wording to delay calling workers back for their legitimate shifts, or not calling them back at all. We recognize that this legislation will probably clear both Houses before tomorrow, so we are probably talking about a weekend start-up. We understand that the office workers at CN or CP who normally work Monday through Friday will not have to be called back in for Saturday morning, unless there is a legitimate reason to clean up the backlog. We are concerned that the railways will use that particular wording to eliminate jobs, and we want to avoid that situation. We will move the deletion of "when so required".

I have mentioned the two-year contract as opposed to the third-year option. This is a minor wording of a technical nature. It states that collective agreements are between a union and a company. They are not between a company and an employee. A union acts as the agent of the employee through legislation approved by this House. It is designed to protect individual workers in order that they do not find themselves in a position of having to negotiate on an individual basis with their employer, and be subject to all of the whims and other things that we have previously talked about. We are proposing that this be changed so that it is clear that it is between the union and the company, and not the employee.

I come from a transportation town where many railroaders live and work. As the House is aware, many of my constituents work in the grain handling and woods industries. Those industries are interrelated. I do not feel that I would be doing justice to my constituents if I did not stand up in the House and oppose this Bill.

What the Government has proposed is inappropriate. The parties should have been given more time. We could have worked with them. I wish to remind the Minister that this is the third labour dispute that he and I have dealt with in the transportation or grain handling sectors since I became a Member of Parliament in 1984. During the first two disputes he told me that there is a time when one should wait for the two parties to get things off their chest. He said this during the grain handlers' dispute in Thunder Bay, and he said it during the longshoremen's dispute in Vancouver. All of a sudden we do not have to wait these seven days. Bill Kelly was not whispering in his ear and saying, "Hang on, hang on. We have to wait a little longer".

During the discussion on the clauses perhaps the Minister may wish to respond to this. Why is there a difference in this dispute? The parties have been at the table for a long time, they were close to an agreement, and although they broke off negotiations, perhaps they knew that the inevitable would happen. The Minister had been saying, "If you do not get a settlement, we will legislate you back to work". The Minister also said that during the dispute in Thunder Bay. A settlement was reached. It seems that now there is a different set of rules for a national rail strike. I agree that it hurts the economy. More important, I think we have to recognize that unfair treatment of workers by any employer hurts our society. These workers do not want the moon. They just want a fair deal. I would urge the Minister to give due consideration to the amendments to see if he can incorporate at least some of our thoughts and principles. Perhaps the wording we have come up with is not as clear as we would like to have it or as is legally appropriate.

• (2100)

Mr. Murphy: Perhaps.

Mr. Angus: Perhaps. I ask the Minister to consider taking those principles even if he does not agree with the wording, and incorporating them so we can make this Bill a little bit better. Quite frankly, I tend to doubt that that will occur, unfortunately. I, with my colleagues, will vote against this legislation when the appropriate time comes.

Mr. Blaikie: Madam Speaker, would the Hon. Member for Thunder Bay—Atikokan (Mr. Angus) comment on the inconsistencies in the comments being offered tonight by the Conservatives, particularly by the Minister of Transport (Mr. Crosbie), who has been critical of the New Democratic Party for wanting to incorporate guidelines and instructions into the legislation? We know full well that in 1973 when the Conservative Party was in opposition it did not feel it was acting inappropriately when it made suggestions and moved amendments and did the very kinds of things which the Minister of Transport finds so heinous now on the part of the New Democrats. Will the Hon. Member comment on that?

Mr. Angus: Madam Speaker, I must say, as somebody who has spent time across from the Tories in the Ontario Legislature a number of years ago, that I was not surprised to see the same kind of inconsistencies when I got here.

Mr. McCurdy: And remember what happened to them.

Mr. Angus: And what will happen to them in a couple of weeks.

Quite frankly, I think the Conservatives have been an opportunistic type of Party, prepared to do one thing in opposition but not prepared to do the same thing in government. I think that is unfortunate. I think the people of Canada feel abused by that type of approach and will surely let the Conservative Party know how they really feel when we have a chance to go to the polls sometime in the next couple of years. That will be the final judgment. Perhaps the Minister of Transport might then be looking for another Party to join. Somehow I do not suspect he will come our way, nor would we want him.

Mr. McCurdy: He can go to the Rhinos.

• (2110)

[*Translation*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The question is as follows: Mr. Cadieux, seconded by Mr. Mazankowski, moves that Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees, be read the second time and referred to Committee of the Whole.

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

Some hon. Members: Agreed.

Some hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Call in the Members.

The House divided on the motion (Mr. Cadieux) which was agreed to on the following division:

(*Division No. 227*)

YEAS

Members

Andre	Gauthier	McCrossan
Beatty	Graham	McCuish
Belsher	Gray	McKnight
Binns	(Windsor West)	Nicholson
Blackburn	Halliday	(Trinity)
(Jonquière)	Hamelin	Nowlan
Blais	Hawkes	Nunziata
Blais-Grenier	Hnatyshyn	O'Neil
Caccia	Holtmann	Oostrom
Cadieux	Hopkins	Ouellet
Caldwell	Jacques	Plamondon
Coates	James	Porter
Collins	Jardine	Price
Corbett	Jepson	Prud'homme
Côté	Johnson	Redway
(Lac-Saint-Jean)	(Bonavista—Trinity—Conception)	Reid
Côté	Jourdenais	Reimer
(Langelier)	Kaplan	Scott
Crombie	Kempling	(Hamilton—Wentworth)
Crosbie	Layton	Sparrow
(St. John's West)	Lewis	Tardif
Crosby	MacDonald	(Charlesbourg)
(Halifax West)	(Kingston and the Islands)	Tupper
Daubney	MacKay	Turner
Desjardins	MacLellan	(Ottawa—Carleton)
Edwards	Malépart	Valcourt
Epp	Marchi	Van De Walle
(Provencher)	Martin	Weiner
Fennell	Masse	Winegard
Ferland	Mazankowski	Witer—81
Finestone	McCain	
Fontaine		
Fretz		

NAYS

Members

Angus	McCurdy	Riis
Blaikie	McLaughlin	Waddell
Broadbent	Mitchell	Young—15
Heap	Murphy	
Jewett	Nystrom	
Manly	Orlikow	

The Assistant Deputy Chairman (Mrs. Champagne): I declare the motion carried.

Motion agreed to, Bill read the second time and, with unanimous consent, the House went into committee thereon, Mrs. Champagne in the Chair.

The Assistant Deputy Chairman: Order! The House is in Committee of the Whole to consider Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees.

Clause 2 agreed to.

On Clause 3—*Definitions*

Mr. Ouellet: Madam Chairman, I have a short question for the Minister about the appointment of an arbitrator. I realize we are talking about definitions here, but just the same, I would like to ask the Minister now whether he intends to appoint an arbitrator tomorrow and whom he intends to appoint.

Mr. Cadieux: Madam Chairman, I intend to appoint an arbitrator as soon as possible after the Bill has received Royal Assent. However, before I do, I also intend to make a few enquiries. So I think it would be difficult for me at this stage to say exactly when, tomorrow, in two days or three days and since I want to make a few enquiries, I cannot possibly give the name of the arbitrator.

• (2140)

[*English*]

Mr. Murphy: Madam Chairman, the Minister, in his response, said that he would consult. Will he affirm that he will be consulting with both the company and the unions about any name he has to put forward?

Mr. Cadieux: I will have consultations. I do not intend to limit myself to various parties or persons. I will gladly accept any suggestions from anyone.

Mr. Angus: Madam Chairman, if a name the Minister puts forward is deemed to be unacceptable by either Party, will the Minister make it clear whether or not he will then not appoint that individual and find someone who is acceptable to both the management and labour side?

Mr. Cadieux: After consultation, Madam Chairman, I will make the appointment, in view of the fact that I am the one who makes the appointments.

Mr. Ouellet: I do not want to belabour the point, if I could use that expression, but certainly the Minister should be much more straightforward in his answer. My colleague has asked whether or not he will consult with the parties. The Minister has indicated he does not want to limit himself to some people but has not said clearly that the parties will be consulted.

I want to be sure that the employees' representative will be consulted. We are not asking that the nominees of the employees be appointed. However, I think it is reasonable to ask that the unions be consulted before an appointment is made. I hope the Minister is in a position to assure us that indeed he will consult the unions.

Second, I want to get the Minister's assurance that, unlike the conciliation commissioner, this time he will appoint someone who has long experience with the railway industry and its activities, and that it will be someone who is an outspoken person, a person well known and accepted in the railway area.

Mr. Cadieux: I think I can say that in the process of consultation, I will be speaking to the parties. I would just like to specify that, in view of the fact that this Act has four parts, and since we are dealing presumably with Part I—and I hope we never have to use Part II, Part III, and Part IV in the process of the immediate consultation, I will presumably be consulting with the leadership of the ARU and the other employer parties.

• (2150)

With respect to the experience and knowledge of the arbitrator, without wanting to get into an argument with my hon. colleague from Papineau on the knowledge or experience of the people who have already served in this particular conflict, I can assure my hon. colleague and this House that I will do my utmost to find the most appropriate person to act as arbitrator. Obviously, their knowledge and experience in the industry is a criterion.

The Assistant Deputy Chairman: Shall clause 3 carry?

Mr. Cadieux: Madam Chairman, I have an amendment to Clause 3. By the same token, I have amendments to Clauses 12, 21 and 30, which are the equivalent in Parts II, III and IV. I presume we can deal with them all at the same time. I move:

> That Clause 3 of Bill C-85 be amended by striking out lines 5 and 6 on page 2 and substituting the following:
>
> "Railway company who is bound by a collective agree—"

Should I read the other amendments?

[*Translation*]

The Assistant Deputy Chairman: To make things easier I think we should deal with Clause 3 first and once we get to the subsequent clauses we can set them in the proper order one after another. I would suggest this will make it easier for everybody to understand.

Mr. Cadieux: Very well, Madam Chairman.

[*English*]

Mr. Cadieux: This is a technical amendment required to give more precision to the definition of an "employee". Otherwise, it could be construed from the original formulation that employees hired after December 30, 1986, would not be covered by the benefits of the arbitrator's award.

The Assistant Deputy Chairman: Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Amendment (Mr. Cadieux) agreed to.

The Assistant Deputy Chairman: Shall Clause 3, as amended, carry?

Some Hon. Members: Agreed.

Clause 3, as amended, agreed to.

The Assistant Deputy Chairman: Shall Clause 4 carry?

[*Translation*]

On Clause 4—Resumption of railway operations

Mr. Ouellet: Madam Chairman, I have an amendment to this clause.

[*English*]

I would like to propose the following amendment:

That Bill C-85 be amended at page 2 by striking out lines 21 to 24 and substituting the following therefor:

b) Every employee shall forthwith resume the duties of that employee's employment with a railway company.

The purpose of the amendment is very simple. It is to remove three words which appear in the current legislation. The three words are "when so required". It is quite clear on reading the legislation, and a number of employees have seen in these three words the possibility that the railways will never require them or might wait a long time before requiring them. I do not think that is fair. I think, frankly, that as soon as the legislation is to come into force, each railway shall forthwith resume operation of the railway, and every employee shall forthwith resume the duties of the employee's employment. However, to put these words "when so required" creates a certain situation. As one reads the clause, the clause deals with the responsibilities of the railways, on the one hand, to resume their operations and the responsibility of the employees, on the other hand, to resume their work. By putting in the words "when so required" in relation to the employees, we take away from them their decision to obey the law and we put the conditions for them to go back to work not on their decision, but on the decision of the employers.

I certainly appreciate the fear of some employees. In fact, my colleague, the Hon. Member for Cape Breton—The Sydneys, was speaking earlier in the House and addressed this very question. He received a phone call in the lobby of the Liberal Opposition from Mr. Steve Jursina, who is the local Chairman of the Brotherhood of Maintenance and of Way Employees in Sydney, Nova Scotia. He was clearly saying, "You are quite right," . He insists on amending Clause 4 to take away these words. He said, "We would certainly be in an impossible position because while we might be willing and ready to go, we might not be required by the employers. Therefore, we might be two, three, four, five days, one week, two weeks at home waiting for the requirements of the companies".

• (2200)

This is unacceptable. I hope that the Minister will accept this amendment to clarify the legislation. This is certainly not what the Minister wants. I do not think the Minister wants to leave to the discretion of the railways the time that the employees shall resume work. I believe the intention of the legislation is to ensure that when this Bill comes into force the railways will resume their operations and the employees will resume their work. Please, make it abundantly clear.

Mr. Murphy: Madam Chairman, I also wish to speak to this amendment. We have a similar amendment which would have the same effect which we would have moved if the Hon. Member for Papineau had not introduced his. We see this as an example of two things. First, it is like the amendment that the Minister just made. It is one of the dangers of passing legislation quickly in that an effect which people do not imagine being created can be created. Had there not been someone who caught on to the fact that the previous amendment by the Minister was necessary, we could have passed legislation which would have been very faulty indeed.

In this case we run the same risk. We are giving to the railways the power to call back people when they require them. It does not mention in the clause that they will be called back when they should be called back. It says "when required". There is no definition or explanation. It gives the power to CN and to CP to say: "Well, we are going to call back 8,000 people next week, another 2,000 the week after that, and perhaps we will never call back George".

As I mentioned in my speech on second reading, this clause was not in place in the 1973 legislation. It is strange that a clause of this nature has been thrown in, a clause which obviously gives complete and unlimited power to the railways to determine when someone is required to come back to work. I do not think the Minister can justify that. I am afraid that this is open to abuse and that there is no remedy in law for the Government to do anything if the railways decide not to call back people when they would normally be called back to work.

[*Translation*]

Mr. Cadieux: What worries me to some extent is that one wrongly assumes that one of the parties will do something which normally is not be done.

[*English*]

With respect to this particular suggestion, we do not think that it would be appropriate to take out those three words because they serve a very specific purpose. The start-up of operations in a major organization such as a railway is an extremely complex process. Presumably, everyone knows that. Railways operate on a call-out system, which is well known to employees. It is governed by specific provisions in the collective agreement. For example, on the day following passage of

this Bill, which, assuming the Bill is passed today and goes through the Senate tomorrow and receives Royal Assent and comes into force on Saturday, there could be 10 yard engines but no boxcars to switch in a particular yard. Only the employees required to perform the work available would be recalled. As volume increases, additional employees would be called in, in accordance with the seniority procedures contained in the collective agreement. Therefore we believe that the wording is absolutely necessary for the intent of the legislation.

Mr. Ouellet: Madam Chairman, I am not pleased by the answer of the Minister. I want him to realize that I have in my hand a copy of a bulletin that has been posted throughout the Mountain Region. It states:

> Your union has declared a strike effective 0001 hours—on 24th August 1987—at the completion of the strike you will be recalled when your services are required—

The bulletin is signed by J. G. Smith, Superintendent, Alberta South Division. At the bottom of the bulletin it states:

> Post this notice in one or more places at each struck work location and deliver to as many employees as possible prior to 2359 hours Aug. 23rd, 1987—

This is a message sent by the employer to the employees. It uses exactly the same wording that we have in the legislation, that is, "when required". I am troubled by this because I believe that the Minister of Labour is using the vocabulary of the company. In other words, we have a strike, the Government decides to impose back to work legislation, and the Government is inspired in its back to work legislation by one party, that is, the railways. I do not think it is correct. I certainly do not believe that it is correct that the employees shall go back to work only when the companies decide that they should go back. This is legislation which must apply to both the railways and to the employees. It should be equally applicable to both parties.

I do not like legislation which seems to favour so brutally one party over another. I hope the Minister will review with his officials this situation and accept our amendment, which would also have been introduced by our colleagues in the New Democratic Party. I think both opposition Parties believe this element of unfairness to the employees should not be contained in the legislation.

Mr. Angus: Madam Chairman, I too want to enter into the debate on this clause. I know that the Minister is listening. Perhaps the wording produced by my colleague, the Hon. Member for Papineau, or the wording of our amendment is not the answer. Perhaps the Minister is prepared to take some time with his officials to find wording that will allow a reasonable return in terms of a normal start-up while at the same time preventing any possible abuses by the railroads. If the Minister is prepared to do that, then I suggest that we might want to stand this clause to allow his officials time to put some wording together that will meet the concerns expressed by the Hon. Member for Papineau, the Hon. Member for Churchill and myself, as well as the people who will be actively involved in the start-up process and who are very actively worried about the railroads using this particular phraseology as a way to further reduce their workforce and, in effect, use the legislation as a loophole. If the Minister is prepared to take a further look at that clause, I am sure that we would all wish to give him that time and would agree to stand Clause 4 while that is occurring.

• (2210)

Mr. MacLellan: I am looking at the complementary Bill that was passed in 1973. Perhaps it would aid us to review the wording that was used since presumably the intention was the same in 1973 that we wish to put forward this evening. At that time, the Bill that was presented to the House of Commons did not use words that we on this side of the House find offensive. As was stated by my colleague, the Hon. Member for Papineau, the situation has not changed. When the strike ends, we want the operation of the railroads and the service of the employees to continue as before as soon as possible in order to get the commerce moving.

It is generally believed that when the railroads operate, people will return to work. We are using here words that have not been used before in back to work legislation. When words are used that have not been used before in similar situations that existed in the past, then you are deemed to be changing the meaning. I can only assume that the words "when so required" which are put into this Bill by the Government is changing the meaning.

Mr. Cadieux: First of all, I wish to express my deep concern, which was hopefully not a direct accusation from my colleague, the Hon. Member for Papineau when he suggested that I purposely used language which may have been used by the employer in this case. I can assure the Hon. Member that, contrary to a suggestion made by my colleague from Churchill, I have not spoken to the parties with respect to this particular legislation.

On the other hand, I presume that I cannot be held responsible for language that perhaps that particular employer saw somewhere else. I agree with the Hon. Members who have just spoken that this particular language was not in the legislation of 1973.

I would ask Hon. Members to refer to Bill C-24 which was passed in November, and in particular Clause 3(b). That language has been used before in similar circumstances. With the permission of the Chair, I will read that Clause:

> 3. On the coming into force of this Act,
>
> (b) every person who is ordinarily employed in longshoring or related operations at a port on the west coast of Canada and who, on December 30, 1985, was bound by the collective agreement to which this Act applies shall, when so required, return forthwith to the duties of his employment.

Mr. Ouellet: Because the Minister of Labour made a mistake in 1985, he does not have to repeat it now.

Mr. Cadieux: First of all, it is 1986, and perhaps I do not wish to repeat the mistake of 1973.

Mr. MacLellan: Regardless of what the legislation stated in 1986, we are talking about a railway strike and the attempt to pass back to work legislation. I am afraid with what has happened in the railroads, particularly as a result of deregulation, and the lay-offs that have occurred in the smaller communities, that this will be seen as an excuse by the railroads to cut back the workforces that have already been severely pruned.

That is not the role of the Government. I would hope it is not the intention of the Government to aid and abet the railroads in doing that. I would hope that the Government would not give them any incentive to do that type of thing. I would hope that it would be the wish of the Government to have the workforce in at least the same numbers as they were prior to the stoppage of the operations of the railroads.

Mr. Angus: If I may, I wish to direct a question to the Minister.

If it is deemed by one of the parties, i.e., one of the unions, that a railway company is doing what we warned that it may, does the Minister have the power within this Bill to ensure that the railway company brings back those workers immediately, or does he have that power elsewhere under the various Acts in order that there is the type of protection that we are seeking?

Mr. Cadieux: With respect to power, as everyone knows, the collective agreement is continued. Under that particular agreement there are very specific grievance procedures that will be available, assuming such a situation would occur.

With respect to the intent that we are trying to place upon the employer, it is certainly not the intention of this Minister to help either party. The intent of this Minister is in the public interest of Canada and returning the rail operations to what they were before. That is specifically what this piece of legislation intends to do.

[*Translation*]

Mr. Ouellet: Madam Chairman, I should like to read to the Minister a general provision included in the 1973 legislation concerning the return to work. I should like to draw his attention and read Section 14.1 of Part IV of the act which the then Liberal Government had sanctioned on September 1, 1973.

This is how Section 14.1 reads:

> Forthwith upon the coming into force of this Act,
>
> (a) every railway company to which any Part of this Act applies shall call back to work every employee of the railway company who has been on strike or has been laid off as a consequence of any strike that has ceased to be valid by reason of the coming into force of this Act; and (b) no such employee shall be laid off or again be laid off by any such railway company as a consequence of any such strike.

This specific provision concerning layoffs was in addition to the obligation found in Section 4 pursuant to which the railway companies were to resume operation of the railway forthwith, but they were also compelled to recall all employees forthwith. How is it that in this instance the Minister leaves the companies free to recall the employees—only when they so require—and to let hundreds of other employees stand idle for days and perhaps even weeks before calling them back to work, and probably lay off a few, because there is no general provision concerning layoffs like in the legislation of 1973?

Mr. Cadieux: Madam Chairman, of course I appreciate the suggestions made by my hon. friend which refer to legislation passed in 1973. Since 1973 there have been, unfortunately, other Bills that had to be passed by various Parliaments to put an end to labour disputes like this one and like the one in 1986, and I am thinking of Bill C-24 in particular.

I am satisfied with the intent of Bill C-24, where the parties behaved as I believe they will behave when this clause in the Bill before the House today is adopted. Personally, I think the present wording satisfactorily reflects the intent of the legislator.

Mr. Ouellet: Is the Minister telling us that the wording of his proposed legislation is such that he is convinced the railway companies will quickly call their employees back to work?

If that does not happen, is the Minister prepared to exercise his authority and even to instruct the arbitrator he will appoint to ensure that the railway companies do not abuse the three words we find in the text as it is now, and is he prepared to ensure that the railway companies take speedy action to protect the railway employees jobs and their right to work?

Mr. Cadieux: Madam Chairman, I am convinced and I hope that all parties, employers as well as employees and unions, will observe the legislation. I believe the intent of this legislation is to have operations resume in a part of the transportation industry that is of crucial importance to Canadians. I am satisfied the legislation reflects that intent. I would not want to prejudge either party, but I am sure that on the basis of our experience, including C-24 where there was no abuse, and considering that these three words were in the legislation at the time, I don't think there will be any abuse this time either.

• (2220)

[*English*]

Mr. Young: Madam Chairman, I have been going over those words also. I listened when the Minister said a few moments ago that the purpose of the legislation would not interfere with the terms of the collective agreement. In other words, the terms and provisions of the collective agreement would continue until a new agreement was struck.

The clause reads:

> (b) every employee shall, when so required, forthwith resume the duties of that employee's employment with a railway company.

If the employer decides that a specific job has to be filled by a specific employee, say as of Monday morning, does this

phrase mean that the recall provisions under the terms of the collective agreement that would apply as those employees are being recalled, that would normally apply in a recall situation, do not apply in this case because of this specific phrase in the legislation? Does the legislation supersede the provisions of the collective agreement? That certainly is the way it reads here.

Mr. Cadieux: Madam Chairman, any employee who is not recalled according to his rights under the collective agreement obviously has the right to grieve and pursue his case or grievance to arbitration, as provided for by the collective agreement.

Mr. Young: That may very well be so, Madam Chairman, but it seems to me that our job is to be able to make it as simple as possible, and not difficult. I would not like to hear an employer say, "If you don't like how we have recalled you, you have the right to file a grievance under the collective agreement and go through to arbitration". That is a lengthy process and very costly to both the employer and the union. If the Minister's officials would give us the guarantee that this clause does not mean that the collective agreement would be superseded by this language then perhaps it might be satisfactory. To give me a response that if the employee does not like what the employer does that he or she can file a grievance, in light of the language that the employer has in his hand under this legislation, the Minister might want to rethink that because he could be creating more problems than he is trying to resolve.

Mr. Cadieux: Madam Chairman, the last thing I want to do is create problems for anybody. I appreciate the comment of my hon. colleague. He said in reference to an arbitration procedure that it is costly for both parties, not just one. Therefore, I do not see any interest on one or the other, or both, to create some arbitration process which is costly to both parties. I am of the opinion that the collective agreement will continue and that all the procedures under the collective agreement are there and will stay there. Therefore, the grievance procedure, should there be an abuse, is there to be exercised.

Mr. Orlikow: Madam Chairman, unfortunately, the reality of what has been happening in recent years is entirely contrary to what the Minister suggests. Most employers, particularly employers such as the two railway companies, which are very large and powerful, have been taking a much tougher attitude to disputes that arise between contract negotiations. They have insisted on carrying the provisions of the process for settling disputes from the shop floor and the foreman right through to the end where arbitration is required. Unions in recent years have been paying tens of thousands of dollars. This occurred infrequently in earlier years. As the economy has become tougher, employers have become much more aggressive. It is nice to have the assurances of the Minister, but as long as the words are in this Bill I can foresee trouble.

We had some trouble in Winnipeg today when a zealous, enthusiastic middle management official sent out a call to workers in shopcraft who were laid off. Because of the strike they were recalled and ordered to report for work within an hour, or as soon as possible, which would have meant crossing the picket line. Fortunately, calls to the head of the company alerted them and a stop to that directive was ordered. That is just the kind of thing which can happen. Despite the assurances of the Minister, I can foresee difficulties and I see no reason why that clause cannot be amended to protect against any misuse.

Mr. MacLellan: Madam Chairman, I just want to give this one more kick, if I can. I do not think the Minister realizes the seriousness of the potential excess that could occur. As my friend from Papineau has said, the words "when so required" inject an intent on the part of the company to bring the workers back whenever it wants, and in fact, the Bill does not really refer to lay-offs in any particular way as did the 1973 Act which said in Section 14.1 the following:

> Forthwith upon the coming into force of this Act,
>
> (a) every railway company to which any Part of this Act applies shall call back to work every employee of the railway company who has been on strike or has been laid off as a consequence of any strike that has ceased to be valid by reason of the coming into force of this Act; and
>
> (b) no such employee shall be laid off or again be laid off by any such railway company as a consequence of any such strike.

There is a gap here which I find offensive to the workers. Adding that to the fact that the back to work legislation was very much in the minds of the companies when the negotiations were taking place, I find that there should be more consideration placed on the side of the workers in the interpretation of this Bill. I find that the position of the worker has been very much neglected.

• (2230)

Mr. Cadieux: Madam Chairman, I appreciate the concerns of the Hon. Member who just spoke and I also regret the difficulties that perhaps occurred in Winnipeg today. The only thing I can say is that Bill C-24 which we passed in November of 1986 contained the same language.

I do not agree with playing with the intentions of the parties. The purpose of this particular legislation is to put an end to this strike, to bring the employees back to their jobs and to have the transportation system rolling again. The intent is also to extend the collective agreement. All the safeguards are there and I think the legislation is very clear on that subject.

Mr. Angus: Madam Chairman, let me return to the Bill that dealt with the longshoremen and compare it with the 1973 Bill which dealt with the railways. I am not so sure that those Bills can be compared because of the work environment on the docks versus the work environment on the rails.

The wording may have been applicable to the longshoremen on the West Coast. I assume that it is easier to schedule work there because it is based on traditions, the availability of cargo,

location, as well as the fact that there are fewer workplaces. The wording was safer in that situation. There was less chance of abuse. As well, there had not to my recollection been a real downsizing problem in that industry.

Because there are so many different employee groups and occupations within the rail system, there is a much greater potential for abuse by the companies. I just wanted to add that information because I think it is important to the debate we are having today.

Mr. Murphy: Madam Chairman, I think the Minister has a problem with realizing what the labour dispute was all about. It was about job security. The wording the Minister has chosen for this clause creates a problem because the whole issue is job security. People wanted guarantees against further lay-offs. This wording in the legislation is making it easier for there to be more lay-offs in an unofficial way. The company simply does not bring the employees back and that is exactly what the Bill says.

We will find in every riding in which there are rail workers that some will not be called back for a long period of time. Some may not get called back at all. If the intent of this legislation is to restore the workers back to the workplace in the same situation that they were in before the strike commenced, then this clause goes against that very intent.

If I hear of someone who was not called back, I will say to the Minister: "Look what you have done, you have allowed CN and CP to do that to the people in The Pas, Transcona, Kamloops, Yorkton and every other community where this has happened". This clause gives the employer an undue extra power which it would not have had if this clause was not worded this way. It only exists because there was a labour dispute, so it is completely unjustified and we know it will result in fewer people working than would be working if this clause was not there.

Mr. Blaikie: Madam Chairman, I would like to add my voice to the concerns expressed by my colleagues and most recently by the Hon. Member for Churchill. I had an opportunity to speak with people who are on strike in Winnipeg and I found that this is one of the clauses that concerns them the most. They are concerned that it does not call for a return to the *status quo*. It does give the legislation a possible interpretation which is quite frightening if it were to be used in a malicious way by the railways. Given the lack of trust between labour and management in the railways now, I think there is good reason for workers to be afraid that the company might use this clause as a way to get away with things it would not otherwise be able to get away with.

The Minister of Transport made a big deal earlier in the day about impartiality, about the Government not wanting to appear to prejudice the arbitration in any way. In order to do that, it is important that the *status quo* remain as a result of the back to work legislation. The Minister needs to consider that this particular provision in the Bill does not maintain the status quo. Not only does it prejudice the status quo but it prejudices the relationship that exists between labour and management at the railways. It offers new possibilities and powers to the railways, powers that the Minister has no business giving to them under this particular back to work legislation.

Mr. Cadieux: Madam Chairman, I do not want to repeat what I have been saying for the past 20 minutes at least. I believe the language represents specifically what the reality is. It is the language that was used in Bill C-24 of November of 1986. It worked well at that time and I think it will work well again. The collective agreement is extended, the mechanisms are there and the parties will have the opportunity to discuss job security before the arbitrator.

[*Translation*]

Mr. Ouellet: Can the Minister give us the assurance that this clause does not give the railways the right not to recall their employees?

[*English*]

Mr. Cadieux: As I indicated at the beginning of this discussion, the start-up of a major organization like a railway is complex. The railways operate on a call-out system. Therefore, my interpretation is that the railways will call back employees—

Mr. Blaikie: They don't have a call-out system at Transcona.

Mr. Cadieux: I usually listen to others when they speak. I would appreciate the same courtesy. The railways will call back employees at the speed required to deal with the resumed volumes of traffic, and to my knowledge, that is what was done in the Vancouver ports situation.

• (2240)

Mr. Ouellet: I accept the words of the Minister, but the question I asked is very simple. If the Minister tells me yes, then every employee has reason to be fearful. If the Minister is able to stand up and say no, that ends the discussion.

The question I asked in French, and I will repeat it in English because it is fundamental, is this: Does Clause 4 give the railways the right not to call back employees? If you are saying it does not, that settles the question. If you are not sure, that is why the employees are so fearful. Is it yes or is it no? If it is no, there is no problem and we will go to another clause.

It is a very simple question. Are you giving the companies the right not to call back employees?

Mr. Cadieux: Madam Chairman, I believe that upon the adoption of this legislation and it coming into force, for instance if in Montreal there are 20 trains of boxcars, they will call 20 crews. If there are 10, they will call 10. That is my understanding of the legislation. The collective agreement specifically deals with that.

Mr. Young: Madam Chairman, I want to ask one simple question and I will try and keep it simple. If as the Minister says the terms of the collective agreement prevail and the recall provisions provide for the orderly recall of employees, why do you need that language in the legislation? If the collective agreement is what we are operating under, why do we have to add additional language in this clause? Why not let the parties who have negotiated these recall rights, over many years presumably, and they know the business much better than you or I do, allow the collective agreement to determine how employees are recalled to work? Why do you need that line of language in there at all?

Mr. Cadieux: It is very simple. It is because the collective agreement came to an end, there has been a strike, and we have to recall them back to work.

Mr. Blaikie: Madam Chairman, the Minister uses the example of the running trades as if that is all that happens on the railway. He talks about 20 trains that need to go out of the yard and 20 crews are called in. We are talking about thousands of workers at the back shop in Transcona and in other places, people who maintain track, people who are employed in various crafts which the various unions represent. It is extremely simple-minded for the Minister to get up here and pretend that all he is talking about is calling crews for trains.

We are talking about people, for example, in Transcona who work Monday to Friday. They are not called in depending on traffic. They have permanent jobs at the Transcona shops from Monday to Friday.

Is the Minister prepared to get up and say this particular language does not give the railways the right not to call people back to work in that sort of back shop situation, or in any kind of situation where they are not on call, not on a spare board, not called out as the number of trains going out of a yard might dictate? Perhaps if he can make that distinction and stop trying to pretend the only people who work on the railway are train crews, maybe we can make some progress.

Mr. Cadieux: Madam Chairman, I was under the impression I was giving an example, but I suppose it could be extended to say that the employer will recall all the employees necessary.

Mr. Ouellet: Necessary?

Mr. MacLellan: Madam Chairman, we are back to trying to clarify words. The Minister said "recall all the employees necessary". What do you consider necessary for operating the railroad?

Perhaps we can try it from the other direction. What is there in the Act to prohibit a railroad from laying off an employee as a result of this strike? The 1973 legislation said that every railway company to which any part of the Act applied shall call back to work every employee who is on strike or laid off as a consequence of any strike which ceases to be valid by reason of the coming into force of that legislation. There is no assurance that every employee is going to be called back and those words that are in the legislation only heighten the ambiguity and concern that all workers must feel in reading this back to work legislation.

Mr. Cadieux: I believe, Madam Chairman, that the employers are going to recall the people as the operations start and as volume increases. Obviously there was a work stoppage. One of the reasons we are acting so quickly is to limit the impact of that work stoppage. I believe the language of this particular clause precisely specifies that the parties will recall the employees as the operations progress.

Mr. Murphy: Madam Chairman, my question relates to the example used by my colleague, the Hon. Member for Winnipeg—Birds Hill. What is the Minister going to do if people who normally work Monday to Friday are not called back? This clause is so discretionary that CN or CP can decide they really do not want 100 people in the shop anymore. This is a good day, just bring in 75 because we have this power, thanks to the Minister of Labour. That is what he has done. Do not tell us that the collective agreement covers it. It does not because of the wording of the legislation we have in front of us right now. If CN or CP decides not to call those people back, there is absolutely no protection because of the wording in this Bill.

Mr. Cadieux: Madam Chairman, I simply do not agree again with the arguments of my hon. friend. I believe this language, which has been used in the past, has not been abused and I will not speculate on things that may or may not occur in the future.

Mr. Orlikow: Madam Chairman, the Minister said this clause has not been abused in the past. Precisely. It has not been abused by either side. If that is true, and I am sure we believe correctly that the railway workers are law-abiding citizens and that once this Bill is passed through all stages, and I am sure that by tomorrow at supper time it will have passed not only this House but the Senate, the workers will go back to work as the legislation requires. If that is true, and I am sure it is, then why do we need these words?

The Minister has pointed out, as have other Members, that the whole question of who works and when is covered in the collective agreements between the unions and the two employers. As my colleague from Winnipeg—Birds Hill has pointed out, only a relatively small percentage of the entire labour force are on call, those being the people who actually operate the trains. The vast majority of workers work regular shifts and there is no reason for them to be covered by this kind of restriction. Unless there is reason to believe that some of the people will ignore the call to work, I see absolutely no reason for this provision.

• (2250)

I hope that the Minister is correct that no official in the company will misuse the power which the clause, as now

worded, gives them. However, we have had experience, as the Minister knows. The Assistant Deputy Minister knows much more about these matters than do any of us. There is a good deal of ill feeling and we cannot hide that fact. It could be that some official, without authority of senior management, would misuse the power which he or she would have under the provisions of this clause. I see no useful purpose for it and join those who are urging the Minister to accept the amendment.

Mr. Cadieux: As I have already indicated, the employees required as soon as the legislation comes into force will be recalled. As volume and operations increase additional employees will be called in. That is why the words are there. I think they are very clear.

[*Translation*]

Mr. Ouellet: I think the Minister is being obstinate for no reason at all. I sympathize because he is a young Minister and he is anxious to do the right thing, but he has to depend on the advice he is given. And I am not sure that in his instance he is getting the right kind of advice. I think the Minister should realize that Clause 4 is a neutral clause that should not give any more to the employer than it does to the employee. Clause 4 concerns the resumption of railway services.

In the first paragraph, the clause orders the railways companies to resume forthwith operation of railway services. And the second paragraph orders employees to resume their duties forthwith. That is how things stand. This is not a clause that is biased towards one or the other group. It is a clause that says: We have passed legislation so that you, the railways, will resume services and you, the employees, will resume your duties.

I wish the Minister would make his officials listen to reason if they are incapable of understanding the facts, or otherwise, he should take the advice he was given earlier by one our colleagues which was to suspend the debate on this clause. We will proceed with the subsequent clauses and get back to this one a little later after giving it further thought, because the fact is, this clause must be neutral. It should say only two things: Railways shall resume their services, and the employees shall go back to work. But that is not what it says. The employees are told to resume their duties but only when so required. And that is unnecessary. That is not necessary at all.

Of course we are not going to see 5,000 railway employees rushing back to their jobs tomorrow at midnight. They will resume their duties in a normal way as circumstances dictate.

But the inclusion of the words "when so required" in the legislation means that the decision is no longer theirs but that of the employer.

Really, the Minister should face facts and realize that by insisting on these words he is putting the future of these employees in the hands of the employer. This clause, which must be a neutral provision directing the companies to do their duty, that is respect for the law on the part of both employer and employee, this clause is no longer neutral because these words leave the fate of the employees in the hands of the employer, to the whims of the employer. These words should not be there.

[*English*]

Mr. MacLellan: Madam Chairman, what the Minister suggests, that it is a question of bringing the operation of the railroads back to normal operations following the work stoppage, is not alluded to in Clause 4. It says "when so required". It does not say "when so required in relation to bringing the operation of the railroads back to full complement". It does not allude to that at all. There is nothing in the Bill which says there are not to be any lay-offs.

Bill C-85 is a means for the railroads not to call back workers who worked for them prior to the work stoppage. There is nothing here to make the railroads accountable for why those people are not being brought back. They need only say that these people are not required. There is no accountability to the Government, the workers, or anyone. They need only say that they are not required.

Mr. Cadieux: Madam Chairman, Clause 4 has two paragraphs. Paragraph (a) specifies that the railroad operations must start again and that each railway company shall forthwith begin operations. The operations will resume gradually and the recall will be done gradually as required by the resumption of the operations. I think it is fairly clear and it has been used before.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Amendment (Mr. Ouellet) negatived: Yeas, 16; Nays, 31.

The Assistant Deputy Chairman: Shall Clause 4 carry?

Some Hon. Members: On division.

Clause 4 agreed to. On Clause 5:—*Obligations of Unions*

• (2300)

Mr. Ouellet: Madam Chairman, I want a clarification from the Minister. Clause 5(2) states:

> No railway company or officer or representative of a railway company shall
>
> (a) in any manner impede any employee from complying with paragraph 4(b); or
>
> (b) discharge or in any other manner discipline, or authorize or direct the discharge or discipline of, any employee by reason of that employee's having been on strike before the coming into force of this Part.

I want to be sure that this clause covers all the employees. I understand that while the employees were in a legal strike position, and the media indicated that the employees were in a legal strike position, it appeared that the union negotiation teams had not really authorized the employees to start their

legal strike and some of them apparently jumped the gun a little early.

I think whoever did it, did so in good faith. They watched the news and thought that they were in a legal position to strike. In some areas of the country they probably began their strike, technically speaking, a little early. I want to be sure that the company will not take advantage of this to discipline some of these employees who, in good faith, thought they were in a legal position to strike and began their strike a little too early.

Can the Minister assure me that this point will be covered and full protection will be given to all employees, absolutely all, whether or not they started their strike a little earlier than others?

Mr. Cadieux: Madam Chairman, Clause 5(2)(b) applies to the employees who are covered by this particular part, which is Part 1. Although the leadership of the union perhaps had not given the word that they should go on strike, the ones who have acquired the legal right to strike are covered by this particular clause and section.

Mr. Ouellet: Will you assure me that there will be no discipline of these people? Will no one be disciplined because of that?

Mr. Cadieux: That is specifically my understanding of what the clause says. It reads:

> No railway company or officer or representative of a railway company shall
>
> (a) in any manner impede any employee from complying with paragraph 4(b); or—

The ones covered by this particular legislation. It goes on:

> (b) discharge or in any other manner discipline, or authorize or direct the discharge or discipline of, any employee by reason of that employee's having been on strike before the coming into force of this Part.

Clause 5 agreed to.

Shall Clause 6 carry? On Clause 6:—*Extension of Collective Agreements*

Mr. Ouellet: Madam Chairman, I would like to move an amendment to Clause 6. The Member for Portneuf does not seem to enjoy the amendment we are introducing. We are introducing an amendment on behalf of many thousands of railway workers who have some fear that this collective agreement might impair their role in the railways in the future. Certainly I will take all the time I need to try to improve this legislation on behalf of employees. If the Member for Portneuf does not like it, so be it. He can go to sleep if he wants, but there are a lot of employees who are not sleeping tonight because they are very concerned about this legislation. They certainly want us to look at it very carefully and try to ensure that they are fully protected.

Therefore, I move:

> That Bill C-85, be amended by striking out lines 15 to 22 on page 3 and substituting the following therefor:
>
> "6(1)(a) The terms and conditions of each collective agreement to which this Part applies are amended forthwith by entering into the collective agreement of a lump sum payment of $500 to each employee immediately following the coming into force of this Act.
>
> (b) The term of each collective agreement as amended by this Part is extended to include the period beginning on January 1, 1987 and ending on December 31, 1988.

The purpose of this amendment is twofold. First, as I was saying earlier in the debate on second reading, it is quite clear that there has been a lot of uneasiness on the part of the workers because of a very long and frustrating negotiation process. The workers were hoping that through this collective agreement they would get a fair deal.

We are aware that previous collective agreements with VIA Rail employees arrived at 3 per cent for the first year and 3 per cent for the second year. It might be justifiable and acceptable with VIA Rail. That is a company which is almost bankrupt and is certainly having all kinds of difficulties, and not generating the passenger support that it was hoping to get under this new Conservative Government.

Mr. Hawkes: Madam Chairman, I rise on a point of order. The Member opposite has moved a motion and begun a discussion. I believe the intent of the amendment would be to expend further government funds, at least the way it was worded. What he read does not specify clearly who indeed would pay the $500. May we have a ruling as to whether the amendment, as worded, is appropriate to what we do in the Parliament of Canada? Is the member of the Opposition suggesting that the taxpayers of this country come up with $500 for each worker? Is that the intent of the motion and, if so, is that a motion that would be accepted? If it is not acceptable, then I suggest it is inappropriate to allow the Member to speak to the motion.

The Assistant Deputy Chairman: The Chair did hesitate before accepting this amendment, as the Hon. Member for Calgary West has suggested. The question was asked around the Table, as to who would have to pay that amount of money. Because of the way the amendment is written, in referring to the collective agreement, the Chair decided that the amendment as proposed by the Member for Papineau meant that the railway companies would pay that amount, not the Government of Canada directly and that is why the amendment was accepted and is being put before the committee for debate.

• (2310)

Mr. Ouellet: Thank you, Madam Chairman, I appreciate your ruling. I just want to remind the Hon. Member that if he had a little information about the current negotiations, he would know that the union, which was originally asking for 5 per cent, has lowered its request to 4 per cent. Management was offering a 1.5 per cent increase in 1988, plus a lump sum payment of $500 in 1987. So this is the $500 lump sum payment the management has already offered that I am referring to.

So in the spirit of good-will, to bring these workers back to work, when the management has already said it is ready to give them the $500, why not do so? Let us give them the $500 and see what the arbitrator can do in terms of the collective agreement for the rest of the period, deciding in his wisdom what would be a fair settlement. I believe that every time we have to legislate people back to work we are infringing to a certain degree on their rights and are creating in the labour relations environment some uneasiness and difficulties. The ideal situation is when one has a collective agreement that has been negotiated and agreed upon by the parties.

Unfortunately, when an outside party, in this case the Government, the Minister of Labour, must move in and introduce legislation to force the parties to accept a binding arbitration and at the same time force the employers, in this case, to resume the railway services and the employees to resume their work, we are putting on them the necessity to go back to work, and indeed this return to work might not be as happy as it would have been had they received what they wanted through the negotiation process.

Therefore, I think it is important, especially in light of the deregulation environment we are now facing, with this great fear of job loss, the fear of major change in the operation of the railways, the potential curtailment of services, of rail line abandonment in many parts of the country, certainly it would be wise and appropriate, to allow at the beginning this $500 lump sum payment to be given to each employee upon their return to work.

I am not inventing it. Six major issues have been discussed in this rail strike. One of the issues is obviously the wage package. A $500 lump sum payment was put on the table by the management, and I think it should be given immediately to the employees while the arbitrator, appointed by the Minister, looks at the rest of the wage package.

In relation to the second paragraph of my amendment, it is quite clear that the unions and management were dealing with a two-year collective agreement. They were discussing in good faith a two-year collective agreement. All of a sudden, coming from nowhere—and I do not know why—the Minister is possibly giving the option to the arbitrator to extend this two-year collective agreement to a three-year collective agreement. I think we should not change the rules of the game after it has started. We are now looking at legislation to bring the employees back to work because they were not successful in reaching a collective agreement with the employers. However, both the employer and the employees were working on a two-year collective agreement. That is what they were negotiating. It is too bad the negotiations failed. We regret that. But surely that does not give the right to the Minister to change the period of the collective agreement. This legislation should refer exclusively to what was discussed, which was a two-year collective agreement, and the arbitrator should not be given this additional option of one year.

Mr. Blaikie: Madam Chairman, I want to begin by agreeing with at least half of what the Hon. Member for Papineau said with respect to the bizarre provision in this Bill which will give the arbitrator the power to write a three-year collective agreement as opposed to a two-year collective agreement. We also intend to move an amendment which affects that provision, and more will be said about that later.

I want to comment, if I might, on the amendment put by the Hon. Member for Papineau with respect to a $500 lump sum payment, or what is called a "signing bonus". We talk about bizarre notions. Here we are going to have a signing bonus for an unsigning back to work legislation. It seems to me what is happening is that the Liberals are trying to have it both ways.

Mr. Orlikow: That is not unusual.

Mr. Blaikie: That is not unusual, the Hon. Member for Winnipeg North says. They are voting for the back to work legislation and hoping that if perhaps they suggested this $500 lump sum payment, they would be forgiven by railroaders across Canada for voting with the Government to send them back to work under the iniquitous conditions which are provided for in this particular Bill.

I say to the Liberals that I do not think railroaders can be bought off that easily. I do not think they are going to forget for $500 that the Liberals voted with the Government to impose this iniquitous piece of back to work legislation upon them.

I also suggest to the Liberals that they think twice—everyone would—before accepting the $500. That is hard to be against. But the fact is that one could certainly argue that what the Liberals have done here—and in a sense this is consistent with their voting for the back to work legislation—is to take a company view of this matter, because it was part and parcel of the company's offer to the union, this $500 lump sum payment. The Hon. Member for Papineau acknowledged that this was first suggested by the company. To suggest that this is in some way a kind of neutral gesture of good-will and would not prejudice the process which would follow the passage of this Bill, and to entrench into the very back to work legislation something suggested by the company is something about which I think Liberal Members ought to think twice.

My final point, at least on this occasion, is this. Without wanting to sound as if one were against people who certainly are entitled to an increase in their income, one should be very wary of proposals by Liberals which are designed to cover the fact that they have voted with the Government on this iniquitous piece of back to work legislation.

• (2320)

Mr. MacLellan: Mr. Chairman, in regard to the amendment proposed by the Hon. Member for Papineau, I do not know where the Hon. Member for Winnipeg—Birds Hill gets his analysis of the situation.

Mr. Blaikie: From watching Liberals for eight years.

Mr. MacLellan: Just because the company recommended it does not mean to say that the workers are not entitled to $500. I think it is past the Hon. Member's bedtime. I think he is a little off kilter.

Mr. Gauthier: He is out to lunch, anyway, most of the time.

Mr. MacLellan: With respect to the second part on the term of the agreement, here we have a two-year agreement proposed and negotiated by both parties. It was something to which they agreed. The Government is now trying to extend it to a three-year period. The Government has been saying throughout this confrontation and this strike that it was between the union and the management. The Government is now imposing a longer term. It is not a party to the collective agreement. The Government is setting a very dangerous precedent here in back to work legislation by taking something that has been agreed to by the two parties in the negotiations and ignoring it and bringing in a proposal of its own.

I hope that the Government will not pursue this, that it will abide by the two-year agreement that has been agreed to by both parties. I am sure the Minister could consult Mr. Kelly on this issue. Mr. Kelly has more experience in conciliation and in mediation than does the hon. gentleman. I find this to be a very dangerous precedent. I hope that the Government will not pursue it and will agree to the amendment proposed by the Hon. Member for Papineau.

Mr. Orlikow: Mr. Chairman, I do not want to repeat the criticism of the amendment made by the Liberal Party which my colleague, the Hon. Member for Winnipeg—Birds Hill, has already put forward. But I would like the Minister to explain this clause of the Bill which gives the person who will settle this dispute the right to extend the agreement which he will impose for three years.

Here we have a Government in which the Minister of Labour and the Minister of Transport in the House, and I think the Prime Minister outside the House on many occasions, have said that they really did not want to bring in legislation, that they really wanted the employer and the employees to settle their differences through the normal course of collective bargaining. That did not work, unfortunately, which is why we are dealing with this Bill. However, there was never any suggestion, as far as I can tell, certainly not in public, and certainly not in the discussions between management and the unions, that the agreement should be for any period longer than two years. That being the case, it is one of the few things which the employers and the employees did not disagree about.

So I find it passing strange, to put it very mildly, that we have in this Bill a clause which gives to the person who will settle this matter the right to extend to three years the length of the agreement which he or she will impose. I would certainly like to get from the Minister of Labour an explanation for what I consider to be a very dangerous intrusion on the collective bargaining rights of both the employer and the employee.

Mr. Hawkes: Mr. Chairman, I will not take long. However, I am always moved to speak in the Chamber and in committee when I find what I consider to be hypocrisy. We have had an example of two Members from each of the opposition Parties saying, "We are for the working man. We represent the working man". The working man, if one listens to them, does not need choice. "We will tie the arbitrator's hands," say the Liberals. "We will take $500 and give it to everyone and then the arbitrator or the mediator has less room to come to conclusions," which may indeed be beneficial to the people who work for the railroads.

Are Members opposite concerned as a major issue that there be a signing bonus of $500? Nothing I have read in the paper suggests that that is a major concern of the people in the railways. Their major concern is job security, technology, and change. There is some fear out there, as we move into a different kind of world.

Mr. Orlikow: So where did the three years come from?

Mr. Hawkes: We are saying, "Let us give the mediator the maximum freedom. Let us not settle this on the floor of the House of Commons as to what is best for all the parts of that union. Let us let the mediator study this situation and produce a plan that will ensure a stable working environment for whatever length of time makes sense".

Mr. Riis: You don't know what you are talking about.

Mr. Blaikie: It's not a mediator, it's an arbitrator.

Mr. Hawkes: That will work on behalf of those people who work in those situations. That will ensure some stability for the economy of western Canada and other parts of the country. Perhaps the mediator will say that the term of two years is appropriate because that is the best that his wisdom can determine.

Mr. Riis: Arbitrator!

Mr. Hawkes: Arbitrator, excuse me. Maybe he can create a better situation for the transportation of the country and the workers of the country if he is given an extra year. We surely do not preclude the collective process. If it had worked, it would have been signed for three years, or four or ten. There were certainly discussions about two years. But this Party stands for common sense solutions, for choice for individuals. It would be very inappropriate for the House to accept this amendment and bind the hands of that arbitrator who we are sure will act with wisdom in the best interests of the whole country and in the best interests of the railroads.

Mr. Cadieux: Mr. Chairman, I would like to deal with the first part of the amendment to start with, and I will come back to explain the second part.

With respect to the $500 cash payment suggested by the Hon. Member for Papineau, in the current dispute the conciliation commissioner remarked on the inter-relatedness of a number of the issues and on the pattern already set by settlements on the ONR and VIA Rail, and that in order to permit maximum flexibility for the arbitrator who will be appointed to the railway disputes the Government has left the matter of wages to be determined as part of his consideration of all the issues to be resolved. Consequently, we will not agree to that part of the amendment.

With respect to the third year, if I may call it that, of the collective agreement, I agree with most of what has been said. We are talking about a two-year agreement. With respect to where the third year comes from, I would just like to point out that, notwithstanding the fact that, as I have said, we were talking of the two-year agreement ending on December 31, 1988, one must recall that the collective agreements expired some seven and a half months ago and that by the time the arbitrator completes his work, fully one-half of this extended agreement may have already elapsed. It may well be that the parties themselves, during the course of the arbitration, may decide that they wish a longer agreement.

• (2330)

If we look at Part V, Section 160(2) of the Canada Labour Code and Clause 10 of this Bill, it prohibits parties from amending the terms of their collective agreement. In order to provide for this contingency in particular, the Government has provided the arbitrator with the power to extend the agreement for an additional year. That is the reasoning for this additional year.

I understand that the Hon. Member for Churchill may have an additional amendment with respect to this particular clause. I would be pleased to discuss that after we have dealt with this particular amendment.

Amendment (Mr. Ouellet) negatived: Yeas, 2; Nays, 35.

Mr. Murphy: I have a further amendment to Clause 6. I move:

That Clause 6 of Bill C-85 be amended by striking out line 18 on page 3 and substituting the following:

"December 31, 1988 and, with the consent of the parties thereto, may be further"

If I may explain the amendment, Madam Chairperson, the Minister indicated a few moments ago that this amendment will be acceptable to all Members of the House. Earlier at second reading we expressed a concern with the fact that this legislation allowed the arbitrator to impose a three-year collective agreement, if the arbitrator chose to do so. At that time we pointed out that in negotiations both parties, as long ago as October, 1986, agreed that it would be a two-year agreement. We cannot understand, and we cannot accept an imposed three-year agreement which only the arbitrator may accept.

The purpose of the amendment is that the arbitrator can go for a three year agreement, especially if the arbitration process takes a long time. The arbitrator can only have a three-year agreement if both parties agree to it. We believe that that is acceptable. It certainly allows for the fact that the arbitration may take a long time. We recognize that the issues in the rail dispute are not easy issues to settle. We certainly did not want to have a situation where workers who thought they were negotiating for a two-year agreement found out that the arbitrator was going to impose a three-year agreement.

I am sure it is acceptable to the Government that, if we have the consent of the two parties to the negotiations, then we could go to a three-year agreement, but certainly we would not do so otherwise.

Mr. Cadieux: As I have already indicated, I agree that the parties were talking about a two-year collective agreement. Already seven and a half months have expired and the process may take a little longer. The arbitrator, with the parties, may choose to extend the agreement by one year. My interpretation at the time, and still is, is that it would not be done without the consent of the parties. Consequently, I welcome that particular amendment, and we would agree to it.

Amendment (Mr. Murphy) agreed to.

Clause 6, as amended, agreed to.

Clause 7 agreed to.

[*Translation*]

On Clause 8—*Arbitration*

The Assistant Deputy Chairman: The Hon. Member for Thunder Bay—Atikokan has the floor—

The Chair sees very well the surprised look of the Hon. Member for Papineau. The Chair has been advised that there are two amendments to Clause 8, and the amendment proposed by the Hon. Member for Thunder Bay—Atikokan would come before the amendment proposed by the Hon. Member for Papineau. This is why the Chair has recognized the Hon. Member for Thunder Bay—Atikokan.

[*English*]

Mr. Angus: I move:

That Bill C-85 be amended at line 13, page 4, after the words "each collective agreement that", deleting the rest of Section 8(1) and substituting for it the following:

"either party may say are at dispute. The matters referred to the arbitrator shall include, but not be limited to the following:

1. Wages
2. Starting Rate for New Employees
3. Dental Plan for New Employees
4. Extended Health Vision Care for New Employees

5. Shift Differentials

6. Medicare Allowance

7. Job Security Benefits

8. Employment Security

9. Contracting Out

10. Incidental Work Rule

11. Yard Switching Limits

12. Coupling/uncoupling Hoses

13. Disability Pensions

14. Dental Plan

15. Extended Health Care

16. Vacation"

The intention of this particular amendment is to provide some clear direction to the arbitrator, no matter who he or she may be, that the 16 items that I listed must be considered by the arbitrator in the pursuit of the work. It is not limited to those 16 items, but it ensures that at the very least those 16 items must be dealt with, not only by the arbitrator but by the two parties. To a certain extent, it parallels the 1973 legislation which provided a specific direction to the arbitrator to consider some aspects.

• (2340)

We believe it is important that that direction be given, that it just not be left up to the whim of the arbitrator to pick from here or there. As we all know, the arbitrator, no matter who he or she may be, may come with some biases. There is no such thing as a truly neutral person. Not even in this House do we find a truly neutral person, amazing as it seems. This will give the individual specific direction to say, "Okay, I have to deal with wages. I have to settle that one. I have to deal with the whole question of starting rates. I have to deal with employment security". Those must not get lost in the shuffle. I would hope that because we have said, "not to be limited to the following" that the direction is broad enough and it allows the arbitrator the full power the Minister wishes to give him. Without limiting that power and without limiting the issues with which the arbitrator can deal, it does say that you have to deal with these 16 at the minimum, plus, one would assume, any other items that either party feels are a matter of dispute. It must be part of an over-all package that will enter into a collective agreement that will come at the end of this process.

I hope that the Minister is willing to accept this suggestion. Perhaps he may have a couple of other items on the checklist that he would like to add. It would be interesting to hear his response.

Mr. Cadieux: Madam Chairman, with respect to this particular amendment there have been some discussions a little earlier with the opposition critics. If we take the text of Clause 8 as it reads now, more particularly in the French version at line 15 where the word *différend* is used, and obviously the same word in

[*Translation*]

—the word "dispute" has the same sense as in Part V of the Canada Labour Code because of Clause 2 of this Bill, so that Section 107(1) specifies that this word means a dispute about which notice may be given the Minister pursuant to Section 163. All points which are the subject of this notice of "dispute" will necessarily be examined and will be subject to arbitration, they will be submitted to the arbitrator once he has been appointed.

[*English*]

Mr. Ouellet: Madam Chairman, I do not think that the answer of the Minister is adequate to meet the fear expressed by the Member who just moved this amendment. The reason he moved this amendment was to be absolutely sure that the arbitrator will look at all of the aspects of the collective agreement. He is listing 16 items because he believes that none of them have been agreed to by the parties and they are still in dispute. The precaution in this amendment is justified by a press release which was issued today, August 27, by the Canadian National Railways and the Canadian Pacific Railway. In part, it reads:

> The following statement was issued by Canadian National Railways and CP Rail following the breakoff of negotiations in Hull.
>
> "Failure to obtain a negotiated settlement after coming so close to agreement is a bitter disappointment.
>
> "The railways were encouraged by the progress being made with the help of federal mediation officers. All but a few issues had been settled for the most part when the talks were broken off in Montreal on Sunday.

If it is the feeling of the railways that all but a few issues have been settled, then the arbitrator is not going to look at many things. It would not be appropriate that the views of the railways be taken literally. In the course of negotiations, clearly both parties are putting things on the table. They are making offers and sometimes they agree to some clause, but they agree to these clauses on the condition that they will get an agreement on other clauses. If agreement is not reached on the other issues, then the previous agreement does not hold. There is a give and take. Sometimes parties will agree on some matters with the understanding that they will get something in return later in the bargaining process. But if the negotiations break down and the collective agreement is not signed, the earlier agreement no longer holds. I hope the Minister realizes this and will give us the assurance that the arbitrator is going to look at every aspect of the collective agreement, irrespective of earlier potential agreements on some aspect of the collective agreement.

I have been told that in fact no articles have been signed or initialled by the parties. There is maybe only the CN pension that has been agreed to by the parties. I hope it is clear. I would like to have the assurance of the Minister that the arbitrator will look at everything in the collective agreement.

Mr. Angus: Madam Chairman, I appreciate the Minister holding back for a moment. I think we need further clarification of his response to me. Is there a document that the

arbitrator will be able to go to to get his or her checklist? Is that what the Minister was saying in French? Perhaps the translation did not make it clear enough. It is important we understand that so that we know if there is a complete document that can be referred to as the shopping list for his instructions.

Mr. Cadieux: Yes, Madam Chairman, there is perhaps not one document, there may be one or two, but they are called "Notice to Bargain". I can give the assurance that I will indicate to the arbitrator, whoever he or she may be, that all the issues will have to be looked at. I am also of the opinion that there may be a difference of interpretation at this moment on what may or may not have been settled or agreed upon during the process of the negotiation. As all Members know, some tentative agreement on certain issues was perhaps given in view of a global agreement which never came. I believe very strongly that the arbitrator will look at all the issues and will render an arbitration decision on all the issues.

• (2350)

Amendment (Mr. Angus) negatived: yeas, 8; nays, 31.

The Assistant Deputy Chairman: For the same reason as was enunciated earlier, I will give the floor to the Hon. Member for Thunder Bay—Atikokan.

Mr. Angus: Madam Chairman, I appreciate your eyesight tonight. I move:

That Bill C-85 be amended by:

At line 18, page 4, adding the following Section:

8(2) The arbitrator shall closely examine the job security demands of the union and fully explore the feasibility of a job security plan based on the principles of attrition."

This amendment is a very important one. It parallels the 1973 legislation which was passed by this House. It ensures that there will be no lay-offs and that if there are to be job reductions, they are done in a way that would not hurt any individual through the loss of a job. It ensures that it is done at a voluntary level, either by early retirement and early retirement buy-outs or through voluntary relocation of employment.

We believe that this clause is as important now as it was in 1973. Clearly the issue before the negotiators on both sides was that of employment security and job security. This clause would ensure legislative protection. It would not prevent the railways from further downsizing the workforce, I want to make that perfectly clear, but it would prevent massive lay-offs.

We have heard estimates ranging from 5,000 to 10,000 people whose jobs in the rail industry will be eliminated. This clause would ensure an orderly reduction without hurting any individuals or their families.

Conservative Members voted for this amendment in 1973. I urge them to do the same today while in government as they did while in opposition in 1973. I urge them to put a clause in the Bill that will provide the kind of protection that is necessary for the employment opportunities of the men and women of Canada.

Mr. Blaikie: Madam Chairman, it struck me as odd that a motion that would have the effect of providing that there be no lay-offs and that any downsizing of the rail workforce be achieved through attrition should be the source of so much humour on the Tory back-benches. I saw a handful of Conservative back-benchers get a bit of a laugh out of this suggestion. I take it that they—

Some Hon. Members: Oh, oh!

Mr. Blaikie: I have touched a nerve. I have obviously hit on something, the dogs are yelping.

The fact is that we in the House often hear Canada's productivity compared unfavorably with that of countries with an economic performance like that of Japan. Yet in countries like Japan, the kind of principle about which we are speaking here, the principle of job security, no lay-offs, of people having a sense that they are not infinitely dispensable and that they cannot at any moment be declared surplus by their employer, is what contributes to that productivity. It contributes to people having a sense of ownership and participation in the corporations for which they work. It is not something which should be the object of ridicule by Conservative back-benchers or, for that matter, by the Government.

I know that the Minister is more responsible than some of his colleagues. Perhaps he will take our suggestion more seriously. The fact remains that this is a concept for which the Conservatives voted in 1973 at the time of the last national rail strike. I do not see why it should be such a joke to some of them except perhaps to some of the newcomers over there who were not here in 1973. I do not see why it should be the object of such humour on the part of the Conservative back-benchers.

Mr. Cadieux: Madam Chairman, I personally take this particular subject and the entire legislation very seriously, particularly because of the public interest which is being jeopardized by the stoppage of this very important transportation system. Nevertheless, I would like to indicate to my hon. colleagues who are specifically referring to job security that job security is one of the items that is in dispute right now. It is one of the items that will be referred to the arbitrator, as I indicated when dealing with the previous amendment. It is one of the items that has been put on the notice to bargain, so it is already covered.

Obviously the arbitrator will have to deal with this issue. I believe, and I think everyone will agree, that it is one of the two or three most important issues in the bargaining.

Mr. Orlikow: Madam Chairman, I would like to ask the Minister to clarify this clause in the printed Bill for me. I admit that I am not a lawyer and that I often find it difficult to understand the precise meaning of a legal clause. The clause states:

The Minister shall, after the coming into force of this part, appoint an arbitrator and refer to the arbitrator all matters relating to the amendment or revision of each collective agreement that, at the time of the appointment, are in dispute between a railway company and a union—

• (2400)

Does this mean all the matters discussed and agreed upon in the discussions held in recent days are accepted and the arbitrator deals only with those matters and those clauses in the agreement which were not agreed upon by the employer and employee? Or, are all the provisions and all the points of dispute now to be settled by the arbitrator?

Mr. Cadieux: As I have already indicated, Madam Chairman, there seems to be some confusion right now and perhaps some misinterpretation as to what exactly may have been agreed upon during the negotiations. As I indicated previously, all the issues are going to be subject to arbitration. I presume that if on one, two or three issues the parties do agree, they will indicate that to the arbitrator who will obviously take that into consideration.

Mr. Murphy: Madam Chairman, the amendment put forward by my colleague from Thunder Bay is essential. It was accepted by all three Parties in 1973. The reason for it was understood. Conservative Leaders such as Mr. Stanfield and Mr. Diefenbaker supported it. The reason it was supported by those distinguished gentlemen and all other Members of the House was because they recognized that job security, even at that time, was the essential issue of the dispute. Obviously we know from what has happened in the last week that that is the essence of the dispute today.

If in 1973 this House thought it important to give a specific instruction to an arbitrator to look at a specific proposal and examine its feasibility, which is all this amendment requires, then I do not believe there is any reason why we cannot now have a specific instruction to that effect to the arbitrator.

During second reading debate many of us said one of the major errors of this legislation is that there is almost nothing to give direction to the arbitrator. Despite what the Minister of Transport says, we are not trying to write the collective agreement in this House. We are not trying to cover each clause for each of the nine unions or each of the two companies. We are trying to make sure that the arbitrator has instructions from the House of Commons. This is a very important area. This does not mean he has to agree with the unions. It means he has to give this very close attention.

That was obviously reasonable in 1973 and it is certainly just as reasonable in 1987. It would speak well of the goodwill of the Government toward the affected employees who are being ordered back to work. At least their concerns will be specifically addressed by the arbitrator. Otherwise, the issue of job security can be treated as just one of many issues. Yet we in this House know from what has been said by management, the unions and some employees interviewed on the picket lines, that job security is the issue.

I think that right across this country, not only union members but ordinary people in communities everywhere, would feel that the workers are being better treated if they got that specific guarantee from the Government. The only way they know that will happen is if the House of Commons does as it did in 1973 and gives specific instructions to the arbitrator. We are not asking much. We are saying that if in 1973 it made sense to give specific instructions to the arbitrator, it should be done in 1987.

Mr. Ouellet: Madam Chairman, I was waiting to see whether the Minister would come to his senses and accept this amendment. Unfortunately he does not seem to be persuaded of the necessity. I regret that very much.

I want to support this amendment. As you know, I have an amendment which will be entertained, I suppose, a little later. It is a little bit different than the one proposed by my friend. My amendment goes a little further, so I am afraid that if the Minister does not want to accept this amendment, I do not know what he will do with mine. I guess he will not entertain it.

Job security is extremely important under the current deregulation environment. The Minister certainly should be receptive to our suggestions and realize that job security is probably paramount in the minds of the employees.

It is my understanding that the unions representing CN workers were demanding parity with CP workers with respect to the retirement age being set at 55. Early retirement is a key issue for the CN unions. The last union agreement, which expired December 31, 1986, protected workers with eight years' seniority from lay-off resulting from technological, operational or organizational change, but not for economic reasons. Unions want the protection to apply to all lay-offs and they want it to take effect after four years of service.

Earlier this week I asked the Minister why he was not ready to instruct his negotiating team to try and explore the possibilities of a job security plan that would be based on the one existing in the Ontario Northland Railway agreement. I think that is a precedent. That railway has a plan which is acceptable to the workers. Such a plan should be in the collective agreement of the other railways.

I repeat what the Hon. Member just said. We are not asking very much. We are simply asking that the arbitrator be told that this is an important subject and he should look at it. I wonder why the Government does not accept such an amendment. It seems so obvious.

Mr. MacLellan: Madam Chairman, I too would like to support this amendment. It is extremely important. As has been said by representatives of both the NDP and Liberals, we are not asking too much. We are merely asking for the recommendation.

I think one of the reasons I feel so strongly about it is that the situation facing the railroad workers is rather unique and

particularly serious. It deals with men and women who have been employed by the railroads for a considerable period of time. We are not talking about employees who have been employed only recently. In many cases they will be laid off after having worked for as long as 20 years for the railroads. There is an obligation to these people, particularly by Crown corporations.

• (0010)

To say that these workers can move on and bump someone else is ludicrous. These people have lived in the same community for 20 years and could be asked to accept a job in a community which could be many miles away. Is it supposed to be acceptable to ask them to move and uproot their families when they have been good, steady workers? If this is not changed the injustices which we have seen at the Moncton shops will continue.

There is an obligation which must be recognized. The railroad workers consider this to be a primary item of great importance in these negotiations and I can understand why they would. I just wish the Government would understand why railroad workers consider this to be so vitally important. The time has come when this sort of thing should not be allowed to happen. I wish the Government would bring this issue to a conclusion, just for the railroad workers.

Mr. Riis: Madam Chairman, has the Minister had an opportunity to study the agreement, first mentioned in the House by the Hon. Member for Papineau, which the Ontario Northland Railway reached with its employees? Article 7(a) of that agreement provides that any employee with seven years seniority is guaranteed employment within the confines of that railway organization. An employee is not guaranteed a particular job for all time because, as we all recognize, technological change is altering the workplace. It is important, however, that Clause 7(a) guarantees that individual a job somewhere in that firm.

Imagine the morale in that organization. Imagine the confidence that corporation gives to its employees when it says that since they have served the company well for many years and it appreciates their service it will guarantee, if at all possible within the confines of the corporation, that they will have a job.

Sometimes that is not possible. Positions disappear and it may not be possible to find a particular person a job at a particular time. If that is the case, the provision allows for what is called "waiting status". The individual would wait until a job did come up within that company. With a combination of unemployment insurance and support from the corporation that individual would be guaranteed 80 per cent of his or her income during that waiting period.

Is the Minister aware of this? What is his view on this type of provision in the collective agreement in terms of building the morale and confidence of employees within a company? If he is aware of this, why would he be reluctant to give some guidance to the arbitrator in this case to consider whether something like this could be incorporated in this collective agreement?

Mr. Cadieux: Madam Chairman, I wish to confirm that I am aware of this collective agreement which was entered into by the parties through the process of collective bargaining without the intervention of any legislation and presumably through the tradeoffs that are included in negotiations, including compromises by the unions to allow workers to cross craft lines, as was suggested by my hon. colleague.

I believe that is an important subject. It is a subject which is causing dispute now between the parties. I have already indicated that all issues in dispute would be referred to the arbitrator. I have already given my assurance that all the other issues which have been listed by my hon. colleague were among those issues mentioned in the notice of a dispute, including the job security issue. I agree that it is probably one of the most important issues and it will be referred to the arbitrator.

I will personally indicate to the arbitrator that that particular issue is very important. I am sure the person who will be appointed as arbitrator will have enough sense to look at precedents, whether of ONR or VIA Rail settlements which have been reached through collective bargaining.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Amendment (Mr. Angus) negatived: Yeas, 10; Nays, 28.

Mr. Ouellet: Madam Chairman, I regret that the preceding amendment was not agreed to. I will try my luck with this one. I move:

> That Bill C-85 be amended at Clause 8 on page 4 by adding immediately after line 21 the following:
>
> "(a) An arbitrator appointed under subsection (1) shall closely examine the job security demands of the unions and fully explore the feasibility of a job security plan based on the one existing in the Ontario Northland Railway Agreement.
>
> (b) No award or decision of an arbitrator appointed under subsection (1) shall provide for any reduction in any wage rate or benefit in the existing collective agreement."

As has been said earlier, Madam Chairman, in Clause 16(3) of the 1973 back to work legislation certain directives were given to the arbitrator. One of the directives had to do with job security. Obviously things have evolved since 1973. Indeed, the Ontario Northland Railway has just concluded an agreement with its employees with relation to job security. I have a copy of the master agreement that was agreed to between the Ontario Northland Railway and the Ontario Northland Associated Railway Unions. In Clause 7(a) of the document there is a full explanation of this package that has been accepted by the railway. It is quite clear that the railway has

indicated that it was ready to give any employees with seven years seniority a guarantee of employment as long as the workers agreed to take another job at the railway.

• (0020)

As has just been explained by the House Leader of the New Democratic Party, should no work be found, then the employee is placed in waiting status until such time as a vacancy occurs within his or her classification. During this period the employee's unemployment insurance benefits or outside earnings are supplemented to a level equal to 80 per cent of his or her weekly base pay until such time as a job is found. Therefore, at least there is a job employment plan that is decent and fair and should be considered by the arbitrator in order to possibly arrive at a similar plan.

Furthermore, I indicated in my remarks at second reading debate that I was surprised that the Minister did not add any clause to guarantee that there would be no wage reductions. In 1973 there was a guarantee of no wage reductions. This time the Minister will appoint an arbitrator and there is no such guarantee in the legislation. The arbitrator might suddenly decide that the wage package in the current collective agreement is too rich and could, on his own, decide to reduce that wage package. The Minister might say that this is impossible and will never happen, but we never know.

It was a guarantee in 1973 that was agreed to by all Parties at the time, including the Conservative Party which voted to support that guarantee. I do not see why there will not be in this legislation the ironclad guarantee that the workers will not get a lower package than what they currently enjoy. Therefore, I submit this amendment to the good attention of the Minister.

Mr. Riis: Madam Chairman, I appreciate having the opportunity to make a point regarding this amendment put forward by the Hon. Member for Papineau. The amendment causes me some concern.

I think we all believe, as the Minister of Labour has indicated, that the principle of employment security is very important and was fundamental to the negotiations themselves. The breakdown of negotiations was a lack of agreement on that particular issue. The amendment by the Hon. Member for Papineau reads:

> An arbitrator appointed under subsection (1) shall closely examine the job security demands of the unions and fully explore the feasibility of a job security plan based on the one existing in the Ontario Northland Railway agreement.

I believe that is a little too specific. I am confident that the Hon. Minister is aware of a number of appropriate agreements that ought to be examined.

With all due respect to my hon. friend, I think that to limit the guidelines for the arbitrator to this one agreement could cause some difficulties. I think we understand what those difficulties may be.

While the amendment may be appropriate in terms of the principle, I think that restricting ourselves to this one particular agreement would be limiting the arbitrator and, quite frankly, not in the best interests of a thorough examination of the opportunities surrounding the introduction of a program for employment security for the workers.

Mr. MacLellan: Madam Chairman, I appreciate the concern of the Hon. Member. However, the NDP resolution was just ruled out and I thought it was important to give this another try. The Government has not seen fit to bend yet and we are hoping that if we keep going it will finally see the light.

I also want to bring to the attention of the Minister the trend that is happening with respect to railroads today and the reduction of workers, particularly in the name of deregulation. The Minister knows that the railroads are asking for more concessions and more roll-backs. Where will it stop?

The Minister also knows that many of these people who are losing their jobs are being replaced by part-time employees, sometimes two part-time employees. It means that one full-time employee is replaced by two part-time employees who do not receive any benefits. That is not what we are trying to foster today in the interest of pension protection and planning for the future.

I ask the Minister to allow this motion. It is very important. It gives the arbitrator the message from Parliament that we want him to consider job protection very seriously. We want the railroads to stop this alarming trend and give more consideration to the workers and the future of these workers.

Mr. Cadieux: Madam Chairman, I tend to agree with my colleague, the House Leader of the New Democratic Party, with respect to this particular case in question.

In my answer to the previous amendment, I indicated that the arbitrator will look at all precedents and therefore go beyond this particular agreement. I am sure there are other agreements which will offer some indication of what has been done in other cases. Therefore, I think it would be a mistake to limit this particular arbitrator to that particular case.

For those reasons and others given on the previous amendment, we will not accept the amendment.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

• (0030)

Amendment, (Mr. Ouellet), negatived: yeas, 4; nays, 32.

The Assistant Deputy Chairman: Shall Clause 8 carry?

Some Hon. Members: On division.

Clause 8 agreed to.

The Assistant Deputy Chairman: Shall Clause 9 carry?

Some Hon. Members: Agreed.

Clause 9 agreed to.

The Assistant Deputy Chairman: Shall Clause 10 carry?

On Clause 10—*Parties may amend agreement.*

Mr. Murphy: Madam Chairman, I move:

That Bill C-85 be amended by:

Adding immediately after line 7 at page 5 the following:

(2) The terms and conditions of each collective agreement to which this part applies are amended forthwith by increasing each hourly basic rate of wages in effect on December 31, 1986, as established or pursuant to such agreement, by four per cent effective January 1, 1987.

Even though the legislation itself says that the arbitrator will be given 60 days to finish his or her work, it is interesting that the Government in another amendment went on to say that perhaps this agreement may have to be in place for three years instead of two years, mainly because it would take the arbitrator a long time to finish his or her work. So the Government in its own thinking, in proposing that the arbitrator can make this a three-year collective agreement rather than a two-year collective agreement, is saying the arbitration process could drag on for well over one more year.

We do not believe it is fair to have the employees penalized by not having any increase in salary in that time period. We deliberately restricted the salary increase for the first year of the collective agreement, allowing the arbitrator to look at the second and possibly the third year of that collective agreement. In that this process, by its very nature, will be long and drawn out, we believe that the workers involved should be guaranteed at least a pay increase for this year which is close, not meeting, but close to the actual increase in the cost of living. We believe that again would be a clause which would help to make for better peace and good relations in the railway industry.

Mr. Angus: Madam Chairman, I just want to add to the comments of my colleague, the Hon. Member for Churchill, by quoting from the 1973 Act where this type of component was placed into the Bill. Section 5(1) reads:

The terms and conditions of each collective agreement to which this Part applies are amended forthwith by increasing each hourly basic rate of wages in effect on December 31, 1972, as established by or pursuant to such agreement, by thirty-four cents per hour effective January 1, 1973 and by increasing each hourly basic rate of wages in effect on December 31, 1973, as established by or pursuant to such agreement and pursuant to this Part, by six and one-half per cent effective January 1, 1974 and by increasing each hourly basic rate of wages in effect on June 30, 1974, as established by or pursuant to such agreement and pursuant to this Part, by one and one-half per cent effective July 1, 1974.

Clearly, a precedent was established in this House, I take it, supported by the Conservative Party of the day.

I believe that in fairness to the workers who have been negotiating for many, many months, and who are waiting for reimbursement for their labours over and above what they were receiving at the end of 1986, it is our duty to include an amount in this Bill which is reasonable. Certainly 4 per cent is less than inflation, and it is only for the one year. It still leaves the arbitrator the flexibility to deal with the second and third years, to provide whatever amount he or she deems appropriate. I think it is a way to perhaps soften the blow a bit, to let them know that even though we are sending them back to work without a collective agreement that has been negotiated, there will be an income settlement to ensure that within a month or two they will be receiving backtime cheques as opposed to sometime in 1988 or later.

Mr. Blaikie: Madam Chairman, I too would like to speak in favour of the amendment for many of the reasons which have been articulated by my colleagues. I invite Members opposite, if it turns out to be the case that the Government cannot support this amendment, to rise to their feet and tell us why.

The principle they supported in 1973, was that people who are being legislated back to work should not be legislated back to work without any increase whatsoever, that some demonstration of goodwill is appropriate. I invite Members on the Government side to rise and tell us what is different about 1987 as opposed to 1973? Why did the Conservative Party support such a gesture in 1973 but is silent with respect to it now?

I hope the Government will accept the amendment, but I have a hunch they will not. Does their silence mean they find the Government's position on this indefensible? Or are they willing to rise and tell us why it is they are willing to tell railworkers that they must continue to receive the income they have now with no guarantee that the arbitration process, which is being set up, will result in any immediate increase in their income? I wonder if anyone would be willing to take up that challenge? Or is the silence to continue?

Mr. Ouellet: I would like to indicate that indeed the amendment which is now proposed is in the same vein and nature as the one I proposed earlier, that is, the up front $500 lump sum payment as a genuine gesture towards the employees. The Government has to understand what it is doing. I hope some of the Members here in the House on the Government side, who are basically here to make up the necessary numbers when we have a vote, but not to really take part in the discussions and studies of the Bill, will realize that indeed what the Government is doing is forcing the employees to go back to work, imposing on them a collective agreement that has not be negotiated.

The Minister is appointing an arbitrator who will decide for the next two, or three years, the wages that the employees will earn and the conditions of work the employees will have to accept, and the decision of the arbitrator is binding. Therefore, the employees have no choice but to accept the law. I think it is in the spirit of goodwill that this amendment is presented to give a minimum 4 per cent. Let me remind my friends that in 1973 the following wage increases were accepted in the Act. For the railway non-operating employees it was 34 cents per

hour effective January 1, 1973, followed by a 6.5 per cent increase effective January 1, 1974, and a 1.5 per cent increase effective July 1, 1974. For the railway shop-craft employees and the railway operating employees there was an 8.25 per cent increase effective January 1, 1973, a 6.5 per cent increase effective January 1, 1974, and a 1.5 per cent increase effective July 1, 1974.

• (0040)

All of these wage increases were in the legislation. The employees knew in advance that they would receive those increases. I remind the Government that at that time the Opposition, the Conservative Opposition, voted for this package. Members of the Conservative Party thought that it was important and necessary to put it into the legislation. Although the employees were being ordered to go back to work they were at least being given something. The current legislation is totally silent in this respect. I think that is a mistake.

We know that on the wage package the unions' requests are way above what management is ready to offer. While the demands of the unions are much higher, I have to say that those demands have decreased as the negotiations have gone on. Unfortunately, the railways' offer has not increased.

Originally, the unions were asking 5 per cent. In the course of the negotiations, in the heat of discussion I might say, they indicated that they would accept a 4 per cent increase over the next two years. Management has been offering a 1.5 per cent increase in 1988, plus a $500 lump sum payment in 1987. In fact, at one time management was even asking for wage rollbacks.

We can see that there is a legitimate fear on the part of the workers that they might not even get a wage package that corresponds to the increase in the cost of living. I think this amendment, if accepted, would go a long way in bringing the employer back to work with some sense of satisfaction and security. I urge the Minister to accept such an amendment, although he has refused my original proposal of an immediate $500 lump sum payment upon the return of the workers to work.

Mr. Cadieux: Madam Chairman, obviously, it would have been a great deal simpler for everyone if the parties had not abdicated their responsibilities and had come to an agreement at the negotiating table. However, in the current dispute the conciliation commissioner remarked on the inter-relationship of a number of the issues and on the pattern already set by the settlements in the ONR and VIA Rail agreement. In order to permit, as I have indicated, the maximum flexibility for the arbitrator who will be appointed to the railway disputes, the Government has left the matter of wages to be determined as part of his consideration of all the issues to be resolved.

Mr. Ouellet: Madam Chairman, I take exception to the remarks of the Minister. I do not think that the union representatives have abdicated their responsibility. I am told, and I have checked this, that they have negotiated in good faith from the very beginning.

One thing that has been looked at and, of course, realized, is that the employers from the very beginning have been under the impression that they could hold firm and that the Government would come to their rescue by forcing the employees to go back to work.

Since the Conservative Government has been in office we have never seen CN management act so rude, so brutal and so difficult with its employees. Never in the history of CN have we witnessed such worsening of labour relations. All of this is due to a change of attitude on the part of the Government dealing with its Crown corporations. The Government is squeezing the lemon all the time.

Mrs. Sparrow: You are laughing!

Mr. Ouellet: I am not laughing. There are a great many employees of CN who have lost their jobs since the Conservatives took office. The attitude of the Conservative Government is to destroy Crown corporations.

Mr. McDermid: Tell us what you did with the Post Office when you were in charge of it. Tell us how well you did.

Mr. Ouellet: I understand that the Hon. Member should be somewhat sad today. He should go to bed and relax.

Mr. Côté (Lac-Saint-Jean): You should go to bed.

Mr. Ouellet: I am saying that the Conservative Government has been terrible with respect to Crown corporations—

Mr. McDermid: Why should I be in bed?

Mr. Ouellet: I will tell you that, my friend. If you do not realize it, I will tell you.

Mr. McDermid: I saw the next poll. We are happy and you should be worried.

The Assistant Deputy Chairman: Order, please. I know that it is getting late and people are getting tired. It would be helpful if Hon. Members would avoid having conversations between themselves and if we could get back to the amendment which is before the House.

Mr. Ouellet: Through you, Madam Chairman, I have been speaking to the Minister in a very gentlemanly fashion. Since there are a few phoney boys who just appeared in the back row of the Conservative benches—

The Assistant Deputy Chairman: Order, please. The Chair is very well aware of what has been said in the House. The Chair would appreciate all Hon. Members getting back to what is being discussed right now.

Some Hon. Members: Hear, hear!

Mr. Murphy: Madam Chairman, I rise on a point of order. I would like to be fair to the Liberal Member who has just been speaking. We have a number of people in the House who, obviously, are here strictly for votes and who are not participating in the debate. I think that for their own sake if they heckle less they may well go home earlier and sleep there.

The Assistant Deputy Chairman: The Chair offers her gratitude to the Hon. Member for Churchill whose intervention was not a point of order. May we now please get back to the amendment being debated.

[*Translation*]

Mr. Ouellet: Madam Speaker, thank you for giving me the floor again. I can assure you that if Conservative Members without the slightest interest in this legislation or in job security for railway employees would keep quiet, we could adopt this Bill a lot faster.

I want to repeat for the benefit of the Minister of Labour that the wage issue is an important factor. This is especially true if you consider two collective agreemeents, one with VIA Rail employees which provided 3 per cent the first year and 3 per cent the second year, and the collective agreement with Ontario Northland Railways which also provided for a wage increase of 3 per cent the first year and 3 per cent the second year.

Now I don't think we can compare the situation at VIA Rail and Ontario Northland Railways with Canadian National and Canadian Pacific.

Although 3 per cent was acceptable in the case of VIA Rail because of the financial difficulties of that company, the same cannot be said today of Canadian National and Canadian Pacific.

I may remind the Minister that the 3 per cent that were approved for Ontario Northland Railways employees were only one aspect of a very generous package, since in addition to the three per cent, that is 3 per cent the first year and 3 per cent the second year, there was this new job security plan we have been talking about for nearly one hour, a plan that was approved by Ontario Northland Railways for its employees, and it is the kind of plan that CN and CP employees want as well.

Consequently, if we cannot make any progress on job security, these employees should at least receive some concessions with respect to salary levels.

In his report, Conciliation Commissioner Douglas Stanley was not very generous on the item of job security. He rejected the employees' demands, unfortunately, and said on page 35 of his report:

• (0050)

[*English*]

> I recommend that the parties agree either immediately to trade-off reductions in the years service to achieve job security for some or all of the companies demands for greater flexibility, or that they agree to a process whereby this could be achieved on an individual bargaining unit basis during the closed period in a staged process.

[*Translation*]

So on the most important item, which was about job security, Mr. Stanley was less than generous. As for the second most important item, and I am referring to wage demands, I hope that the arbitrator to be appointed by the Minister will at least be more sensitive, more aware of these important demands and that he will act accordingly.

However, to be sure that is the case, if the Minister could include in the Bill that at least for the first year, the increase would be four per cent, at least part of the battle will be won.

[*English*]

Mr. Orlikow: I rise in support of this amendment. I wish to remind the Minister and Members on the government side of what the CNR wishes to do to its workers. On the one hand, it makes it clear that what it would like to do as quickly as possible is to reduce its workforce by 25 per cent in a very few years. On the other hand, it says to those who will be lucky enough to stay on that it does not want them to accept a wage increase of 1 per cent, or whatever increase is finally dragged out of it kicking and screaming, but it wants them to take a cut in wages. There is an increase in the cost of living of approximately 4 per cent, which means that the real value of the wages and salaries of the employees have been reduced by that amount. In addition, the company wants to impose a further reduction in wages on the employee.

I ask Members of the House if the management of CNR, after these failed negotiations, and after the arbitrator looks into the matter and makes a finding, can expect to have a happy, co-operative workforce?

I saw back-benchers of the Conservative Party laughing when my colleague, the Hon. Member for Winnipeg—Birds Hill, talked about the workers in Japan. Until a year ago when the situation changed dramatically, for reasons that we do not have time to discuss, the workers in Japan were involved in a highly productive society. In comparison with workers in North America, both here and in the United States, among the large employers in Japan, comparable to CP and CN, when a worker got a job at that company in Japan he or she had a job for his or her entire working life. If the company wanted to bring in new machines, computers, or automation, of course the workers did not worry because they knew that they had a job for life. The worker would co-operate and was willing to accept any new techniques or new processes. In fact, the worker was probably suggesting new ways to do the job faster and more efficiently because they were part of a team in which both the employer and the employee benefited.

The Hon. Member for Papineau referred to the management of the CNR as being rude to its employees. I was not there, so I do not know if they were rude to their employees,

but they certainly have displayed an aggressiveness, a toughness, and a "we don't care about you" attitude which is certainly new in the entire history of the CNR.

I would ask the Government to give some serious and favourable consideration to this amendment proposed by my colleague. If we put that amendment into this Bill which we are passing, it would say to the workers of the two railways that the Government and Parliament cares about them. It understands the difficulties through which they are living. It is sympathetic and wants them to do as well as can be done. Therefore, it says in the legislation that it is ordering them back to work because the country cannot live with an extended work stoppage, but in ordering them back to work it is guaranteeing a wage increase which will as least meet part of the increase in the cost of living which they, and everybody else in Canada, have to live through.

I would urge the Government to give some serious consideration to making this type of relatively generous response to what I think is a very reasonable amendment.

Mr. Blaikie: I have recently taken the opportunity to review some of *Hansard* during the last time that Parliament was faced with a similar situation, making a comparison to the arguments being offered by the Conservative Government today about the inappropriateness of the NDP's suggestions that the arbitrator be given instructions, and that some income protection be built into the back to work legislation. I would like to refer, if I might, to the remarks of the Hon. Mr. Stanfield, Leader of the Conservative Party, when he spoke in the House on August 31, 1973. At page 6109 of *Hansard* we find:

> On the matter of wages, we are not negotiating an agreement but, rather, back to work terms as the Hon. Member for St. John's East emphasized yesterday. He expressed the principle that governs the amendments we will propose. That principle involves building into the Bill a protection to ensure that any settlement adequately takes into account increases in the cost of living as they can be more realistically projected since the time the Members of the Conciliation Board drafted their reports earlier this year. In imposing a settlement, this parliament can do nothing less than provide that kind of insurance.

• (0100)

Those words are from the former Leader of the Conservative Party, Madam Chairman. I do not know why the passage of 14 years should obliterate matters of principle in the minds of Progressive Conservatives unless there are no principles there to obliterate in the first place. Mr. Stanfield went on to say:

> —Parliament cannot simply pass the buck to the parties in the dispute, or to a mediator or arbitrator, without some clear expression and direction of the matters for which Parliament is responsible—

As reported on page 6110 of *Hansard* he went on to say:

> I emphasize that such action could in no way be construed as taking sides or attempting to make a final settlement judgment here in parliament. This would simply be Parliament, in this case, accepting its responsibility in regard to the extraordinary cost of living situation which now prevails in the country.

Mr. Stanfield was arguing that Parliament has certain responsibilities which have to be lived up to. He went on to say in wrapping up, just before the then Hon. Member for Winnipeg North Centre spoke:

> We feel these proposals would have a salutary effect on the employees concerned. Surely this is a very important consideration both in ensuring an orderly return to work and setting the stage for ongoing negotiations. We believe that Parliament would be doing no more than it should, in line with its limited role at this time, in supporting our amendments. We also believe that in doing so it will be doing what it indeed must do in the interests of justice in imposing a settlement at this time.

Those words were the words of the Leader of the Official Opposition at that time. I hope that this will at least put to rest, if not bring the Government on side, the notion which has been bandied about here on occasion today that what we are suggesting be done in the course of passing this back to work legislation is somehow inappropriate or irresponsible. This was done both in 1973 and in 1966 and which the Progressive Conservative Party supported on both occasions.

Mr. Redway: Madam Chairman, I was not a Member of Parliament in 1973 but I was a citizen of this country in 1973. I am aware that the conditions at that time with respect to the cost of living and inflation were very much different from what they are today. In fact, when Mr. Stanfield was making those remarks, he was making them in the context of runaway inflation. He was making those remarks preliminary to espousing a policy of introducing wage and price controls which he advocated in the election campaign of 1974, as you will recall, Madam Chairman.

At that time, the then Prime Minister of Canada, the Right Hon. Pierre Elliott Trudeau, had indicated that he was absolutely opposed to and ridiculed the concept of wage and price controls. However, immediately after the 1974 election he introduced the same concept in direct opposition and contrary to what he had said during the 1974 election campaign. All of that was in the context of runaway inflation, a very, very much different situation than what we face today.

Mr. Orlikow: Madam Chairman, the Hon. Member for York East is correct that we were dealing in 1973 with a very high rate of inflation. What the then Member from St. John's East moved as his amendment, supported by the then Leader of the Progressive Conservative Party, Mr. Stanfield, was that the increase, which was spelled out, had a relationship with the actual increase in the cost of living in that year. This amendment is proposing precisely that.

Mr. Murphy: The Stanfield amendment.

Mr. Orlikow: My colleague from Churchill called it the Stanfield amendment. This amendment proposes that we write into the legislation an increase and a percentage which has a very careful and clear relationship to the actual rate of inflation at the present time. The Hon. Member for York East should learn a lesson. The former Member for St. John's East resigned his seat. When the election was held, it was not a Progressive Conservative who was elected but an NDP Member. This was because of the kind of approach taken by the present Conservative Government.

Mr. Cadieux: Madam Chairman, I want to repeat what I already said before. The arbitrator who will be appointed will be looking at all the issues, including wages as well as precedents that have been quoted earlier this evening and perhaps later. I am sure the appropriate decisions will be taken at that time and the parties will make their representations.

The Assistant Deputy Chairman: Is it the pleasure of the House to adopt the amendment?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Amendment (Mr. Murphy) negatived.

The Assistant Deputy Chairman: Shall Clause 10 carry?

Some Hon. Members: Agreed

Clause 10 agreed to.

The Assistant Deputy Chairman: Shall Clause 11 carry?

On Clause 11—Offences

Mr. Murphy: Madam Chairman, I thank you for your enthusiastic recognition of me at this time of night. It is only ten after one and we have almost finished Part I. We only have Parts II, III and IV to go through. I understand the Government has a couple of amendments to make after that and then we will have third reading. We should not get too tired yet.

Concerning Clause 11, it is important to recognize that the Government is not treating people equally. If we take a look at subclause (2), we find:

> A railway company or union that contravenes any provision of this Part is guilty of an offence punishable on summary conviction and is liable, for each day or part of a day during which the offence continues, to a fine of not less than $20,000 or more than $100,000.

That may seem equal to some people. But when you take a look at who the people involved are, you see CN, a multibillion dollar operation, and CP in the same type of a situation. Some of the unions involved in the railways have a thousand members who would be facing a fine in the same amount as CP and CN would receive. It would be the same amount as the fine CN would receive. In every other case in which we have passed legislation, we have recognized that the size of the fine should have some relationship to the ability to pay. I think it is unfortunate that the Government did not recognize these variations.

• (0110)

In speaking against this clause, I hope that the Government will recognize that it is inequitable. I recognize that it is not willing to change this at the present time, but I would hope that in future labour legislation, we ensure that fines are equivalent to sizes of organizations being fined so that we do not impose a very heavy fine on small groups and a fine on CP and CN that would be completely insignificant.

Mr. Ouellet: Mr. Chairman, the 1973 legislation contained no penalty whatsoever. This Bill includes stiff penalties for non-compliance and is very different from the one introduced in 1973. As I indicated in my remarks at second reading, I do not see the necessity of such stiff penalties and I regret that they are there. I will not introduce an amendment, but I will certainly vote against this clause. I hope that the clause will not carry.

The Acting Chairman (Mr. Kempling): Shall Clause 11 carry?

Some Hon. Members: Agreed.

Clause 11 agreed to.

On Clause 12—*Definitions*

Mr. Cadieux: Mr. Chairman, as I had indicated when I originally presented amendments at the beginning of this interesting discussion, I proposed to put all the amendments at that time but it was suggested that we do them as we come to each clause. I appreciate the goodwill of my colleagues who are permitting me to move this amendment which is in the interests of the legislation and obviously everyone concerned. I move:

> That Clause 12 of Bill C-85 be amended by striking out lines 4 and 5 on page 6 and substituting the following:
>
> "railway company who is bound by a collective agree—"

Amendment (Mr. Cadieux) agreed to.

The Acting Chairman (Mr. Kempling): Shall Clause 12, as amended, carry?

Some Hon. Members: Agreed.

Clause 12, as amended, agreed to.

On Clause 13—*Resumption of railway operations*

Mr. Angus: Mr. Chairman, I move:

> That Bill C-85 be amended at line 26, page 6, Section 13(b), following the words "every employee shall", delete the words "when so required".

There are four clauses which are almost identical and we will repeat the pattern throughout the Bill without going into debate on most of the items.

Amendment (Mr. Angus) negatived on division.

The Acting Chairman (Mr. Kempling): Shall Clause 13 carry?

Some Hon. Members: Agreed.

Clause 13 agreed to.

Clause 14 agreed to.

On Clause 15—*Extension of collective agreements*

Mr. Murphy: Mr. Chairman, I move:

That Clause 15 of Bill C-85 be amended by striking out line 25 at page 7 and substituting the following:

"December 31, 1988 and, with the consent of the parties thereto, may be further".

This is an amendment which was accepted by the Government and it prevents the arbitrator from imposing a three-year collective agreement without the consent of both parties.

Amendment (Mr. Murphy) agreed to.

Mr. Angus: Mr. Chairman, I move:

That Bill C-85 be amended by:

At line 45, page 7, Section 15(2) following the words "the agreement and each of", deleting the words "its employees who is" and substituting therefor the words "the unions which are".

The intention of the motion is to put into the Bill the kind of relationship that exists between an employer and the representatives of employees; *i.e.*, the union. As the Act is currently worded, it talks about a relationship between an individual employee and the company which does not in fact exist.

[*Translation*]

Mr. Cadieux: Mr. Chairman, the introductory part of Subsection 15(2) makes the agreement binding upon the parties. Paragraph (b) specifies, and the terms used repeat the wording of Section 154 of the Canada Labour Code, that the agreement is binding on every employee. For the benefit of all Hon. Member I will quote Section 154:

A collective agreement entered into between a bargaining agent and an employer in respect of a bargaining unit is, subject to and for the purposes of this Part, binding upon

(a) the bargaining agent;

(b) every employee in the bargaining unit; and

(c) the employer.

Mr. Speaker, we will therefore vote against the amendment.

• (0120)

[*English*]

Amendment (Mr. Angus) negatived on division.

Clause 15, as amended, agreed to.

Clause 16 agreed to.

On Clause 17—

Mr. Angus: Mr. Chairman, I move:

That Bill C-85 be amended at line 17, page 8, after the words "each collective agreement that", deleting the rest of Clause 17(1) and substituting for it the following:

"either party may say are at dispute. The matters referred to the arbitrator shall include, but not be limited to the following:

1. Wages
2. Starting Rate for New Employees
3. Dental Plan for New Employees
4. Extended Health Vision Care for New Employees
5. Shift Differentials
6. Medicare Allowance
7. Job Security Benefits
8. Employment Security
9. Contracting Out
10. Incidental Work Rule
11. Yard Switching Limits
12. Coupling/uncoupling Hoses
13. Disability Pensions
14. Dental Plan
15. Extended Health Care
16. Vacation

The reasons are the same as given before.

Amendment (Mr. Angus) negatived on division.

Mr. Blaikie: Mr. Chairman, I move:

That Bill C-85 be amended at line 22, page 8, by adding the following clause:

"17(2) The arbitrator shall closely examine the job security demands of the union and fully explore the feasibility of a job security plan based on the principles of attrition."

Amendment (Mr. Blaikie) negatived on division.

Mr. Ouellet: Mr. Chairman, I move:

That Bill C-85 be amended at Clause 17, page 8, by adding thereto immediately after line 31 the following:

"no award or decision of an arbitrator appointed under Subsection (1) shall provide for any reduction in any wage rate or benefit in the existing collective agreement."

Amendment (Mr. Ouellet) negatived on division.

Clause 17 agreed to.

Clause 18 agreed to.

On Clause 19—

Mr. Angus: Mr. Chairman, I move:

That Bill C-85 be amended in Clause 19 by adding immediately after line 12 at page 9 the following:

"(2) The terms and conditions of each collective agreement to which this part applies are amended forthwith by increasing each hourly basic rate of wages in effect on December 31, 1986, as established or pursuant to such agreement, by 4 per cent effective January 1, 1987."

My reasons are the same as before.

Amendment (Mr. Angus) negatived on division.

Clause 19 agreed to.

Clause 20 agreed to.

On Clause 21—

Mr. Cadieux: Madam Chairman, I move:

That Clause 21 of Bill C-85 be amended by striking out lines 11 and 12 on page 10 and substituting the following:

"railway company who is bound by a collective agree—"

Mr. Crosbie: Let's strike out the Opposition.

Mr. Murphy: Madam Chairman, despite the provocation by the Minister of Transport we will support the amendment.

Amendment (Mr. Cadieux) agreed to.

Clause 21, as amended, agreed to.

On Clause 22—

Mr. Angus: Madam Chairman, I move:

That Bill C-85 be amended at line 29, page 10, Section 22(b), following the words "every employee shall", delete the words "when so required".

I just want to add one additional bit of information to the debate we had on the original amendment. It is my understanding that a large number of the craft employees have been laid off. They are very concerned about this mechanism being used as a bargaining lever by the companies to force them into an unacceptable agreement. I would once again like to appeal to the Minister to reconsider inclusion of this wording in the legislation to prevent that from occurring.

Mr. Blaikie: Some time has passed since we last debated this amendment. I wonder whether the Minister has had time to not only think about it but to check and is he now able to answer the question of whether or not this clause would permit, for example, the railway to only call a certain percentage of its workforce back on this coming Monday and call others back on Tuesday and others on Wednesday. Has he had an opportunity to think about that and can he say that this clause will not permit them to do that? If he is not able to say that, would he accept the amendment?

Mr. Cadieux: Question!

Amendment (Mr. Angus) negatived on division.

Clause 22 agreed to.

Clause 23 agreed to.

• (0130)

On Clause 24—*Extension of collective agreements*

Mr. Angus: Madam Chairperson, I move:

That Clause 24 of Bill C-85 be amended by striking out line 28 on page 11 and substituting the following:

"December 31, 1988 and, with the consent of the parties thereto, may be further"

That amendment is similar to that which was accepted by the Government on the first two sections of the Bill.

Amendment (Mr. Angus) agreed to.

The Assistant Deputy Chairman: Shall Clause 24, as amended carry?

Some Hon. members: Agreed.

Clause 24, as amended, agreed to.

Clause 25 agreed to.

On Clause 26—*Arbitration*

Mr. Blaikie: Madam Chairperson, I move:

That Bill C-85 be amended by: At line 20, page 12, after the words "each collective agreement that", deleting the rest of Section 26(1) and substituting for it the following:

"either party may say are at dispute. The matters referred to the arbitrator shall linclude, but not be limited to the following:

1. Wages
2. Starting Rate for New Employees
3. Dental Plan for New Employees
4. Extended Health Vision Care for the New Employees
5. Shift Differentials
6. Medicare Allowance
7. Job Security Benefits
8. Employment Security
9. Contracting Out
10. Incidental Work Rule
11. Yard Switching Limits
12. Coupling/uncoupling Hoses
13. Disability Pensions
14. Dental Plan
15. Extended Health Care
16. Vacation"

Amendment (Mr. Blaikie) negatived on division.

The Assistant Deputy Chairman: Shall Clause 26 carry?

Some Hon. Members: Agreed.

Clause 26 agreed to.

Clause 27 agreed to.

On Clause 28—*Parties may amend agreement*

Mr. Angus: Madam Chairman, I move:

That Bill C-85 be amended by adding immediately after line 16 at page 13 the following:

"(2) The terms and conditions of each collective agreement to which this part applies are amended forthwith by increasing each hourly basic rate of wages in effect on December 31, 1986, as established or pursuant to such agreement, by four per cent effective Januasry 1, 1987."

The same rationale, Madam Chairman.

Amendment (Mr. Angus) negatived on division.

The Assistant Deputy Chairman: Shall Clause 28 carry?

Some Hon. Members: Agreed.

Clause 28 agreed to.

Clause 29 agreed to.

On Clause 30—*Definitions*

Mr. Cadieux: Madam Chairperson, I move:

Maintenance of Railway Operations

That Clause 30 of Bill C-85 be amended by striking out lines 12 and 13 on page 14 and substituting the following:

"Railway company who is bound by a collective agree-"

Amendment agreed to.

The Assistant Deputy Chairman: Shall Clause 30, as amended, carry?

Some Hon. Members: Agreed.

Clause 30, as amended, agreed to.

On Clause 31—*Resumption of railway operations*

Mr. Angus: Madam Chairman, I move:

That Bill C-85 be amended by: At line 29, page 14, Section 31(b), following the words "every employee shall", delete the words "when so required".

Amendment (Mr. Angus) negatived on division.

The Assistant Deputy Chairman: Shall Clause 31 carry?

Some Hon. Members: Agreed.

Clause 31 agreed to.

Clause 32 agreed to.

On Clause 33—*Extension of collective agreement.*

Mr. Blaikie: Madam Chairman, I rise to move an amendment which I think will have the support of all Members of the House. I move:

That Clause 33 of Bill C-85 be amended by striking out line 35 on page 15 and substituting the following therefore:

"December 31, 1988 and, with the consent of the parties thereto, may be further"

Amendment (Mr. Blaikie) agreed to.

Mr. Angus: Madam Chairperson, I move:

That Bill C-85 be amended at line 6, page 16, Section 33(2) following the words "the Railway company and", deleting the words "each of its employees who is" and substituting therefore the words "the union which is".

The same explanation as before.

Amendment (Mr. Angus) negatived on division.

The Assistant Deputy Chairman: Shall Clause 33 carry?

Some Hon. Members: Agreed.

Clause 33 agreed to.

Clause 34 agreed to.

On Clause 35—*Arbitration*

Mr. Murphy: Madam Chairperson, we have another short amendment. I move:

That Bill C-85 be amended by: At Line 25, page 16, after the words "each collective agreement that", deleting the rest of Section 35(1) and substituting for it the following:

"either party may are at dispute. The matters referred to the arbitrator shall linclude, but not be limited to the following:

1. Wages
2. Starting Rate for New Employees
3. Dental Plan for New Employees
4. Extended Health Vision Care for the New Employees
5. Shift Differentials
6. Medicare Allowance
7. Job Security Benefits
8. Employment Security
9. Contracting Out
10. Incidental Work Rule
11. Yard Switching Limits
12. Coupling/uncoupling Hoses
13. Disability Pensions
14. Dental Plan
15. Extended Health Care
16. Vacation"

Amendment (Mr. Murphy) negatived on division.

Mr. Angus: Madam Chairperson, I move:

That Bill C-85 be amended by adding immediately after line 29 at page 16 the following:

"(2) The terms and conditions of each collective agreement to which this part applies are amended forthwith by increasing each hourly basic rate of wages in effect on December 31, 1986, as established or pursuant to such agreement by four per cent effective January 1, 1987.

The same rationale as before, Madam Chairperson.

Amendment (Mr. Angus) negatived on division.

• (0140)

Mr. Angus: Madam Chairman, I move:

That Bill C-85 be amended by:

At line 30, page 16, adding the following Section:

(35(2) The arbitrator shall closely examine the job security demands of the union and fully explore the feasibility of a job security plan based on the principles of attrition.

It is the same rationale as before.

The Assistant Deputy Chairman: Shall the amendment carry?

Some Hon. Members: Agreed.

Some Hon. Members: No.

Amendment (Mr. Angus) negatived.

Clause 35 agreed to.

Clauses 36 and 37 agreed to.

The Assistant Deputy Chairman: Shall Clause 38 carry?

Some Hon. Members: On division.

Clause 38 agreed to.

Clause 39 agreed to.

Schedules 1 to 4 inclusive agreed to.

Clause 1 agreed to.

Title agreed to.

Bill reported.

The Acting Speaker (Mrs. Champagne): When shall the Bill be read the third time? Pursuant to order made earlier this day, now?

Some Hon. Members: Agreed.

Mr. Cadieux moved that Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees, be read the third time and passed.

Hon. André Ouellet (Papineau): Madam Speaker, during my closing remarks on this legislation, I want to say that it is sad when Parliament must deal with back to work legislation. Certainly, the ideal situation would have been for the parties to negotiate a collective agreement. Unfortunately, it seems that it was impossible to arrive at a negotiated settlement.

The companies believe they must go through massive reductions in their operating costs and therefore are not in a mood to give generous wage settlements to their employees. Therefore, the bargaining process was jeopardized from the beginning because of this situation. Clearly, while under normal circumstances a collective agreement could have been reached, it was impossible to do so this time.

I must say that for a number of years collective agreements have been reached easily in the rail industry. In fact, the last time that back to work legislation was introduced was in 1973. There have been good labour relations in the railway industry for 15 years. It is sad to see that the situation has changed.

In discussions with union representatives, I have been told that there has been a very drastic change of attitude on the part of management in recent years. This is regrettable and I hope that it is a trend that will not continue.

Clearly, year after year in Canada a number of people working for Canadian National, Canadian Pacific and other railways have been able to earn a good living. The railways have been a very important factor in the development of our economy and an important source of good reliable employment. Therefore, it is sad that after so many years of good relations, many employees who have been working for 20 to 30 years with the company are now seeing a drastic change of attitude on the part of their employers in terms of their treatment and consideration and friendship. The new attitude is one of confrontation or indifference.

I believe it is very important for the arbitrator who is to be appointed by the Minister to realize the difficulties that now exist in terms of labour relations in the railway industry and to try to correct the situation.

I am not very optimistic about the future of the railway industry in Canada, in the deregulation environment. Despite this, I hope that at least in the beginning of this new deregulated environment the arbitrator will see fit to give employees a chance and provide them with a good collective agreement. Fundamentally, it will be on his shoulders to draft the entire collective agreement because the two parties have not agreed to anything so far. It will be a difficult task for the arbitrator and I hope the Minister is fortunate enough to find an able person to assume this responsibility. I wish him luck and hope that this collective agreement will be well received by both parties and, above all, while being an imposed settlement, will be perceived by both parties as a fair settlement.

Mr. Rod Murphy (Churchill): Madam Speaker, my speech will not be as long as the one I gave at second reading, but I want to indicate that we are still in opposition to this legislation. During second reading we explained that we understood the need to have the railways running in this land.

• (0150)

Many of us are from western Canada, and that is the area of the country which is most affected by a rail strike in proportion to its population. However, we do believe that this legislation, as it was presented to Parliament, and even after the amendments made in the last number of hours in Committee of the Whole, is still flawed legislation. We are glad the Government agreed to and helped to draft an amendment which means that the arbitrator will not be able to act independently to impose a three-year collective agreement on the parties which for over a year were trying to negotiate a two-year collective agreement. I believe we did make some wording improvements in that area.

However, in many of the other areas about which we expressed concern at second reading, this legislation has not been improved. My colleague the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie), quoted from the Hon. Robert Stanfield in 1973 with respect to the purpose of Parliament and its role when we introduce back to work legislation and how it is important for us to go beyond the structural step of ordering people back to work. We must also consider the times and realize there should be reasonable guidelines for the arbitrator.

This legislation refuses to deal in any way, shape or form with the responsibility which Parliament should have undertaken. As a result, workers and the companies have absolutely no idea of how the arbitrator is going to work. As I expressed at second reading, we cannot put blind faith in an arbitrator. I mentioned my own personal experience as a negotiator for teachers in Manitoba. We had an arbitrator who ruled against something both the school board and the teachers had agreed to. It seemed, in his mind, to be the right thing to do. The two parties to the agreement could not sign the final package

because of some other differences. They both expressed their acceptance of the salary package. Yet the arbitrator decided to act differently. We, by passing this legislation at this moment are making that same mistake.

We know there are certain things which must be studied by the arbitrator, especially in the whole area of job security. We tried to get the Government to accept the same amendments the House of Commons accepted in 1973. The amendments passed into law in 1973 were accepted by John Diefenbaker and by Robert Stanfield, supported by the former Member for St. John's East, the Lieutenant Governor of that province at the present time. However, for some reason this new Conservative Government will not accept the same caring philosophy expressed by the Conservatives of 1973.

The Government recognizes that arbitration can be a very long process because it has pushed for the possibility of a three-year collective agreement solely on the basis that the arbitration process may take a very long time. To compensate for something all parties recognize, we said there should be some salary adjustment which should take place for the first year of the collective agreement. Let the two parties work on the second and possibly the third year of the collective agreement. If they cannot resolve that, the arbitrator will deal with it. However, for the first year there should be some recognition for the workers who are obviously trying to make a living. With the price of goods going up across the land and with taxes going up at both the provincial and federal levels, those people have extra expenses. Those expenses are occurring now. If it takes a year or a year and a half for the collective agreement to be settled by the arbitrator, those people will be out of money for a very long time indeed. So we tried to move in that area in the last few hours.

We quoted Mr. Stanfield again, and the Conservatives, who in 1973 were in favour of recognizing a cost of living increase for the workers, would not do so now. I should point out that in 1973, the Conservatives not only supported the Liberal back to work legislation, which gave a salary increase, but the Conservatives moved an amendment to increase the salary. Not only did they accept the cost of living clause put in the legislation by the Government, but the Conservatives, supported by their leader, moved an amendment to increase the salary above and beyond what the government of the day wanted to give to the workers.

The New Democrats of that day supported that motion and the motion carried. So we had a motion by the Conservatives in opposition, supported by the New Democrats in opposition, and the motion carried. I find it more than passing strange that this new Conservative Government will not do the courageous thing they were willing to do in 1973. I heard one of the Conservatives say it was a minority government. Even if it was a minority government, what the Conservatives believed then, they should believe now. It is the same principle. The workers and their families will face extra expenses as taxes go up, as the price of food goes up and as other costs go up, and if the Conservative Party in 1973 thought we should recognize that in the legislation, the same principle should apply today.

We are also concerned that we do not know who the arbitrator is. We wish the Minister had taken advantage of the advice we gave him earlier today. We wish he had used the time he had to sit down and talk with both parties. He has now assured us he will at least consult with both parties before he appoints an arbitrator. I hope he does that in such a way that we do get someone who is not only acceptable to both parties but who does have a knowledge of the railway industry.

The clause that may be the sleeper in this legislation, the clause that may give us the most concern, is the clause which says that employees "when required" must return to work. It was one of the first clauses we debated earlier this evening. It created a very excited debate as people realized all of a sudden that again we were doing something different than was done in 1973. The 1973 legislation said that those workers who were on strike had to come back to work, those employers had to bring those people back to work. This legislation creates a new scenario. It creates a new loophole for those corporations which are admittedly trying to reduce their workforce. They have a new weapon now, a weapon given to them as a direct result of this legislation.

We challenged the Minister in the House of Commons in a clause by clause study that if the people in the Transcona shop are not called back, if the people in Kamloops, Thunder Bay, and Yorkton are not called back, and if CN or CP uses this clause as their reason for not calling those people back, the Minister's credibility is certainly in jeopardy. This is a new weapon which the Government is giving to CN and CP. Previous back to work legislation tried to re-establish the status quo, to treat both employees and employers in an equal manner, to get them back to work to provide service to the public. The exception that the Minister made tonight is a dangerous one. I believe that in the case of CN and CP, which companies are trying to reduce their workforces, and which companies have used every method they could possibly use to do so, if the collective agreement says it cannot lay off 50 people without giving a long notice, then they will lay off 49 people, and then another 49 *x* number of months later, followed by another 49 *x* number of months after that. That is the existing practice in the rail industry.

• (0200)

We have now given those two companies another weapon. I predict that in some circumstances they will be tempted to use it. It will be our position as members of the Opposition, and I hope that government Members will also be keeping an eye on CN and CP, that if we hear about people who are not brought back a week or two weeks from now when the work has obviously reached the level it was prior to the strike, we will go to the Minister and get this legislation changed.

Mr. Bill Blaikie (Winnipeg—Birds Hill): Madam Speaker, I do not intend to abuse for very long the patience of those who are still here.

I make one last try with the Minister in regard to the question of the language of people returning to work when so required. The Minister cited an example of previous legislation in which that language was used. He said that he had no problems with it. However, I wonder if the Minister has reflected upon the fact that the legislation to which he referred when he was making his defence of the language was legislation that applied to people who would be returning to work through the auspices of a hiring hall and not in the way that people on the railroad will be returning to work. I ask the Minister to think about that point. The words "when so required" may have been adequate to the situation that existed when people were returning to work through a hiring hall, but it may not be adequate and may indeed create the type of new power about which the Hon. Member for Churchill (Mr. Murphy) has spoken. This new power could be given to the railways as a result of the wording in the Bill.

Finally, I want to say that people in my family have worked on the railway ever since 1912 when my grandfather first came to Canada.

There are many in my family who still work for the railway. I want to tell you, Madam Speaker, and I hope that Hon. Members will listen, that something terrible is happening to the railroads. Something terrible is happening to a way of life in this country. Something terrible is happening to the traditional relationship between labour and management and the way of life that was associated with working at the railroad. The Bill that we have before us will not help. It has the potential to make matters incredibly worse.

I say for those who may want to think about it years down the road, that unless something very, very serious is done to correct certain trends which are in place, we will have on our hands the sort of railway equivalent of the chaos that we have had at the Post Office for so many years. So much bad feeling is being built up as a result of new attitudes being taken by management that we will soon be at the point of no return. We will soon be at the point at which there will be no more trust on which to rebuild any kind of productive relationship between labour and management and employees in the companies.

I do not take any delight in that. I am simply saying that that is where we are. If the Minister had taken some of the amendments seriously, he would have had an opportunity to take decisive action to arrest that slippery slope that the railways are on at the moment. Unfortunately, we have not been able to arrest that slide here this evening because the Government simply has not been willing to listen.

Mr. Russell MacLellan (Cape Breton—The Sydneys): Madam Speaker, I too am rather concerned and disappointed that the Government has not agreed to some of the amendments that have been put forward this evening—excuse me while I get back to my seat, Madam Speaker.

The Acting Speaker (Mrs. Champagne): Obviously, at this time of the morning I hope the House will forgive the Chair for recognizing the Hon. Member even though he was not in his place. The Hon. Member for Cape Breton—The Sydneys (Mr. MacLellan).

Mr. Blaikie: Madam Speaker, I rise on a point of order. I recall the words of the Hon. Member who just found himself not in his own seat. He made a comment about another Hon. Member earlier in the evening with respect to the fact that it was past that Hon. Member's bedtime. It seems to me that it is certainly past this Hon. Member's bedtime.

Mrs. Sparrow: That is not a point of order!

Mr. MacLellan: Madam Speaker, I too would like to make a few comments. I am not going to continue too long despite the heckling of Members opposite. I hope that the Government, although it has not agreed to the amendments that have been suggested, will not forget the remarks that have been made here this evening. As was stated earlier by my colleague, the Hon. Member for Papineau (Mr. Ouellet), our Party supports the legislation because of the downside we see in delaying this whole question. We feel that the loss to the economy of the country by prolonging this rail strike would be extremely damaging. We do not see that continuing negotiations and prolonging the rail strike will in any way influence the Government on what we feel should be in this Bill that is not in it already.

There has been mention made tonight about concerns with respect to job security. I say to the Minister that we are disappointed that he has not seen fit to put in the Bill a recommendation that the arbitrator consider this question very, very seriously. Not only is job security not uniform among the various railroads in the country, it is not uniform among various areas of Canadian National within a certain region. I refer to the Atlantic region. The benefits should be there. They should have been there for everyone in the railroads. However, that is not the case. I hope the Government will correct that.

I also suggest that, with respect to Clause 4 and comparable clauses in the Bill, the words "when so required", which the Government did not agree to delete, would be taken into consideration. We in this Party will be watching very, very carefully to assure ourselves that those who were working for the railroads prior to the strike will be getting back to work in their jobs immediately after the strike terminates. If there is a breach of faith by the railroads in this regard then we definitely want the Government to step in.

I hope that something has been served as far as the Government listening to these matters is concerned. As my colleague, the Hon. Member for Papineau, has stated, this is not

something in which we take a great deal of delight. It is not a happy occasion to be passing back to work legislation. In this case we feel it is necessary but, as my colleague has said, we take no delight in doing so.

• (0210)

Mr. Angus: On behalf of all Members of the House, I wish to thank the staff for their work with us this evening to ensure that we could continue to operate. They have put in a long day, and hopefully in approximately two minutes we will all be able to go home.

The Acting Speaker (Mrs. Champagne): I have some difficulty recognizing the Hon. Minister right now, because he is deemed to have spoken when the motion was put to the House. Is there unanimous consent?

Some Hon. Members: Agreed.

Mr. Cadieux: I did not wish to speak originally because I thought that we had all said what we had to say. I notice by certain repetitions that we had done so. Nevertheless, I would like to add that it is never with great joy that as Minister of Labour I introduce in the House back to work legislation. Unfortunately, it is the second time that I have had to do this, and I do not find any joy in it.

I still believe that our collective bargaining system is probably one of the best in the world. To attest to this fact, and the fact that the parties usually use it to come to an agreement, last year out of 11,000 collective agreements that were reached and signed in Canada, 94 per cent were reached without one single day of strike or lock-out. Obviously, our system works very well. I am proud of the system that we have which falls under the Canada Labour Code. We are always there to provide the services of conciliation and mediation in order to assist the parties to achieve those agreements.

Unfortunately, in this instance it did not work. Because of the impact upon the public interest, and because of the stoppage of the most important transportation system in Canada, we indicated that we could not and would not tolerate such a work stoppage. We had to step in. It is never pleasant, but we had to do it. We did it, and hopefully we will not have to do it again.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it. I declare the motion carried on division.

Motion agreed to and Bill read the third time and passed.

[*Translation*]

The Acting Speaker (Mrs. Champagne): It being 2.14 a.m., pursuant to the Order concurred in earlier today, this House stands adjourned until 10 a.m. later today, pursuant to Standing Order 3(1).

The House adjourned at 2.14 a.m.

HOUSE OF COMMONS

Friday, August 28, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed from Wednesday, August 26, consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, An Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, my remarks will be brief. I think the debate on Bill C-22 is proceeding. We are now calling it for the fifth day. We are naturally anxious that this Bill, which will do quite a bit for investment in Canada and jobs, proceed and be sent back to the Senate. Hopefully our motion will be granted. Under those circumstances, Mr. Speaker, I move:

That the question be now put.

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

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I have just been caught by surprise. That is a debatable motion and I would like to address it, but not at any length.

I am happy to address the Hon. Member as the "Minister" now because yesterday he was elevated to that position. I want to offer him my congratulations, as well as those of all of us.

Mr. Murphy: That was his first mistake.

Mr. Gauthier: As the Hon. Member for Churchill (Mr. Murphy) has just reminded me, he has just made his first mistake. He is not usually the type who catches us by much surprise but sometimes he does these things and we do like to be given proper notice.

It is usually the procedure and the habit of the Government to give us fair notice of what is going to be debated in the House. We were told yesterday that we would be dealing with

Bill C-71 this morning. As a result, I asked people who understand Bill C-71 and who want to debate it to be here.

I understood also that the Government was going to call the debate on the amendments from the Senate on Bill C-22 which was to follow Bill C-71. I also expected the Minister, before Orders of the Day were called, by using Standing Order 57, to invoke closure, of which the Government had given notice through the Minister responsible for the Wheat Board two days ago. Therefore, I must admit that it was with some amazement at the Minister's sudden and, I would add, unexpected move, that I now rise to speak.

Two days ago I told the Minister that our leader, the Right Hon. Member for Vancouver Quadra (Mr. Turner), had spoken, and spoken very well I might add, on the issue making the position of the Liberal Party of Canada very clear. I had told the House that we believed Bill C-22 was a bad Bill, that we thought it should be amended in the interests of protecting the consumers of Canada, that the Government had caved in to the multinationals and that the Government was giving them what they had asked for in the free trade debate, namely, opened-ended access to the pharmaceutical market without any restrictions on patents. The Government has acceded to those requests from the Americans in the hope of getting a free trade deal. Two days ago I told the Minister, who was then Parliamentary Secretary, that after my Leader spoke we would not put up any additional speakers because we believed strongly that democracy must be given a chance to operate. There has been sufficient debate. We have made our points. The Senate sent back the Bill amended and we accept that as a parliamentary procedure very much in keeping with tradition. The Senate has that right. The Government accepted one of the Senate's amendments, I understand. Therefore, the process has worked.

• (1010)

I do not think it is a question of whether or not the Senate should be abolished because it is doing its work. I think it is a debate on whether or not we will satisfy multinational American companies and others who want us to give up our patent protection on pharmaceutical products. We said at the beginning of this emergency session on August 11 that, indeed, the Government was not calling us back for an immigration crisis, it was calling us back to satisfy its own agenda on the question of the free trade deal.

I was surprised to see how the Minister, on his first order before the House, changed the Order of the Day. The Hon. Member for Saint-Michel—Ahuntsic (Mrs. Killens) just handed me a copy of the *Projected Order of Business* for today. I admit it says at the bottom that the document is intended as a guide but, nevertheless, it contains instructions that were given by the Government to the Table. It does say as I mentioned at the beginning of my remarks that Bill C-71 would be the first consideration at 10 this morning.

Having said all that, I say that I will not prolong this debate. I know that the Government with its huge majority will have its way. I simply say to the Minister that I hope he shows a little more understanding and operates a little differently in the days and months to come. Consultations with us will bring on better relations between the Parties. Indeed, if we want to carry forth in the spirit of the McGrath reforms, I think it would be appropriate that when we do say something, we mean it. We should stick to our word and should not play games with Members of Parliament. Indeed, in that habit of openness and truthfulness, we will establish reasonably good and fair grounds for debate.

I do not know if anyone else from my Party will participate on this debate, but I am ready to vote on the question as soon as the debate is over.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, let me preface my brief remarks by saying how pleased we are that the new Minister of State has been given his new responsibilities as Deputy House Leader. We in the New Democratic Party look forward as we always do to working co-operatively with him and his colleagues to facilitate the business of the House of Commons.

Having said that, I must say that it is with a heavy heart that we begin a debate on the patent drug legislation. I find it disappointing that the first order of business the new Minister of State announced was a change of plans.

It is important, Mr. Speaker, and I know how committed you are to the effective workings of this House, that we do what we can to conduct the business of Canada as expeditiously and conscientiously as possible. To do that, we as responsible Members of Parliament must have some indication of what the business of the House will be. That indication then allows Hon. Members who are concerned about certain legislation an opportunity to prepare thoughtful remarks and add thoughtful comments to the debate. For us to act responsibly, we require some notice of what the business of the House will be. We cannot expect an Hon. Member to rise in his or her place to speak on legislation that he or she has just heard about seconds earlier.

As the Whip for the Official Opposition indicated, this morning's order of business indicated that the first order of business was to be Bill C-71. We were prepared to deal with that Bill. Our speakers were prepared to offer what I felt would have been thoughtful and constructive comments on that legislation. However, we now find that that will not necessarily be the case. I am not sure what the case is, but the first order the new Minister of State introduced is, in a sense, a form of closure.

The Minister indicated today that the Government will not tolerate any more amendments to this Bill. I do not know where he got any indication that there would be more amendments to this Bill. I think it is useful to note that this is simply part of a long train of events. At every stage of Bill C-22,

debate has been curtailed. I think this is rather unique in recent Canadian parliamentary history. The House of Commons has been muzzled. The Government has used its large majority in a rather jackbooted fashion and has said at every stage that it has had enough discussion on the Bill, it will curtail discussion through time allocation or one form of closure or another. It is not surprising that as we wrap up this discussion, once again the Government is telling us that it has had enough and it will begin cutting off any opportunity for debate. That is essentially what the new Minister of State said this morning.

This is distressing because we all want to get on with the business of governing Canada. We want to play our roles as government Members or as effective opposition Members. It is impossible to do that if we are not allowed to debate issues, if the Government uses its huge majority to muzzle Parliamentarians and say that it will not allow free speech or free and open debate on this or that issue.

If this is any indication of what we can expect from the new Minister of State in his role of assisting the business of the House of Commons, it will be a very, very dark fall for open parliamentary democracy in Canada. We are here to debate. We are here to work. We are here to discuss the issues of the day in a responsible, thoughtful and constructive way. To do that, there cannot be last-minute changes.

I suppose this tells us as opposition Members and, through us, the people of Canada, that the Government is out of control. It has no agenda. It does not know what it is trying to accomplish.

An Hon. Member: Get serious.

Mr. Riis: I hear people saying, "Get serious, Nelson". Fair enough. I beg the government House Leader and the new Minister of State to begin to lay out some kind of a strategy. I think we are far beyond the day when we have to come here at 10 a.m. or 11 a.m. to find out what we will do during the day. Surely to goodness a Government with such a vast majority can say, "This is our plan for the next few days, the next few weeks or the next few months". But no; day by day, hour by hour, we wonder what the Government is going to do. This sends a very clear signal that the Government does not know what it is going to do. It is directionless. It is leaderless. It has no idea what its parliamentary agenda is and, by definition, it has no idea of what its government agenda is.

On behalf of all Members of the House of Commons, and I mean as well government Members who offer constructive and useful comments during debate on various sides of an issue, I beg the government House Leader and the new Minister of State to try to work with Members of Parliament and to lay out a strategy that has a longer term than five minutes. The Government might then begin to give some indication that it is in charge of its own agenda and has an idea of where it is going.

• (1020)

I apologize for making these rather harsh comments so early the day after we sat so late. However, I am very worked up, and very disappointed with the new Minister. Normally we enjoy working with him. It is unfortunate that his first order of business is to curtail debate and muzzle Parliament. In a sense he is using the jackboot tactics we have seen at every stage of Bill C-22 and it is unfortunate that we are seeing it once again today.

Mr. Rod Murphy (Churchill): Mr. Speaker, I would like to echo and elaborate on the comments of my House Leader. I find this a very unusual procedure. The motion before us is that the question be now put. I do not have to explain the rules to you, but that prevents any amendments to the main motion with which we are dealing. The debate on that motion started last Friday. It was debated almost every day this week. There has not been one single amendment offered by a member of the Liberal Party or the NDP, or even by the Conservatives. Why move a motion saying there will be no more amendments?

We indicated as late as 2.15 a.m. to the new Minister of State that we were not going to be doing anything unusual or using any procedural tricks. We had no intention of making any amendments. The Liberals indicated the same thing. Therefore the motion is completely unnecessary. In fact, it seems to work against co-operation among the Parties.

I can tell you, as I have told the Government, we had about three more Members who were eligible and available to speak today. Obviously this legislation was going to be completed some time today. However, we are now in a situation where all the people who have spoken since Monday are now eligible to speak again. This motion works against the Government's intentions. I now have a bunch of people who are eligible to make another speech on Bill C-22. This is completely illogical and shows that the Government did not know what it is doing. At the same time, it unnecessarily antagonizes the Opposition.

When you talk to the new Minister, the person responsible for the progress of legislation in the absence of the Deputy Prime Minister (Mr. Mazankowski), and tell him that you are not going to obstruct, that you expect the legislation to be completed Monday at the latest but probably today, you assume that is acceptable. He has been in the House since last Friday when the debate commenced and he knows we have run out of speakers. It is obvious. Given an opposition Party the size of ours with 33 Members, when you speak for five days on the same topic you are going to run out of speakers. The Liberals with 40 Members are going to do the same thing. Therefore I have to ask the new Minister of State why he would do something which only provokes the Opposition and at the same time enables it to prolong the debate for another week if it desires.

I think this really shows the paranoid attitude of the Government towards Bill C-22. Yesterday we had a bunch of

Tory back-benchers ranting and raving because the CBC did not cover for two nights in a row the hired demonstrators outside on the Hill.

Some Hon. Members: Oh, oh!

Mr. McDermid: Is that a nice way to talk about Canadian workers?

Mr. Murphy: That was the situation. That was the concern of the Conservative back-benchers. They did not talk about unemployment or problems in their ridings. They were concerned about what the CBC did or did not cover on *The National* last night. Then today at ten o'clock when the House convenes we have a motion put which allows the Opposition to drag out this legislation for another week when the Government knew we had no intention of doing so. I really do not feel I would be upset if one of our Members had a few more words to say. The Government has now given us the opportunity to make one more speech per Member.

We do not intend to stall the legislation. We intend to keep our word despite the provocation and tactical stupidity of the new Minister. It was completely stupid and completely unnecessary and I think in some ways unforgivable and I hope he will apologize to Members of the House.

Mr. Beatty: I hope you will apologize to the workers of Canada.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I hope to speak briefly about the Government's tactics in just a few minutes, but I want to speak about the main motion which rejects the majority of Senate amendments to the Patent Act.

I am reminded of a Vancouver woman who some years ago married an up-coast logger and went to live with him at his float camp on an isolated inlet in British Columbia. In the first week at her new residence she decided she was going to bake some fresh bread for her new husband as a special treat. Something went wrong and the bread did not rise properly. Not wanting her husband to make fun of her when he came home, she decided to get rid of the bread. She took it out and threw it into the salt chuck. However, if the bread did not rise properly, it would not sink either. Instead, the tide carried it out, but not very far. The next tide carried it right back in. When her husband came home there was this ungodly-looking mess for him to see and ask what it was all about. For the next several days the tide would carry the bread out and then bring it right back.

Mr. Beatty: Yes, but she cast her bread on the waters.

Mr. Manly: Now we have Bill C-22 back on our doorstep when it should have been given a decent burial.

I suppose I should congratulate the Government on one significant achievement with regard to Bill C-22. Perhaps it is the Government's most significant achievement over the past three years. It is something that none of us could have expected. With Bill C-22 the Government made the Senate look good. Only a reactionary Tory Government playing sycophant to Uncle Sam and the American drug industry could have made that obsolete, undemocratic relic of 19th century colonialism, filled with Liberal patronage appointments, look good. The Government has managed to do that and I say, congratulations.

The Government has now announced closure. That is not surprising. Every stage of this Bill has been rammed through by the Government with some form of closure or time allocation. The Conservatives have not been willing to allow the debate on this issue to run its full course. They have had to introduce some form of closure to ram it through.

All of us, opposition Members as well as Government, would like to be able to salvage a little bit of the summer. We are not anxious to prolong any debate. However, the NDP wants to see that the issues are properly raised, and in spite of my own personal wish to be back on Vancouver Island visiting my constituency and enjoying the sunshine, the beaches and beautiful scenery, I am not going to abdicate my responsibility to speak out against a Bill which is so contrary to the interests of ordinary Canadians.

During the last couple of days we have seen a few demonstrators on Parliament Hill calling for passage of C-22. I have no doubt that those people are sincere, even though I understand their pilgrimage here was heavily subsidized by the drug companies. The Tories claim that somehow this demonstration represents strong grassroots support for Bill C-22. If that were really the case I think the Government would have wanted to let the movement build a little before killing it by bringing in closure. If this measure were all that popular with the Canadian people would it not be natural for the Government to let the Canadians see that the Opposition is just being obstructionist?

• (1030)

Instead the Government is bringing in closure because it does not want the people to see this debate. The Government knows that the more Canadians know about this Bill the more they will oppose it. Any window dressing such as the demonstration the other day does not really convince the Government that it has any real popular support.

We have documented time and again the real reasons for this Bill. It is an appetizer for American business interests as they get ready for the great free trade barbeque. Perhaps a little bit of history would help us understand. Up until 1969 Canadians paid the highest drug prices in the world. Under this Bill we will revert to those times.

In conclusion, Madam Speaker, let us remember the words of Joe Wallace who said:

Ours is a sovereign nation
Bows to no foreign will
But whenever they cough in Washington

They spit on Parliament Hill.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 13(5) the division stands deferred until six o'clock p.m., Monday, August 31, 1987.

* * *

CRIMINAL CODE, IMMIGRATION ACT, 1976 AND CITIZENSHIP ACT

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act, as reported (without amendment) from a legislative committee.

The Acting Speaker (Mrs. Champagne): There are five motions at report stage of Bill C-71, all standing in the name of the Hon. Member for Parkdale—High Park (Mr. Witer). All of these motions were moved in committee and debated there and all of them were negatived. It is with regret, therefore, that I must inform the Hon. Member that under the powers granted to me by the Standing Orders none of his motions will be selected for debate at report stage.

Hon. Don Mazankowski (for the Minister of Justice and Attorney General of Canada) moved that Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act, be concurred in.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Mr. Mazankowski moved that the Bill be read the third time and passed.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, I am pleased to have an opportunity to address this Bill at third reading. I shall not take a lot of the time of the House because I know there is an interest in proceeding quickly to pass this Bill at third reading.

Bill C-71 flows out of the efforts of the Government, through the setting up of the Deschênes Commission, to examine the issue of war crimes. I believe the Deschênes Commission served a very worthwhile purpose for our country. It put to rest the nagging question of whether or not there are Second World War criminals in Canada who were either allowed here illegally or came here legally having somehow escaped paying any penalty for their actions during World War II.

I believe the commission served a very useful purpose for a great many people, those who suffered under a threat that there may have been some wrong-doing, and others who suffered under no threat but wanted the matter cleared up. I believe that a great service was done for the country in the settling, once and for all, through the Deschênes Commission, of exactly who should be prosecuted and what laws should be put in place to enable that prosecution.

Bill C-71 was debated for a short time in the House and went to committee where it had a full hearing. My colleague, the Member for Parkdale—High Park (Mr. Witer), who is interested in this subject, had the opportunity at committee to move his amendments. They were defeated in committee and the Chair has ruled them out of order. We are, therefore, now on third reading debate.

In conclusion, we are pleased that we have reached third reading of this very important Bill. There seems to be a disposition in the House that this measure receive third reading as soon as possible in order that prosecutions under this law can proceed. I would like to thank the members of both opposition Parties for their efforts and their co-operation.

Hon. Bob Kaplan (York Centre): Madam Speaker, we have reached an important stage today in the making of Canada into a truly just and civilized society. We are finally giving third reading to a Bill which will, when passed by the Senate and proclaimed, give the criminal justice system of Canada the tool for bringing war criminals present in Canada to justice within our own country.

I want to congratulate the Government for bringing the Bill to the stage which has been reached today. I want to acknowledge, as the Minister has, the co-operation which he has received from the Official Opposition and from the NDP. That co-operation was more than necessary due to the urgency of dealing with this matter.

As I say, the country has become a more just society because of the step being taken today, but it is almost too late because, albeit not exclusively, in the main the Bill is directed toward bringing to justice individuals responsible for some of the worst crimes committed in the history of mankind. These crimes were committed with the aid of official government policy and with the resources of the state. They were committed, with the technology that our modern civilization has created, and were directed toward the killing of innocent men, women and children.

• (1040)

Why is it necessary to bring these war criminals to justice so many years later? There are many reasons. I grew up as a member of the Jewish community, safe in Canada, but knowing of the holocaust being perpetrated in Europe and having relatives there, knowing of the unsuccessful efforts that millions made before the Second World War to come to Canada and other countries where the doors were closed. Following the war there was a long period when nothing at all was done by any of the countries which should have been interested, because of their commitment during the war and the victory for which they were responsible.

In the course of the last four or five years public opinion has finally come to recognize that the greatest crimes of all time might go unpunished, unpunished with the complicity of democratic countries that should have known better and which have a rich tradition of being committed to righting wrongs and seeing justice done. Why do we have to do it now?

Sometimes I hear people make the point that it is inevitable that people are killed in wars, and one should not make a special point of characterizing the act of war, when innocent people are killed, as one that should attract special punishment after the war is over. One hears people say that it happened, it is over, and we should try to forget and put the past behind us.

However, we must remember that the deaths we are talking about, in the overwhelming majority of cases, were not of people who were killed in the course of war. They were not people who died because their cities were bombed. They were not people who were struck by bullets straying from the valid targets of both sides in a war.

We are talking about an evil—as I think it can only be characterized—demographic policy of the Nazis which was not enforced during an actual battle. We are talking about events which took place in city after city, country after country, during the war, after a battle, after a military authority was established in each jurisdiction. There was an evil demographic policy by which people in the captive nations were rounded up and placed in concentration camps.

That is an act that could not have been done during actual fighting, but after the fighting and during the establishment of fascist governments in each of these jurisdictions. Innocent people were rounded up and systematically slaughtered, using all of the resources of the state. Hard pressed railway lines were being diverted, and hard pressed administrators, with a losing war to continue, were taking time out of their busy schedule—if I can put it in that bizarre fashion—to kill millions and millions of innocent people who had been captured, including Ukrainians, Jews, and gypsies. People of every nationality were rounded up for slaughter. To say that this type of conduct can be forgiven after a war, because it happened in the course of a war, is unthinkable and totally unacceptable. I am pleased to see that this is recognized in the measure we are passing today with the support of all three Parties.

People also ask how one can prove cases. We can look at the Demjanjuk trial in Jerusalem. I had the opportunity three weeks ago to spend a day talking with the individuals involved in the conduct of the trial about some of the issues of evidence. In Israel, as in Canada, the highest standards of evidence continue to be applied. There must be absolute respect for the rule of law.

I am glad to note that nothing in this legislation diminishes in any way the safeguards which are available to any individual charged with any serious crime in Canada. I know that if it were otherwise it would be difficult to defend the legislation. However, now, even 43 years later, prosecution is still possible. I am looking forward with great anticipation to such trials.

I had responsibility for many aspects of the Rauca trial when it occurred. It was an extradition proceeding and I was concerned with the preparation of evidence and submission of evidence. I can assure the House that none of the safeguards of evidence that are required for any other accused person will be denied to individuals who are prosecuted under the law which is being brought forward today. It is a feature of the law which I very much commend.

Let me make one final point in this connection. One sometimes hears an argument against prosecuting war criminals because war criminals have suffered enough and have lived for decades with the full knowledge of their crime. I will refer to the case of Helmut Rauca. Helmut Rauca, who lived a few blocks from my constituency for 30 years, killed with his own actual physical involvement 15,400 people in one day. All of the evidence brought in that extradition trial related to Mr. Rauca's activities in one day.

After the city had been secured by German military forces, the Gestapo moved in, rounded up innocent people who were sleeping and waiting anxiously in their homes, took them to a central plaza in the city and shipped them to their deaths. Some argue that conduct like that must weigh heavily on an individual, and knowing that they could have been subject to prosecution all those years must have filled them with horror and remorse.

I watched the trials that have occurred over the last few years. I hope Canadians watched the Barbie trial which was widely reported here in Canada, and the Rauca trial. You do not see individuals who have suffered great remorse. Of course, we are not yet in a position to draw a conclusion in the

Demjanjuk trial. However, in case after case where conclusions have been reached, one sees individuals who feel totally justified in what they did. They have their own explanations. When the facts are out and undeniable, and the conviction obtained, we see individuals who feel totally justified in what they did. It is a situation that cannot be left unremedied in a civilized nation.

I am not naive enough, as I hope no one is, to think that, with the power man has to commit atrocities like those which were committed in World War II, it will never happen again. I believe it can happen again, but I feel that the measure we have taken today in passing this legislation is one factor which will be borne in mind by those who would commit such atrocities in the future. They will keep in mind that there will be no safe haven in any fair-minded, decent country in the world.

I think the main reaction of Canadians when the Rauca case developed was that they were appalled. They were appalled to realize that among us there were unpunished individuals who had committed those crimes, whose identity, in some cases, were known to the Government or to other individuals, yet nothing had been done about it for decades.

• (1050)

In passing this legislation, we are sending a strong message about our civilization. The message is that that type of conduct will not go unpunished. Even 10 years, 20 years, 42 and 43 years later, as it is, a decent country will permit no haven. Canada is now becoming one of those countries, and there are a few of them, which are making that statement.

I directed all my remarks so far to the events of World War II. In the committee I proposed an amendment which was actually moved by another member. It was defeated. If enacted, it would have widened the scope of authority to the Attorney General to lay charges against more individuals who commit war crimes and crimes against humanity. The definition is limited for reasons which those who are interested can read. They were put forward in the committee. But to my way of thinking the scope of the legislation should have been broader.

As I indicated on second reading, I thought that war criminals and criminals guilty of crimes against humanity, have appeared not only in the forum of World War II, and not only in western Europe, but in other places, in Asia, Central America and Africa. I ask anyone who thinks World War II could never happen again, that the Holocaust could never happen again, to look at some of these places in the world I mentioned where crimes have occurred and where survivors and others from that country have come to our country and made Canada their homeland.

We cannot ignore the injustices and crimes which, within their lifetime, have been committed against them if those guilty of committing those crimes have also come to our country. We cannot say that we want to bring justice, in the World War II context, but that we want to ignore it in relation to crimes against humanity which have occurred in Asia, Latin America, Africa, and the other places I mentioned. As an example, I could mention Haiti which was much in the news about a year ago. I wanted a law which would be broad enough to ensure that, by our very high standards of justice, where a case could be made against an individual present in Canada, by witnesses who could come to Canada, or who are in Canada, and tell their story, that that would be done. The Government can correctly point out that the legislation is not directed only toward World War II, but it could have been broader.

I had some other amendments I wanted to explain as well to the House, but I see that with eleven o'clock approaching we may lose the opportunity to give third reading to the Bill right now, and I would very much like that to be done.

Mr. Andrew Witer (Parkdale—High Park): Madam Speaker, let me begin, in the time remaining, by stating very clearly that in my opinion Bill C-71 is a positive step to amend the Criminal Code, the Immigration Act and the Citizenship Act, after decades of neglect, of pretending the problem did not exist and of cover up. It is the first serious attempt by a Canadian Government to bring war criminals and those who committed crimes against humanity to justice. Yet, in my opinion, the Bill has a serious flaw. It should have been amended to comply with the principles of equity and civil liberties in Canadian law.

As it now reads, the Bill differentiates between crimes committed during periods of war and crimes committed during periods when Canada is not at war. But the problem is not in the differentiation of crimes. It is in the discrimination of the current wording of the Bill, levels against perpetuation of crimes against humanity when Canada was not involved in armed conflict. Clause 1(a) states that the crime must be committed by a Canadian citizen or an employee of Canada in a civilian or military capacity, by a citizen of a country with which Canada is at war. The victim must be either a Canadian citizen or a citizen of an allied state while Canada is at war. Clause 1(b), dealing with non-wartime crimes, states that at the time of the crime Canada would, in conformity with international law, exercise jurisdiction over the person with respect to the act or omission on the basis of the person's presence in Canada and subsequent to the time of the crime the person is present in Canada. No such restrictions are required for crimes committed while Canada is at war.

While in theory the Bill will permit prosecution of Canadian residents for any war crime or crime against humanity committed anywhere, the complex wording of the Bill would make it easier to prosecute some war criminals than others. The Bill may work well against suspected Nazis from World War II, but would allow others to escape justice; for example, former Soviet citizens who helped orchestrate the state imposed Ukrainian famine of 1933. To have easier access to the courts for some crimes than for others risks making the

victims of some crimes feel their sufferings are being slighted and that Canada is treating them as lesser human beings.

Moreover, there is a risk that with two equally well documented crimes, one falling into paragraph 1(a) and the other falling into paragraph 1(b), the latter could fail to reach the courts due to an erroneous, narrow view of the Crown prosecutors as to what international law permits.

I am sure all Canadians would agree that any legislation dealing with war criminals should be of a quality sufficient to ensure that all and any war criminals found in Canada, regardless of when the crime took place, or of the criminals religious, ethnic or racial origin, are brought to trial in Canada under Canadian criminal law. In other words, a crime is a crime and a victim is a victim regardless of when and where the crime occurs.

The Government argues that the current wording of the Bill in fact meets these stringent requirements. For the sake of justice, I hope my interpretation is wrong and that the Government's interpretation is correct.

In closing, let me again congratulate the Government and both justice critics from the Opposition Parties for their co-operation and for bringing a " made in Canada" solution to this very important problem.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, it is an honour to take part in the third reading debate on Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976, and the Citizenship Act. It is an honour because this legislation represents the culmination of a great deal of work by many, many people. At the same time, this legislation will bring about the opportunity for justice to be served against those responsible for the heinous crimes against humanity committed over 40 years ago.

It is important that we never forget these crimes or allow the perpetrators of them to continue to live freely. We must always be vigilant in order that the racism, hatred and anti-Semitism that was the foundation of Nazi ideology cannot be repeated. Such crimes against humanity are unimaginable still to this day, yet they must be imagined and remembered. It is, therefore, a tribute today in passing this Bill in the House of Commons to the memory of the millions who were murdered at the hands of war criminals.

It is never too late and, although the Canadian Government under previous administrations has a shameless record in this area, I would today recognize the work of my colleague, the Hon. Member for Burnaby (Mr. Robinson), and the Hon. Member for York Centre (Mr. Kaplan), who have had a continuing interest in this area for many years. As well, the former Minister of Justice, the Hon. Member for St. John's West (Mr. Crosbie), deserves full recognition for appointing the Commission of Inquiry into War Criminals back in February, 1985. It was this Commission, ably led by Mr. Justice Deschênes, that has been the focus of our work for the past two and a half years. His report is a landmark in the area of war criminals. It served as the basis for this important legislation.

• (1100)

As well, the work of Mrs. Alti Rodal which was commissioned by Justice Deschênes should also be recognized today. Her study was both comprehensive and eloquent. We still urge the Government today to act upon Mrs. Rodal's request and the recommendation of the Deschênes Commission and release the entire study *Nazi War Criminals in Canada.*

One final group has been crucial to the passage of this legislation. I would like to give recognition today to the North American Jewish Students' Network. This group provided hours worth of meticulous and concise research, not only for my colleague, the Hon. Member for Burnaby, but also for all other committee members. Special recognition should be given to Mr. Ken Narvey who worked tirelessly in order that this legislation would be passed. I know that all Members of the House appreciate the work he has done.

Canadians have witnessed many, many times the trials in recent years. We all feel very strongly that justice has been meted out in appropriate terms as individuals who committed heinous crimes have been recognized in terms of the dastardly deeds they committed.

The question often raised is this. Will the Holocaust ever happen again? I think it is only fair that when we look around the world today, whether we look to Africa, Asia, South America or the Caribbean, we find there are crimes being committed against humanity in these parts of the world. It is important more than ever before that Canada not become a hide-out, a safe haven for those individuals who have been involved in perpetrating these heinous crimes.

Finally, we must now look to the future. This legislation will be passed shortly. The work will then be turned over to the special team assembled at the Department of Justice. It is important that we have reached this stage in the legislation. The New Democratic Party calls upon the Minister of Justice, as was strongly recommended by Mr. Justice Deschênes in recommendation 81-c, to ensure that ample financial resources be given to this team in order that the work it carries out is thorough and complete.

Clearly, after 42 years of inaction we owe it not only to the memories of those who have died but also to their families who have suffered in surviving.

Some Hon. Members: Hear, hear!

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the third time and passed.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

THE ADMINISTRATION

REGIONAL INDUSTRIAL EXPANSION-PRICE WATERHOUSE STUDY

Hon. Jean Lapierre (Shefford): Mr. Speaker, yesterday when the Price Waterhouse study was submitted, it was clear that the Minister of Regional Industrial Expansion—he must have had a dressing-down by the Prime Minister, and we saw the results in the Cabinet shuffle—that in recent weeks and months the Minister had failed in his duty to Parliament and the Canadian people.

Mr. Speaker, you will recall that several times during the past few weeks, I raised the subject of the Department of Regional Industrial Expansion and more specifically, the fact that the Department was completely "broke". And every time, Mr. Speaker, the Minister categorically denied what we said. He said it was false, and today, we see that we were right about this grim state of affairs, and it has cost him his Cabinet post.

I think we have every reason to congratulate Price Waterhouse on their study, but we also have many reasons to be concerned about the way this Government is administering its departments. One wonders how a Minister could let his own Department get into such a mess. We happened to pick on this particular Department but I get the impression that many Ministers spend more time doing just about everything except administering their Department efficiently. I hope, Mr. Speaker, that the Minister who has some experience in financial administration, will restore the necessary controls in his new post because frankly, the former Minister failed utterly.

* * *

[*English*]

SENIOR CITIZENS

RECOGNITION THROUGH APPOINTMENT OF MINISTER OF STATE

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, all too often the role that our seniors play in society is seriously underestimated and overlooked. Life does not stop after retirement. Our seniors can, and do, play a vital role in all aspects of Canadian life.

Yesterday Canada's seniors received long overdue, proper parliamentary recognition. The Prime Minister (Mr. Mulroney) set a wonderful precedent when he appointed my colleague, the Hon. Member for Northumberland (Mr. Hees), as the Minister of State for Senior Citizens.

This is an historic initiative for all seniors, as they now have a direct voice to represent their concerns in Parliament.

Bert Hanmer, one of my constituents and a lifetime member of the Senior Citizens Council of Ottawa-Carleton, and all of his golden era colleagues, will now be able to make representations to Parliament through this wise, caring and experienced Minister.

After all that the seniors of our country have done and continue to do for Canada I am sure that every Member of the House welcomes this new Ministry.

Congratulations, Mr. Hees!

Some Hon. Members: Hear, hear!

* * *

HERBICIDES

USE ON PARLIAMENT HILL LAWNS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I was shocked this morning to see a sign on the West Block lawn stating: "This area treated with herbicide. Use at your own risk". "*Secteur traité à l'herbicide. A vos risques*".

The lawns of the House of Commons have always been a people place. They are not only to be well kept so that they are attractive to look at, but they should also be kept as an area that can be safely used and enjoyed by the people of Canada. Even crab-grass is better than herbicide. But lawn maintenance should not require herbicides.

The House of Commons should set an example for ecological sanity in a world that is turning irresponsible use of herbicides and pesticides into world suicide.

* * *

SCIENCE AND TECHNOLOGY

INDUSTRIAL RESEARCH ASSISTANCE PROGRAM—GOVERNMENT FUNDING

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, last week the Minister of State for Science and Technology (Mr. Oberle) announced that $18 million in new funding would be given to the granting councils to support university research. On Tuesday, August 25, the former Minister of Supply and Services (Mrs. Vézina) announced that $30 million in new funding would be provided to the Unsolicited Proposals Program, a program to promote advanced technology manufacturing.

Yesterday, the Minister of State for Science and Technology announced that the Government will be providing $28 million in new funding to the National Research Council to support the IRAP, one of our most successful industrial programs. This program helps small companies use research developed at our universities and in government laboratories. Larkin

Kerwin, President of the National Research Council, said: "This is very welcome news, both for the NRC and the industrial sector".

The Government consulted with industry and the Prime Minister's (Mr. Mulroney) advisory board before making the decision to supply the extra funding to IRAP. The increased support for IRAP demonstrates the Government's commitment to research and technology.

* * *

HOUSING

SHORTAGE OF PUBLIC HOUSING IN METROPOLITAN TORONTO

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, the public housing situation in Metro Toronto has reached desperate proportions—5,900 families are on the list of those waiting for public housing. At the end of June the number had climbed to 7,200, and with the influx of college and university students at this time of year the number has greatly increased. Some 700 to 1,000 of these families are truly desperate.

Unsuspected is the effect of this crisis on children. These families pay so much for rent that they can only afford housing that is not big enough for their families, and there is not enough money left for food and clothing. The effect on the children is that they are doing poorly at school for lack of sleep, illness as a result of stress, and lack of ability to remain clean. A lack of proper cooking facilities in the home leads to bad nutrition—and the list goes on.

• (1110)

I call on all levels of government to establish immediately an *ad hoc* committee to investigate this urgent matter. I urge the Minister responsible for housing to take leadership in this issue. The future of our children in Metro Toronto depends on it.

* * *

BANKS AND BANKING

CONSUMER LOANS—HIGH INTEREST RATE CHARGES

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, many people who have high unpaid credit card balances are often given advice to go to the bank and meet with their friendly bank manager and arrange a consumer loan. This sounds wonderful until they try to practise it.

Many people have written to me and indicated that when they approach certain banks they cannot obtain a loan unless it is much larger than the amount they need. Others who go into other banks find that small loans are available at the same interest rates as those charged on a credit card. Clearly the objective is to tie the consumer by the chains of excessive interest.

I hope that there will be widespread all-Party support for a Bill that I intend to introduce which will offer more protection to consumers.

* * *

FINANCIAL INSTITUTIONS

PRINCIPAL GROUP BANKRUPTCY—INVESTORS' LOSSES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, two days ago more than 2,500 people who were investors in the two failed Principal Group companies gathered in an Edmonton sports arena to hear first hand how they were victimized by an incompetent and, many feel, fraudulent use of their money.

These investors purchased investment certificates that they were told were guaranteed in full by assets held by the Principal Group with Canadian chartered banks. However, the real story is quite different. It has now been revealed that these assets were seriously over-valued. When the assets are liquidated they will cover no more than 60 per cent of the losses faced by the investors. We heard this story before when the Canadian Commercial Bank collapsed, when Northland Bank collapsed, and when Pioneer Trust and other financial institutions bit the dust.

This deception of both investors and depositors must stop. The New Democratic Party wishes a closer co-operation between provincial and federal regulators to ensure that the financial institutions meet the most stringent test of managerial competence and honesty. Farmers, working families, senior citizens, and others should not be left out in the cold when unscrupulous and incompetent financial managers fail to live up to their promises.

I urge the Government to be vigilant and take action to improve regulation and supervision, sponsor a full public inquiry into the matter, and introduce legislation that requires waiver forms to be signed if CDIC or other insurance does not apply to a deposit or an investment. This action is an absolute must if we hope to preserve regional financial institutions.

* * *

[*Translation*]

PHARMACEUTICAL INDUSTRY

BILL C-22—ALLEGED NDP PUBLICITY CAMPAIGN

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, once again the Senate will be asked to follow the lead of the democratically elected with respect to Bill C-22, legislation that according to our calculations will create 1,300 jobs in the province of

Quebec and attract $700 million in investment. I said acccording to us, Mr. Speaker, because in the fall of 1986, an article published in *Le Devoir économique* and signed by Françoise Côté, predicted 10,000 jobs in Montreal as a result of Bill C-22.

At that time, the New Democratic Party distributed across Canada a form drafted in English: *Fund for Fair Drug Prices.* In the form Canadians were urged to kill Bill C-22, which would of course kill the 10,000 jobs mentioned in *Le Devoir.* The form was in English only, and this was also an opportunity to do some campaigning and collect money. Mr. Speaker, this is the form drafted by the Socialists I am sorry, it is in English only-:

[*English*]

"Each $100 gift will enable us to send 400 more letters like this one".

[*Translation*]

Which means letters aimed at killing Bill C-22. The New Democratic Party is using taxpayers' money to campaign against Bill C-22 and against 10,000 jobs in Quebec.

We thank the Socialists on behalf of the province of Quebec and all Francophones in this country. Thank you very so you have been a great help in defending the cause of Bill C-22. We will remember that.

* * *

[*English*]

THE CONSTITUTION

MEECH LAKE ACCORD—COMMITTEE APPEARANCE BY FORMER PRIME MINISTER

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, yesterday private citizen Trudeau appeared before the Special Joint Committee on the 1987 Constitutional Accord. He was great.

He spoke about the cultivation of a national spirit and of a Canadian patriotism. He said that the proposed Accord weakens the national spirit because it gives greater powers to the provinces and nothing in return to the federal Government. He said that because of the Accord there will be greater powers for the provinces. "It's more than a triumph for provincial patriotism over national patriotism," he said. "This Accord digs right into the very essence of Canadian nationalism. The Accord saps the strength of the elements that compose a modern state".

"Towards one's country, one's nation, one's people," Mr. Trudeau said, "there must be a loyalty greater than the sum of the loyalties toward the provinces". The Accord undermines this greater loyalty.

Canadians appreciate what Mr. Trudeau says. The Accord is not good for Canada.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—*GLOBE AND MAIL* EDITORIAL

Mr. William C. Winegard (Guelph): Mr. Speaker, it continues to concern me that many Canadians are living in the dark ages with respect to a new trading arrangement between Canada and the United States. They should read the editorial in *The Globe and Mail* of August 27. I wish to quote in part from that editorial:

> Free trade is coming down to a choice between critical judgment and uncritical opposition . . . free trade's opponents are withdrawing even more aggressively into rigid and negative postures.
>
> How is the national interest served by campaigns on the political left to prejudge a trade agreement with the United States? How are workers protected by purported leaders who reject out of hand the bulk of studies showing significant potential benefits to workers?

We may not get a deal. But why do my colleagues on the left insist on having no real faith in Canadians?

* * *

CANADIAN NATIONAL RAILWAYS

COLLECTION OF INCOME TAX FROM PENSIONERS IN MANITOBA

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, it has come to my attention that Canadian National has sent out a letter to its pensioners in Manitoba, Saskatchewan, Alberta, and British Columbia. In this letter CN announces that it will be deducting income tax off their pension cheques retroactive to January 1, 1987.

It concerns me that in this letter they refer to income tax increases in the Province of Manitoba. Those income tax increases became effective on July 1, 1987, not January 1, 1987. There is no justification whatever for CN to go back to January 1, 1987, and tell its pensioners that it will be deducting more than normal in these coming six months to make up for the period from January to July when that tax increase was not in effect from January to July.

God knows how it screwed it up with respect to the other provinces, but we know for sure with respect to Manitoba that CN is wrong in the manner it is going ahead with regard to income tax deductions from pensioners' cheques.

I know that pensioners have raised this issue, and I hope that by my raising it here CN will very soon rectify this situation that should not have happened in the first instance.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—PREMIERS' POSITION—IMPOSITION OF U.S. TARIFF ON CANADIAN POTASH

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in the absence of the Prime Minister my question is directed to the Deputy Prime Minister.

The Deputy Prime Minister will know that yesterday in a major communiqué the Premiers accused the United States of bad faith in its trade relations with Canada. The Premiers have called upon Canada to take the strongest possible retaliatory actions against the various forms of trade harassment, the latest case being that of potash.

We have received absolutely no response from the Government on the potash issue. There has been no letter of protest, no sign of strong reaction, no effort to deal with what could be the destruction of a major industry in this country.

In light of that demand by the Premiers that we use all strategic instruments possible to retaliate against the trade harassment by the United States on the potash issue, among others, what does the Government intend to do about that demand? Will we receive some action?

Mr. John McDermid (Parliamentary Secretary to Minister for International Trade): Mr. Speaker, I am pleased that the Hon. Member finally realizes that there is a protectionist mood in the United States which has been developing for some time.

Three years ago the Prime Minister realized that and initiated trade talks with the United States because of its protectionist attitude. Those negotiations are presently ongoing.

In the communiqué from the Premiers, I do not believe that they said to retaliate in the strongest terms. I believe they want Canada to take firm action. We are taking firm action. As we speak this morning here in the House, negotiations are going on and are proceeding quite favourably. We hope that there will be a successful conclusion to those negotiations in order that this protectionist attitude in the United States will not affect Canada once these trade negotiations come to a successful conclusion.

• (1120)

GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, on a supplementary, I go back to the Deputy Prime Minister. It is quite clear that the Parliamentary Secretary has not read the communiqué from the Premiers where they make a direct request to use every available strategic instrument in retaliation against the specific cases of trade harassment. I simply say to the Parliamentary Secretary that in the last three years we have had more cases of trade harassment from the United States than in the previous 25 years. So much for those negotiations.

I want to ask the Deputy Prime Minister, whom I presume might speak for the Government, when will we get action? When will the Government do something about the potash case and the other cases rather than simply providing concession after concession in the free trade talks? When will the Government start defending Canadian interests directly with the United States?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I simply want to reassure the Hon. Member that the Parliamentary Secretary speaks for the Government when he answers questions, and I think he does it in a very articulate and informed manner.

Some Hon. Members: Hear, hear!

Mr. Mazankowski: Second, the Hon. Member knows that there is, as the Parliamentary Secretary pointed out, a growing protectionist mood in the United States, and that, particularly, is why the Prime Minister exercised leadership in attempting to address this very serious problem through the discussions in the attempts to negotiate a comprehensive free trade arrangement.

One of the components of that comprehensive trade arrangement is an effective and an adequate disputes resolving mechanism. I think the Premiers in their communiqué very much struck that point.

That is the essence of the long term solution. I know the Hon. Member likes to engage in *ad hoc* solutions. We are attempting to address this in a comprehensive way. If the Hon. Member would get onside and join forces with the Government, we could present a unified force and make our case that much better to the United States of America.

Mr. Axworthy: Mr. Speaker, to be invited to join a three year string of absolute failures when it comes to dealing with the United States is like being asked to jump off a cliff.

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

DISPUTE SETTLEMENT MECHANISM

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in the communiqué, the Premiers specifically requested or demanded—

Mr. Clark (Yellowhead): Which was it, Lloyd?

Mr. Axworthy: —that any comprehensive agreement must include a binding arbitrary mechanism—

Mr. Clark (Yellowhead): A binding arbitrary mechanism? Come on now, Lloyd.

Mr. Axworthy: They did not say adequate, they did not say effective, they said a binding mechanism, which is very different language from what the Government is now using.

Can we get a guarantee from the Government that it will not sign or initial any agreement that does not include a binding dispute mechanism? Not the adequate one the Minister is talking about, but a binding mechanism that would require the United States to accept those solutions, rather than simply having more of the kinds of concessionary consultations that we have now?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Prime Minister has said on many occasions that there will be no deal unless it is a good deal for Canada.

Mr. Axworthy: Binding or not?

Mr. Gauthier: You are backing away.

Mr. Mazankowski: A comprehensive trade arrangement without an adequate dispute resolving mechanism certainly would not be considered as an adequate deal for Canada.

* * *

THE CONSTITUTION

MEECH LAKE ACCORD—APPOINTMENT OF SUPREME COURT JUDGES

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is also for the Deputy Prime Minister. Yesterday the Minister of Justice was asked by me whether it was deliberate or an accident that there was no provision for the Territories to submit names for consideration for appointment to the Senate and the Supreme Court of Canada under the Meech Lake Accord. He refused to answer the question on the grounds that there was a court case in which the grievance of the Territories was being considered.

If the court case is that important, will the Minister of Justice agree that the ratification of the Accord should wait until that court case is settled and the Minister can answer the question?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I think this is probably the first time in my parliamentary career that I have been accused of obfuscation.

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: No? Maybe it is the second time, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. Hnatyshyn: As the Hon. Member knows, there is adequate precedent with respect to the political proceedings going on, notwithstanding the fact that there are matters before the court.

I only refer by way of example to the fact that in the time in which Mr. Trudeau—you will remember him, I think—was the Prime Minister, he had, in fact, put forward a reference to the Supreme Court of Canada with respect to the Senate and the powers of the Senate. This did not preclude us from carrying on political responsibilities.

The matter is before the courts. It will be dealt with there. It seems to me it has been dealt with rather expeditiously at this point in time. At the same time I take it that the Member speaks on behalf of his Party, hoping that we will move forward with the Meech Lake Accord to ratify this most important Accord for Canada.

Mr. Kaplan: Mr. Speaker, I would remind the Minister of Justice that Mr. Trudeau also took political responsibility for what he was doing.

Mr. Clark (Yellowhead): Never.

FEDERAL-PROVINCIAL DECISION

Hon. Bob Kaplan (York Centre): Mr. Speaker, in this case the Minister of Justice and the Government are not telling us whether this grievance of the Territories is the result of a deliberate decision that they not be allowed to put lists forward or whether that was an oversight. It is a simple question. The grievance before the court has nothing to do with it. Why can't the Minister just answer the question?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, the Hon. Member is one of the members of the joint committee dealing with this important issue. He has a daily opportunity to question witnesses, speaking to the spokespersons on behalf of the Government, with respect to any aspect of this matter he cares to raise.

With respect to this particular issue, I have answered it adequately. I have said to the Hon. Member that we take the position that the Accord is a good one for Canada. I hope the Hon. Member is not trying to change the position of the Liberal Party to support this wholeheartedly, notwithstanding representations to the contrary.

* * *

DEPARTMENT OF REGIONAL INDUSTRIAL EXPANSION

REPORTS ON OPERATIONS AND FINANCIAL CONTROL

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Deputy Prime Minister in the absence of the Prime Minister.

In the midst of an emergency debate on back-to-work legislation yesterday and the appearance of a former Prime Minister before an important committee of the House, the Government tabled two documents that I am sure it hoped would be totally obliterated by this news, a Price Waterhouse study on the Department of Regional Industrial Expansion's operations, and an internal study.

The Price Waterhouse study says with reference to DRIE financial control that it "was not given a high priority". In fact there was no report until half-way through 1986-87. When it was done the information in the Department itself was incomplete and conflicting. The internal study said "no alarm bells were triggered" at that time in the Ministry, and they were not triggered until the Hon. Member for Yorkton—Melville raised the scandal about $100 million being misspent.

Considering there is absolute proof of total incompetence in management by the then Minister, why is it that this Minister, instead of being sacked, was given new responsibility for a Department that will be spending millions of dollars of the taxpayers' money?

Mr. Hnatyshyn: Wrong, Ed.

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I would like to answer my hon. colleague by telling him that as soon as we found out at the Ministry that there were serious overspending problems, the then Minister and his deputy immediately, as they should, asked for those two studies, one internal and one external.

The studies identified the problems and made a number of recommendations to solve them. Those recommendations are being acted upon and Price-Waterhouse has also been retained to ensure that they will be implemented as quickly as possible. Treasury Board followed the situation throughout the period and acted as expeditiously as possible to correct any flaws that existed in the operations of the Department. I would also like to say that those actions were taken well before any question was raised in this House.

• (1130)

DISCHARGE OF MINISTERIAL RESPONSIBILITY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the people of Canada have been asked to believe a lot by the Government. I will not elaborate on that particular observation, but I would like to ask a question of the Minister or the Deputy Prime Minister who should be speaking for the Prime Minister on this matter.

It has been shown beyond doubt that there was gross mismanagement, not by some junior clerk at some distant outpost, but right here in Ottawa at the highest level of the bureaucracy. Instead of accepting ministerial responsibility which the Government should do, why has the Minister, who ought to have had control of his Department and clearly did not, now been put in charge of another Department with responsibilities for spending additional millions of dollars?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, as soon as the Minister was made aware of the difficulties being experienced in the Department, he commissioned the two studies. The Treasury Board was immediately notified and brought into the picture so that we could follow the process. Obviously, before acting we wanted to have a full diagnostic of exactly what was going on. As soon as we got it—

Mr. Broadbent: As soon as we got it?

Mr. de Cotret: Yes, as soon as we got it, we took measures. We took measures on July 15 and on July 30. We acted by implementing a new regime for financial control and management in the Department.

I feel that the tabling of the two documents, far from indicating as the Hon. Member would suggest a Government that is trying to hide from the facts, indicates a Government that is willing to put all the facts on the table. They are all there. Hon. Members have all the information and we are willing to give them all the briefings they would possibly want on how we will correct the situation.

KNOWLEDGE OF DEPARTMENT'S SPENDING

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister seems to be ignoring what was said in the report and what I quoted. It said that for half of fiscal year 1986-87 there was no financial report about what was going on presumably brought to the Minister's attention. Presumably the people of Canada were thinking at this time that the Minister was in control of his Department and would ensure that he knew what was going on with spending.

I direct a question to the Minister since he is now cleverly in the position of answering, not the other Minister, one day after the report has been tabled. I would suggest that that is not accidental.

Does the Government accept as reasonable procedure that a Minister would have no knowledge for six months of spending that is going on in his Department? Is that the Government's definition of managerial competence? It is not the definition of the people of Canada.

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I would just like to point out two things to the Hon. Leader of the New Democratic Party. First, there was a lack of financial control and we have admitted that. The reports point that out very clearly and there is a good reason for it. There is not an excuse but an explanation for it.

Going back throughout the years, in 1982-83 the Department underspent its budget by 30 per cent. The following year it underspent its budget by 24 per cent. The following year it

underspent its budget by 20 per cent. The following year it underspent its budget by 24 per cent. It was continually underspending and I presume from what the reports indicate that this led to a lack of adequate financial control. They were always underspending.

The fact that the economy is now booming has led to a record number of requests under the existing programs of DRIE. That led to the situation as we now know it.

Since the reports were tabled and while we were going through the exercise this summer, we introduced new measures for budgeting, forecasting, financial reporting, financial control and program management. We appointed a new Deputy Minister, a new Assistant Deputy Minister in charge of finance, and soon we will appoint a new controller to ensure that this kind of situation will never repeat itself.

[*Translation*]

GOVERNMENT'S ADMINISTRATION OF DEPARTMENTS—CONFIDENCE OF CANADIANS

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is directed to the new Minister of Regional Industrial Expansion, who is responsible for DRIE. I am a little disappointed in his initial response and performance as Minister. I am trying to understand the Minister's logic. He wants to justify a short-fall of $350 million by saying that during the last two or three years they had a surplus and so there was no control over spending. This is like saying: Well I had a surplus in my family budget during the last month, so next month we'll go on a spending spree.

Mr. Speaker, I would like to ask the Minister what assurance Canadians, what assurance taxpayers have that this short-fall of $350 million is not repeated in other departments where no investigation has been conducted. How can Canadians be expected to trust this Government, which lost $350 million, to administer its other departments and the money they pay in taxes?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I want to be quite clear. There is a problem. I am not trying to deny that. There is a problem. But what I am trying to explain to Hon. Members is that as soon as we were aware of the nature of this problem, steps were taken immediately to deal with it, and we now have mechanisms to ensure there will be no recurrence of the problem that existed at DRIE. Furthermore, while I was in my previous post, the Comptroller General of Canada was asked to immediately investigate all other departments with similar budgets, to ensure that financial controls were in place so that this type of situation could not develop.

MEASURES GOVERNMENT INTENDS TO TAKE

Hon. Jean Lapierre (Shefford): Mr. Speaker, I would like to ask the Minister who until yesterday was the President of Treasury Board—after all he didn't see the $350 million worth of commitments either. Three hundred and fifty million dollars—that ain't hay! How could anyone not notice what was going on? What I want to ask the Minister is, how can we be expected to count on him after he let this pass as if it were nothing? How can we count on him to take control of this Department and ensure that commitments are met and that money doesn't just disappear?

Hon. Robert de Cotret (Minister of Regional Industrial Expansion and Minister of State for Science and Technology): Mr. Speaker, I will say it again. It would take too long to explain all this during Question Period, and I would be delighted to talk to the Hon. Member privately.

We have taken all the necessary measures to ensure the Department's commitments do not exceed the amounts voted by this House. These measures include the budgetary aspect, the estimates, spending, the way the Department's financial reports are done, financial controls at the Department, and also a review of the criteria for various departmental programs.

[*English*]

TRANSFER OF MINISTERIAL PORTFOLIO

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am quite incredulous. We have here a $100-million misunderstanding. A Minister as a result of really gross mismanagement overlooked $100 million in his Department. The reality is that after misrepresenting and mismanaging his Department to the tune of $100 million, this Minister has not done the honourable thing, has not been sacked, but has been transferred.

I would ask the Deputy Prime Minister if this is the kind of mismanagement and Government that we can now expect in the future. He said he would do something different from the Liberals. This is actually very different. This is a $100-million misunderstanding. Is this the kind of business practice we can expect from the Government and this Minister in his next portfolio?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, again the Hon. Member's statements and conclusions are false. I would invite him to read the reports before he pontificates in the manner in which he has.

The fact is that the Minister of Industry, Science and Technology has explained the corrective steps that have been taken. The record of the Government in financial management and control has been excellent. There is a problem here and that has been admitted.

When the Minister indicated that he would engage in both internal and external studies, he said that he would make them available. They are there for every Member to read and, I hope, to understand. The Ministers will be available to appear before parliamentary committees to explain the process in detail. Before he draws such rather drastic and radical

conclusions so that he can get on television tonight, I would invite the Hon. Member to study the report in more detail.

• (1140)

MANAGEMENT QUERY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the fact of the matter is that $100 million has been mismanaged. The Minister took no responsibility and there were no reports for the first six months of this fiscal year.

Mr. Broadbent: In his Department.

Mr. Riis: In his Department. Surely he has to accept responsibility for that.

It is even more serious than that. The Government's reaction is to transfer the Minister to a Department where the expenditure plan indicates the Department is responsible for $600 million in government bank accounts. The Minister blew $100 million in his previous position. Now he is in a position of managing $600 million in government bank accounts. Is that the kind of management we can expect from now on?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Hon. Member is suggesting that $100 million has vanished. That is totally untrue. He should clearly study the report before he makes such false allegations and draws false conclusions.

Mr. Speaker: The Hon. Member for Ottawa—Carleton.

An Hon. Member: You are being exposed.

Mr. Mazankowski: One of these days you will be exposed.

Mr. Riis: Great business ethics.

Mr. Mazankowski: How about some ethics over there? You do not know the meaning of the word.

* * *

UNITED NATIONS

CONFERENCE ON DISARMAMENT AND DEVELOPMENT

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is addressed to the Secretary of State for External Affairs.

Mr. Riis: A $100 million, and he gets rewarded.

Mr. Wilson (Etobicoke Centre): You never understood, Nelson.

Mr. Speaker: I would remind—

Mr. Riis: I think we can understand this, Mike.

Mr. Murphy: Order. The Speaker is rising.

Mr. Speaker: I know all Hon. Members would want to hear the question from the Hon. Member.

Mr. Turner (Ottawa—Carleton): Mr. Speaker, it has been a difficult summer.

An historic conference on the relationship between disarmament and development began on Monday of this week at the UN, regrettably without the participation of the United States. What impact does the Minister feel that may have on the outcome of the conference? Does he also feel that Canada is optimistic that a conference consensus can be reached on these two vital issues?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I believe that with determination on the part of all participants a constructive consensus can be achieved. I regret the absence of the U.S. I think it is always better to stay in a room and try to win an argument rather than leave it. I regret it particularly because it is tempting the Soviet Union to try to take a propaganda advantage in a field where the Soviet Union has no credentials and no claims at all.

It is worth entering into the record of the House of Commons that in 1985 western countries contributed $4.7 billion to UN development activities, or 91.7 per cent of the total. The East bloc countries, including the Soviet Union, contributed only 1.2 per cent. The developing countries themselves contributed 7.1 per cent. In other words, the record shows that developing countries contribute something like seven times more towards UN development assistance than the entire Soviet bloc.

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AIR TRANSPORT

PROPOSED TRANSPORTATION OF PLUTONIUM THROUGH CANADIAN AIRSPACE

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in the absence of the Minister of Transport my question is directed to the Secretary of State for External Affairs. He has probably been briefed about the fact that in a few weeks Japan and the U.S. will sign an agreement for the shipment of plutonium from Europe to Japan. The Government of Canada has a limited time to tell the two parties that transport of plutonium through Canadian airspace is not in the cards.

Once again we ask the Government to make a commitment today to notify both Washington and Tokyo that Canada will not approve any application for the transportation of plutonium through Canadian airspace.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, this question quite understandably gives rise to a great deal of concern in Canada. That has been

registered in media comment and questions and answers in this House. One thing that is sometimes overlooked but which is absolutely clear is that the Government has the power to prohibit that kind of shipment through Canadian airspace, including the Canadian North.

Mr. Orlikow: Are you going to exercise that power?

Mr. Clark (Yellowhead): The question of whether we will choose to exercise that power, to come to a question from a member of the NDP, will be dealt with when it is no longer hypothetical.

The request made to me, as I understand it, by the Hon. Member for Davenport is that we send a signal now to the Government of Japan and the Government of the U.S. We are in contact with both those Governments.

REQUEST FOR ASSURANCE PERMISSION WILL BE REFUSED

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, why can the Minister not give us the assurance today that the Government of Canada will give the signal he has referred to in advance of the signing of this agreement? In that way neither Japan nor the U.S. will entertain any notion that they will be able to get permission from Canada to fly this plutonium through our airspace? Why not give us this assurance now?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I want to make two points in response. The first is to reiterate that the Government of Canada has that clear power and there should be no doubt and no fear about that. The second is that we are at this stage in contact with both the U.S. and Japanese Governments and it is my judgment that is the most effective way to proceed in these circumstances at this time.

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AIR SAFETY

CANADIAN AVIATION SAFETY BOARD REPORT

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, my question is directed to the Deputy Prime Minister in the absence of the Minister of Transport. He will be aware that the Canadian Aviation Safety Board produced a report yesterday which said in part that the number of aircraft/aircraft and aircraft/vehicle conflicts reported in Canada is at a level significant enough to warrant serious safety concerns. The report makes a large number of recommendations. Will the Minister ensure that rather than studying these recommendations the Government will immediately begin the process of implementing them so we can increase the level of safety at Canadian airports?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I know the Hon. Member has acknowledged and recognized that as a Government we have always treated safety as a priority in all matters relating to transportation. The Canadian Aviation Safety Board, with respect to its responsibility for investigating accidents, has had a very successful track record. More importantly it has been successful in identifying ways and means of improving air safety in all its aspects. One of its objectives was to make recommendations from time to time to the Government concerning ways and means of improving the system. This is a classic and clear-cut example of that work which is being carried on very effectively.

I know the Minister of Transport will take the recommendations seriously. Having had some experience in working with the Department, I know they will be very eager to implement recommendations to improve safety at our airports, particularly on the ground.

Mr. Angus: The Minister will also be aware that the Department has not always accepted the recommendations of the CASB.

NATIONAL TRANSPORTATION ACT

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, the Minister will know that as a result of Bill C-18, the National Transportation Act, there will be an increase, at some airports, in the number of flights. There will an increase in the number of less experienced personnel involved. Because of what this report says will he undertake to delay the implementation of C-18 until such time as these recommendations have been fully implemented? Only then will we move to the next stage of the change in the transportation sector. Is he prepared to make that commitment?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, not having had the benefit of reading the report and studying the recommendations I think it would irresponsible for me to accede to the Hon. Member's request. Suffice it to say there are suggested improvements in systems and co-ordination of the air navigational systems at the various airports. The Hon. Member is assuming there will be a lot more traffic involving inexperienced—

Mr. Angus: Less experienced.

Mr. Mazankowski: —less experienced personnel at the controls. I am not sure whether that is a valid observation. I would not want to associate myself with that because I am not sure it is referred to in the report.

I can only repeat that I know the Minister of Transport and his Department will take these recommendations very seriously.

• (1150)

CANADIAN BROADCASTING CORPORATION

CONTINUED PUBLIC OWNERSHIP

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, the Minister of Communications, with regard to the CBC, has said:

> There may be services which could be purchased from the private sector at less expense than continued public ownership of stations and transmitters.

I will direct my question to the Acting Prime Minister. Does he agree with the approach of the Minister of Communications to privatization of the CBC? Is this the kind of birthday present they should give the CBC for its fiftieth birthday?

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, let me clarify the assumption which was made with regard to the future of the CBC. First, I have made it very clear that we are looking at three companies; Petro-Canada, Radiochemical and Air Canada.

The statement made by the Minister of Communications was by way of example of some of the things that might be considered to assist the CBC to fill its public policy role. For example, it may be possible that some of the services could be produced more in the public interest and that of the Canadian people within the private sector.

FUTURE OF CORPORATION

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, following a savage $85 million cut to the CBC—

Some Hon. Members: Oh, oh!

Mrs. Finestone: Mr. Speaker, if I may, in January, 1985, the Prime Minister made the following comment:

> Some people want to buy the CBC. The CBC is not for sale.

It is not our problem if the Minister of State for Privatization wants to have a job and is looking for something to do. The problem is what is happening to the CBC.

Is the Acting Prime Minister going to honour the promise of the Prime Minister and stop this move to privatize the CBC, or will we see the disappearance of another Crown corporation in order to keep the Minister of State for Privatization in business?

Mr. Beatty: The Liberals want to privatize John Turner.

Mrs. McDougall: That's not my department.

Mr. Gauthier: Wonderboy spoke again.

Mr. Speaker: Perhaps the Hon. Minister could answer the question without any help.

Mr. Beatty: They don't ask me any questions.

Mr. Axworthy: That's because you don't know any answers.

Hon. Barbara McDougall (Minister of State (Privatization)): Mr. Speaker, I would not want to accuse my colleague across the way of being frivolous. However, I think that that which the Minister of Communications said was very clear. There is no privatization of the CBC. This was raised almost by way of a question with regard to how the CBC can best serve the people of Canada.

Mrs. Finestone: In other words what Mr. Mulroney says doesn't count.

* * *

[*Translation*]

THE ADMINISTRATION

INQUIRY WHY CANADIANS WOULD HAVE CONFIDENCE IN FORMER MINISTER OF REGIONAL INDUSTRIAL EXPANSION

Mr. Robert Toupin (Terrebonne): Mr. Speaker, my question is directed to the Deputy Prime Minister. I would like to get back to the issue of mismanagement at the Department of Regional Industrial Expansion.

Could the Prime Minister inform the House why Canadians should have confidence in the former Minister of Regional Industrial Expansion, now that he has taken over the Department of Supply and Services?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, there have been two reports laid on the Table which are open to study and examination. I hope the Hon. Member will read the reports. The Minister of Industry, Science and Technology has indicated the corrective steps that have been taken. I think he would make officials or himself available to give the Hon. Member a full elaboration on the report. Perhaps then the Hon. Member might be able to come back to the House and ask some intelligent questions.

Some Hon. Members: Shame, shame!

[*Translation*]

INQUIRY WHY CANADIANS WOULD HAVE CONFIDENCE IN NEW MINISTER OF SUPPLY AND SERVICES

Mr. Robert Toupin (Terrebonne): Mr. Speaker, there was mismanagement. Canadians want to know whether they can have confidence. Could the Deputy Prime Minister answer the question and inform the House why and how Canadians can be expected to have confidence in the new Minister of Supply and Services?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I remind the Hon. Member that the

present Minister of Supply and Services initiated the studies to ensure that he got to the bottom of this issue.

Mr. Riis: Too late.

Mr. Mazankowski: Not late, as soon as it became available to him.

Mr. Riis: It's taxpayers' money we are talking about.

Mr. Mazankowski: If the Hon. Member reads the report he will find that it is stated that the reliability of the financial data used in the preparation of forecasts has been a problem for some years.

Mr. Broadbent: You are supposed to change it.

Mr. Mazankowski: There was inherited—

Ms. Mitchell: Do something about it.

Mr. Broadbent: They are blaming the Liberals for this.

Mr. Mazankowski: There was an inherited—

Mr. Speaker: Order, please.

Mr. Mazankowski: I think I have a right to respond to this.

Some Hon. Members: Oh, oh.

Mr. Speaker: The Hon. Minister, of course, has the right to respond. He also has the right to the courtesy of a hearing by other Hon. Members.

Mr. Mazankowski: Mr. Speaker, there was inherited a system which, as a practice, established internal budgets in excess of voted amounts. It is clear that that practice should have been abandoned. The fact of the matter is that as soon as this came to the attention of the Minister he took the appropriate action and the corrective action is being implemented.

* * *

[*Translation*]

CANADIAN BROADCASTING CORPORATION

FRENCH TELEVISION COVERAGE OF EVENTS DURING FRANCOPHONIE SUMMIT

Mrs. Suzanne Duplessis (Louis-Hébert): Mr. Speaker, in the absence of the Minister of Communications, my question is directed to the Minister of Labour.

Mr. Speaker, I heard in Quebec that Francophone journalists with the French CBC network were planning to walk out during the Francophonie Summit. As you know, the journalists have been without an agreement for two and one-half years, and I would like to know whether the Minister is aware of this and what he intends to do to ensure, beforehand, that French-speaking Canadians will be able to see and hear this important historic event, the Francophonie Summit on television?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I heard the same rumour, and I know the parties have been negotiating for quite some time. As I indicated last night at the end of a long debate, last year 11,000 collective agreements were signed in Canada, and 94 per cent were signed without a single day lost to strikes or lock-outs.

Mr. Speaker, I hope this particular dispute will be resolved in the same fashion. I would urge the parties to reach an agreement, and I would be very sorry to see Canadians suffer the consequences should a strike be called this week.

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HOUSING

INQUIRY WHETHER GOVERNMENT WILL PRESENT PROGRAM DURING INTERNATIONAL CONFERENCE OF THE HOMELESS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, my question is directed to the Deputy Prime Minister, in the absence of the Minister responsible for Housing.

Next September 14, 15 and 16 in Ottawa, we will have the privilege of hosting the International Conference of the Homeless, where the theme will be: building together for the future. The Minister will agree that the problem of the homeless is also a social problem. Has the Minister drafted an action plan for this conference and if so, could he give us an overview of the plan?

[*English*]

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I would like to respond to the Hon. Member. I heard her intervention during Statements by Members today. I think that which she pointed out was accurate and very much in keeping with attitudes in the House on the situation.

I cannot specifically reply to her question. I will take notice of it to the Minister in charge and ask for an early response.

SOCIAL HOUSING ON INDIAN RESERVES

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I will address my supplementary question to the Deputy Prime Minister. We have a problem of our own in Canada. This morning I met with members of the Assembly of First Nations and was made aware of an interdepartmental problem regarding funding for social housing on reserves.

The matter is between the Minister of Indian Affairs and Northern Development and the Minister of Employment and Immigration. The Minister knows that there is a shortfall of almost $8 million flowing from the changes in the Canadian Jobs Strategy Program. On May 11, my colleague, the Member for Cochrane—Superior, asked a question of the Minister of Employment and Immigration who said he would

look into it. I understand that the matter is in Cabinet at the moment. Will the Minister give us an answer today?

• (1200)

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I cannot give an answer to the latter part of the Hon. Member's question.

I believe many of us in the House, not only as Ministers but as Members have had the experience with the issue of the amount of money available for housing and the shortfall that often takes place when a house is built, in terms of development costs. In other words, one does not only take into account the price of the house, but also development costs for such things as access. I know this is being discussed by the Minister of Employment and the Minister of Indian Affairs and Northern Development. I am sure the Deputy Prime Minister and his colleagues will bring that to their attention.

There have been many discussions about that. The question of how much funding there should be and how much equity there should be in terms of individual housing, as an increasing number of Indian bands are moving toward a CMHC configuration as opposed to the former configuration of direct grants, is an ongoing issue.

* * *

APARTHEID

SOUTH AFRICA—SEVERANCE OF DIPLOMATIC RELATIONS—GOVERNMENT POSITION

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. In an article published in *The Toronto Star* the Secretary of State characterized the position that complete diplomatic sanctions ought to be imposed on South Africa as an extreme position. Of course, this was part of the position enunciated by the Prime Minister in 1985 before the United Nations.

Does the Minister's statement reflect a retreat from the position adopted and enunciated by the Prime Minister in 1985? Does this also apply to the other part of that promise by the Prime Minister that complete economic sanctions would be imposed upon South Africa?

Right Hon. Joe Clark (Secretary of State for External Affairs): Of course not, Mr. Speaker. If the Hon. Member would apply to the reading of that article the moderation that has been his happy characteristic in dealing with questions relating to this Government's position against apartheid, he would know that what was described as extreme was the suggestion that two years ago we should have disrupted diplomatic and other relations with South Africa.

Had we done that, I would not have been able to go to South Africa two weeks ago. I would not have been able to carry the case, on one day, to the African National Congress, and carry the case on the next day to the South African Government, thus providing the possibility of some capacity to breathe life into the negotiations which can be the only means of a peaceful resolution to a situation that can lead to bloodshed in South Africa unless it is resolved peacefully.

The position of the Government of Canada remains as it has been, that if other measures do not work we will be prepared to sever all economic and diplomatic relations with South Africa.

Mr. Orlikow: When?

Mr. Clark (Yellowhead): We believe it is important for us not to take a blind ideological position like some members of the New Democratic Party do, but rather to try to follow the Canadian tradition of working out a peaceful means to resolve a situation that could erupt into bloodshed.

SOUTH AFRICAN GOVERNMENT'S ADVERTISEMENT

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, I find it incomprehensible that the Secretary of State should become so agitated by a request for clarification, which I appreciate having received.

Mr. Speaker: Members sometimes do become agitated here. However, given the hour, I would ask the Hon. Member to put his question.

Mr. McCurdy: Mr. Speaker, in the article in *The Toronto Star* the Secretary of State also indicates a hope that negotiations may still represent a solution to the South African situation.

In *The Globe and Mail* this morning, we see an ad placed by the South African Government which attempts to demonize the ANC. In view of his hopes for negotiation, which does he think is the greater obstacle in view of this kind of activity on the part of the South African Government, the ANC or the South African Government?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I frankly do not think it is very helpful for me to respond to that kind of question at this stage. They are both an obstacle because at this stage—

Mr. Broadbent: ANC is an obstacle?

Mr. Clark (Yellowhead): At this stage the ANC is not prepared to come to the kinds of agreements that were set forth in the negotiating position of the Eminent Persons Group regarding the suspension of violence. They have reasons which they believe to be good reasons.

The South African Government, on the basis of my conversations with it, is not prepared to enter into negotiations because of the difficulty over the same piece of language.

What I find interesting, and—if one can find hope in this circumstance—what is potentially hopeful is that neither the

ANC nor the South African Government, which is significant, have ruled out the possibility of negotiating one with the other. Neither side claims that the ANC would be the only representatives of blacks in South Africa.

I know Mr. Tambo has had conversations with Members of the House and others. I think his visit here can be a constructive step toward encouraging that kind of negotiation, if only because it will allow and require the ANC to respond to some of the accusations that, while they have appeared today in Canadian newspapers, are part of the regular fare issued by the Government of South Africa.

I think it is important for people who hear those accusations also to have the opportunity to hear directly Mr. Tambo's response to them. His presence here allows that to occur.

Mr. Speaker: I want to advise Members that there will be a question by the Hon. Member for Scarborough West, followed by a question by the Hon. Member for Trinity, and that will be the end of Question Period.

* * *

HUMAN RIGHTS

ETHIOPIA—POLITICAL PRISONERS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. The long awaited finalization of the new Ethiopian Constitution will give the Government of that country a chance to show that a new Constitution can mean a new beginning for human rights.

Will the Government consider using the considerable moral leverage of Canada, in view of its large and continued aid program, to persuade the Government of Ethiopia that its political prisoners should be released or, at the very least, be put on charge and given a fair trial?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I appreciate the question. It is valuable and timely. There have been substantial rumours that in consort with the proclamation of a new Constitution there would be an amnesty granted in Ethiopia. We have been making representations on human rights questions for some time and certainly it is our view—and I take the opportunity to make it clear publicly again to the Government of Ethiopia—that the proclamation of the Constitution should be accompanied by an amnesty for political prisoners.

EMPLOYMENT

OLDER WORKER ADJUSTMENT PROGRAM

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is directed to the Minister of Finance. In his February, 1986, Budget he announced a new program for older worker adjustment to begin in August, 1986. The Government discontinued the previous Liberal Government's labour adjustment benefit but has yet to put in place its own program. Will the Minister assure the House that he is prepared to act to offer retraining and placement to the increasing number of Canadians in middle life who are facing unemployment?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is precisely the objective of that program. We recognize the importance of this for people who see their jobs change as a result of technological progress and we must be responsive to that. That is particularly important for those who, in their later years of work, find it more difficult to get that training and find another occupation. That is precisely what we are trying to do.

REQUEST FOR INTRODUCTION AND IMPLEMENTATION

Miss Aideen Nicholson (Trinity): Mr. Speaker, if and when the Government introduces the program for older workers' adjustment, only about 2,000 older workers will be helped. The Government ended one generous program a year ago. It has not put in place even the limited replacement it promised. Will the Minister give us an assurance of just when the new program will be in place?

• (1210)

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member is well aware of the fact that there are negotiations under way with the provinces right now, and they have been going on for some little while. There needs to be some response from the provinces on this but we are very definitely committed to it, as is the case with the Canadian Job Strategy which makes a considerable amount of—

Some Hon. Members: Oh, oh!

Mr. Axworthy: That is really working well, isn't it? That is a wonderful program.

Mr. Wilson: Those Hon. Members do not like to hear the truth again. They are very much aware that we have changed the previous Government's make work programs where money was spilled out to try to tide people over from one period of entitlement to unemployment insurance to another. That was changed by a new program which involved career development and training for almost the entire amount of the funds made available under the Canadian Job Strategy.

Some Hon. Members: Oh, oh!

Mr. Wilson: The truth hurts and we understand that clearly.

Mr. Speaker: I must advise Hon. Members that that concludes Question Period. I will hear the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) on a point of order and then I will hear the Hon. Member for Mount Royal (Mrs. Finestone) on a point of order.

* * *

POINTS OF ORDER

NCC USE OF HERBICIDES ON LAWNS OF PARLIAMENT HILL

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I would like to raise a point of order with respect to the way in which the National Capital Commission has really thumbed its nose at the House of Commons by going ahead with the use of herbicides on the Parliamentary lawn against the all-party recommendations of Mr. Speaker, the environment critic of the Liberal Party, the environment critic of the New Democratic Party and other Members of Parliament who joined together in asking the National Capital Commission, in writing to Mrs. Pigott, the Chairman of the National Capital Commission, not to do this.

I noticed that some people thought this was a bit of a joke when it was raised by the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly). I noticed the Minister of National Health and Welfare (Mr. Epp) laughing. He is the last person on earth who should be laughing at this kind of matter. This is a matter which has been taken seriously by both sides of the House of Commons.

We should take it seriously for two reasons. First, it concerns the environmental question, both as to the effects of the herbicide used and also because we would like Parliament Hill to be an environmental example, if you will, and it certainly does not appear to be any kind of ecological example with little yellow signs all around the Hill saying you had better stay off the grass, not in order to keep the grass well, but to stay well yourself.

I think this is offensive both on environmental grounds and on the grounds that were established by the recommendations of the McGrath report which said that Parliament should have more control over its own life and over its own environs. We recommended at the time that a parliamentary intendant be appointed and that the House of Commons have more control over its own precincts.

We tried in a nice negotiatable sort of way to get the National Capital Commission not to do something which everyone agreed it should not be doing, and it basically told us to go to hell. That is what it did. It put that stuff all over the lawn here in spite of the objections of Members of Parliament, in spite of the will of Mr. Speaker, in spite of the collective will of the environmental critics and others who expressed a similar concern.

I think this points up the problem we have on Parliament Hill. We are not even in control of our lives here, of our own environs. We pretend to be running the country but we cannot even get the National Capital Commission not to dump poisons on our own lawn after we have asked it not to do so.

I would hope that you, Mr. Speaker, would send a very strong message to the National Capital Commission on behalf of Members of the House of Commons, that we find it offensive in the extreme that, against the recommendations made to it, it has gone ahead and done this.

I hope all Members will use this as an occasion to reflect on the need for the implementation of the recommendations of the McGrath report, the Special Committee on Parliamentary Reform for a structure through which we have more control over our own environs and are not subjected to this kind of offensive action, and previous offensive actions, such as the time we wandered out one morning to find that everything had been dug up in order to facilitate the light show. That was done without the knowledge of the Speaker of the day. These kinds of offences continue to happen and it is about time they stopped.

Mr. Speaker: Perhaps I could just advise Hon. Members that the Speaker is in a bit of an unusual situation here because, as the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) has pointed out that this matter has been a matter of discussion among Members, brought to the attention of the Speaker, and there have been responses from myself with respect to this and other environmental considerations of the Hill.

I think I should make it clear that certainly these kinds of matters are matters which have been brought to the attention of the Chair by Members of all parties. Perhaps it is advisable if the Chair just makes that clear to the House.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I am simply going to suggest that the Board of Internal Economy may wish to take another look at the complaint of my hon. friend, which he raises at the first available opportunity, and with a great deal of vigor. I know he is concerned about the environment in this particular matter and I can do no more than to suggest that is a very appropriate matter to be discussed by the Board of Internal Economy.

Hon. Chas. L. Caccia (Davenport): I am not so sure that is the best approach. You, Mr. Speaker, gave us great leadership when on May 29 you wrote a letter to Madam Pigott of the National Capital Commission on this matter. We were extremely grateful to you, Mr. Speaker, for having taken in hand a matter which, as the Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) states, is intended to regain control of the Hill, by the Parliament, with respect to the kind of environment we have, making it into a model for other jurisdictions to see.

On June 4 the Speaker received a reply which he kindly circulated. In effect it said that the National Capital Commission management committee decided not to spray this spring with 2-4,D and to reassess its position later this year. It was signed by Madam Pigott.

What we see happening here is that both you, Mr. Speaker, and perhaps even the Chairman of the National Capital Commission, have been ignored by this management committee, or Madam Pigott has forgotten her commitment, or the matter has simply drifted so badly that we see this silly development whereby a commitment made only three months ago is now not even worth the paper on which it is written.

You have our fullest confidence and support, Mr. Speaker, in pursuing this matter. I am sure you are as upset as we are, because we do want to demonstrate that we can have grass, lawns and soil managed in a proper manner on the Hill without having to utilize chemical fertilizers.

Mr. Speaker: The Chair wants to thank the Hon. Member for Winnipeg—Birds Hill, the Hon. Member for Davenport (Mr. Caccia) and the Hon. Minister. It is quite clear, and it should be clear to everyone watching or listening, that what we have just heard in this Chamber is a very strong expression of the will of all three parties. I will carefully take into account what has been said here and will be meeting with Members in order to make an appropriate response. I thank Hon. Members for taking the position they have, and I thank the Hon. Minister for supporting both the Hon. Member for Winnipeg—Birds Hill and the Hon. Member for Davenport.

ALLEGED FAILURE TO COMPLY WITH PROVISIONS OF S. O. 99(2)

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I am rising on this point of order because it relates to the tabling of the Government's response to the interim report on the "Recommendations of the Task Force on Broadcast Policy, Speciality Programming Services", and some proposed legislative amendments. That was called our fifth report.

The point of order also relates to the response to the sixth report called "The Recommendations for a new Broadcasting Act, a Review of the Legislative Recommendations made by the Task Force on Broadcasting Policy". I think Hon. Members have noted the size of the *Hansards* which were required to bring our reports to the attention of this House. There were 150 pages of carefully considered documents and analysis which included 107 recommendations. Members of the committee, members of our staff and members of the Library of Parliament worked extremely hard to bring—

• (1220)

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

Mr. Speaker: I hesitate to interrupt the Hon. Member for Mount Royal (Mrs. Finestone) but the Minister rises on a point of order. I will hear the Hon. Minister.

Mr. Lewis: Mr. Speaker, I in turn do not wish to be seen to be interrupting anyone's argument. In view of the fact that this argument with respect to the tabling of a report is both substantive as to the contents, and procedural, will the Hon. Member for Mount Royal agree to stand down her argument on her point of order until such time as we are able to get the Minister of Communications (Miss MacDonald) in the House in order to respond to the substantive part of the argument.

As I said, I am prepared to deal with the procedural part of the argument. I do not wish to be seen to be delaying the Hon. Member. We are perfectly prepared to deal with this at any time. However, I wonder if it would not be more appropriate for Your Honour to hear both the substantive and procedural parts of the argument at the same time.

Mr. Speaker: I am wondering if perhaps the Chair can be of help. First, I want to say to the Hon. Member for Mount Royal that the Chair has heard not just one but several complaints of this type in connection with the rule that, after a committee reports, the Minister is to give a comprehensive response under the rules. The Chair has been reluctant to get into the position of defining what is a comprehensive response. However, if I may say to the Hon. Member for Mount Royal, I think the Hon. Minister has made a very helpful suggestion. It is difficult under this particular rule to find a clear line between the substance and the procedure. The Minister has suggested that the Hon. Member for Mount Royal adjourn her point of order to a day soon when the Minister responsible can be here, I say to the Hon. Member for Mount Royal that that, frankly, would help the Chair.

I would invite the Hon. Member for Mount Royal to agree to the suggestion of the Minister that this matter be adjourned to a day, which can be arranged through myself, when the Hon. member can pursue her argument and the Minister can be here. I want to assure the Hon. Member that this is a matter that the Chair takes very seriously. If the Hon. Member would agree, then I think that would be the most expeditious way of dealing with the matter.

Mrs. Finestone: Mr. Speaker, with your many years of experience in the House I will certainly accept your guidance, in the hope that when the Minister hears the argument she will have had an opportunity to rethink the grievous way in which she has injured the committee with her snide four and one-half page response. Thus, I hope that the Minister, whose staff is watching, will prepare the kind of responsible report that she should have prepared in the first place. I look forward to that argument taking place at that time.

Mr. Speaker: I thank the Hon. Member for Mount Royal for her intervention, and the subject that has been raised. Arrangements will be made to continue this discussion further. I know that the Minister will convey to his colleague the proceedings so far so that when we bring this matter back to the House it can be dealt with in an appropriate way.

Motions

ROUTINE PROCEEDINGS

[*English*]

BUSINESS OF THE HOUSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been discussions among the Parties with a view to the rest of today's business. As the House will know, we were able to dispose of Bill C-22, the debate on the motion to send the matter back to the Senate. We have also given third reading to Bill C-71. This is due to the co-operation of all three Parties. We have therefore decided that, having made that progress, the following draft order would be appropriate:

That, notwithstanding any Standing Order of this House, upon the completion of Routine Proceedings this day, the House shall proceed to the consideration of Private Members' Business as listed on this day's Order Paper for a period not to exceed one hour;

That upon the completion of Private Members' Hour the Speaker shall suspend the sitting to the call of the Chair; and

That, following the giving of Royal Assent to certain Bills, later this day, the Speaker shall adjourn the House until 11.00 o'clock a.m., Monday, August 31, 1987.

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

Some Hon. Members: Agreed.

Motion agreed to.

* * *

• (1230)

[*Translation*]

PETITIONS

HIGHWAY SAFETY

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour to present two petitions signed by residents of Vancouver, Halifax, Toronto, Rouyn-Noranda and Ottawa. The petitioners are asking for changes in highway safety regulations. They believe that current rear-seat car safety belts are inadequate and that the sufferings of car accident victims can be reduced or avoided. They believe as well that medical care costs can be reduced or eliminated.

For all these reasons, Mr. Speaker, they urge Parliament to make a commitment with respect to the mandatory installation of adjustable shoulder safety belts for all rear-seat car passengers, and the installation of air bags for front-seat passengers.

OPPOSITION TO SALES TAX ON FOOD PRODUCTS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I am pleased to present again today a petition urging this Government to listen to the people, to listen to the many representations of Liberal Members, to listen to the remarks of its own Quebec Conservative Members asking that a vital commodity such as food not be taxed.

The petition reads as follows, Madam Speaker:

Whereas since September, 1984, the federal Government has imposed upon Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack food, candies and soft drinks; whereas the federal Government in its tax reform proposal is studying the possibility of imposing a general tax on goods and services, including food; whereas food constitutes a vital element of everyday life, and whereas the imposition of this tax would have the effect of penalizing such categories of taxpayers as the aged, families, the unemployed, low income taxpayers, and youth;

Therefore, the petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

* * *

QUESTION PASSED AS ORDER FOR RETURN

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, if Question No. 162 could be made an order for return, this return would be tabled immediately.

The Acting Speaker (Mrs. Champagne): The questions enumerated by the Parliamentary Secretary have been answered. Is it the pleasure of the House that Question No. 162 be deemed to have been made an order for return?

Some Hon. Members: Agreed.

[*Text*]

GRANTS UNDER CULTURAL INITIATIVES PROGRAM

Question No. 162—**Ms. McDonald:**

Between January 1, 1986 and June 26, 1987, did the Department of Communications receive any requests from organizations and/or individuals for grants under the Cultural Initiatives Program and, if so, in each case (*a*) what was the name of the organization and/or individual (*b*) what was the amount requested (*c*) on what date was the application received (*d*) on what date was the organization or individual notified of the Depatment's decision (*e*) what was the amount granted?

Return tabled.

[*Translation*]

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

The Acting Speaker (Mrs. Champagne): Shall the remaining questions stand?

Some Hon. Members: Agreed.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

HUMAN RIGHTS

SUGGESTED DESIGNATION OF HELSINKI HUMAN RIGHTS DAY

Mr. Andrew Witer (Parkdale—High Park) moved:

That, in the opinion of this House, the government should consider the advisability of designating August 1, 1987, as "Helsinki Human Rights Day"; and

That, further, in recognition of the importance of the twelfth anniversary of the signing of the final act of the Conference on Security and Cooperation in Europe, and to demonstrate Canada's commitment to the principle of universal human rights, this House encourage the government to continue efforts to achieve full implementation of the human rights provisions of the Helsinki Accords by raising the issue of non-compliance with the offending nations at every available opportunity; to increase efforts to effect the release of all political prisoners, including Helsinki monitors; and to work to provide people of all nations with the most basic of human rights, freedom of speech, movement and religious worship.

He said: *The Oxford Companion to Law* describes human rights or the rights of man or fundamental freedoms as "conceived of as rights inherent in individuals as rational, free-willing creatures, not conferred by positive law, nor capable of being abridged or abrogated by positive law".

The guiding principles of the final act of the Conference on Security and Cooperation in Europe, better known as the Helsinki Accords, were to establish security in Europe, and to promote mutual co-operation in areas of economics, science, technology, the environment, and humanitarian concerns.

It is the humanitarian concerns, the human rights provisions of the Helsinki Accord which are the subject of this motion, and the importance of those provisions is underscored by the precedents set by the agreement. Never in modern history have the heads of state of 35 countries come together to agree on a statement of principles which guide the conduct of countries to their own people. This was done in the case of the Helsinki Accords. My motion seeks to recognize the importance of that historic document by designating August 1 as "Helsinki Human Rights Day".

There are many compelling and significant reasons for such action, reasons which exemplify the very heart of the accord. The principle of respect for the inherent dignity of the human person, and the human rights and fundamental freedoms which derive from recognition of that principle.

While the Final Act of the Conference on Security and Cooperation in Europe is not a perfect document, it is significant in the history of human rights by its very nature. It must be viewed in context. It is not a legal document but a statement of principle, and therefore open to criticism for its lack of enforcement provisions. Nonetheless, while there is no enforcement mechanism in this agreement, no police, no judge to ensure compliance, there is, in fact, a jury. The humanitarian provisions of the Helsinki Accords have elicited a strong public response, particularly in the Eastern Bloc countries where Helsinki monitoring groups were organized by courageous individuals responding to the noble principles embodied in the accords. Along with the international attention focused on the CSCE conferences, they form a court of world opinion to which even the most intransigent of offenders must pay heed.

The importance of the final Act is that it placed respect for fundamental human freedoms squarely within the East-West framework, as a basic element of government to government relations. Through good faith, observance of the Final Act's standards for responsible and humane international conduct, signatory states were to advance along the difficult road toward mutual trust and co-operation.

It was an ambitious agenda involving an evolutionary process. In essence, by signing the Helsinki Final Act, the western democracies pledged to keep faith with the persecuted in the East. It is telling to recall that the West failed to anticipate the impact that the human rights provisions of the Final Act would have on East Bloc citizens. We in the West were not the first to act upon the Accords as a means to expose human rights violations in the East. East Bloc citizens seized upon the Helsinki provisions as a program for human rights advocacy. Many of them have paid a high price for their actions.

The reason the Accords have generated such a response is clear from a reading of the document itself. In the accords the participating states express the commitment to "recognize the universal significance of human rights and fundamental freedoms, respect for which is an essential factor for the peace, justice and well-being necessary to ensure the development of friendly relations and co-operation among themselves as among all states".

The document further commits the signatories to "respect human rights and fundamental freedoms, including freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion", and to "promote and encourage the effective exercise of civil, political, economic, social, cultural, and other rights and freedoms, all of which derive from the inherent dignity of the human person and are essential for his free will and full development".

Additionally, the document recognizes the rights of the individual to profess or practice, alone or in community with others, religion or belief acting in accordance with the dictates of his own conscience, and the signatories express their commitment to respect the rights of persons belonging to a minority to equality before the law.

To those individuals living under a repressive regime, the wording of the principles of this document is a poignant expression of their hopes, dreams, and aspirations, and it is a reminder of all that is sadly lacking in their society.

It is this document that has spurred the efforts of individuals such as Yuri Orlov, Meral Kostava, Victor Pyatkus, Aleksey Tykhy, Mikolay Malusevych, Mirolsar Marynovych, Petro

Vins, Levko Lukyanenko, Shagen and Eduard Arutyunyan, Robert Nazarym, Viktor Rtskhiladze, Anatoly Shcharansky, Viktor Nekipelov, Yaroslav Lesiv, Vasyl Striltsir, Vitaly Kalynychenko, Yuri Lytvyn, Oles Berdnyk, Petro and Vasyl Sichko, and Grigory Goldshtein.

The persecution of these individuals for their brave actions has been amply documented, and their sacrifice represents a trust and obligation on the part of western democracies to fulfil the trust imparted by the Helsinki monitors, and to ensure that their sacrifices have not been in vain by using every possible means to ensure that the Eastern Bloc nations live up to the commitments they agreed to in the Final Act.

• (1240)

Once again, the importance of this document has been demonstrated by the willingness of these individuals to undergo persecution, arrest and imprisonment in the cause of the Helsinki Accords principles.

Of course, no discussion or debate of the importance of the Final Act would be complete without discussion of the reasons for the necessity of such an agreement. In the time available to me I could not begin to delve with any depth into the morass of human rights violations which occur behind the Iron Curtain, in Ukraine, Poland, Lithuania, Latvia, Estonia, Romania, Hungary and Czechoslovakia, as well as the absolute atrocities committed in Soviet-occupied Afghanistan.

I cannot begin to describe the persecution and repression suffered by the Ukrainian Catholic Church. The Church has some four million followers in Ukraine yet has been outlawed. The Ukrainian Orthodox Church has also suffered from such repression and has been forced to become plart of the Russian Orthodox Church which is under state control. But to attempt to detail the extent of that persecution in the time available would be impossible.

Some specific cases of human rights violations include: Vera Lipinskaya and Anatoly Ponomaryov, who dared to write complaints to government authorities; Teovils Kuma, who handed out religious leaflets and Anatoly Lupynos, who read his poetry at a public meeting honouring a Ukrainian national poet. All of these acts were labelled "socially dangerous", and were grounds for the commitment of these individuals to the Gulag or psychiatric hospitals.

Then there is Alexei Nikitin, a coal miner in the City of Donetsk, in Ukraine, a hard worker and popular with his co-workers. Nikitin took the complaints of his co-workers to his trade union leadership and to the director of the mine. These complaints were rejected, and Nikitin was eventually incarcerated in a local mental hospital, even though he had no history nor signs of psychiatric illness. Later, a mine explosion occurred, and several miners were killed. When Nikitin was released, in desperation he spoke to American journalists about the problems of Soviet coal miners, and within days, Nikitin was again incarcerated in a psychiatric hospital and eventually was transferred to a special psychiatric hospital near the Chinese-Afghanistan border. He is still there.

At this point it is important to note the extent to which the Soviet Union uses the psychiatric commitment as a convenient instrument of policy. It enables Soviet authorities to substitute psychiatrists' judgment for sentencing in a trial or to avoid a trial altogether. It enables the Government to keep dissidents incarcerated for an indefinite length of time and allows the regime to claim that Soviet citizens who express dissatisfaction with the system are simply mentally ill.

It would be forgiveable if those of us who are uninitiated to the Soviet system assumed that when dissidents were committed on psychiatric grounds they were merely incarcerated indefinitely. However, the true facts are much more horrifying. Many dissidents must undergo what amounts to torture while in such hospitals. Dissenters are often given insulin shock therapy or the drug Sulfazin, which causes great physical discomfort, a raging fever so intense that the patient is virtually incapacitated for up to three days after the injection. Any psychiatrist who might dare to rebel against such abuse has all the incentive, he or she needs to stay in line when they contemplate the example of Dr. Anatoly Koryagin of Karkow. Koryagin was a consultant to a committee formed several years ago to fight psychiatric abuse. He had the opportunity to examine Alexei Nikitin, whom I discussed earlier, and published his findings in a British medical journal. He was subsequently arrested and sentenced to a work camp. He was then transferred to Christopol Prison, where he remains today.

This is the battle we are fighting and the Helsinki Accord have provided us with a forum, in the CSCE conferences, to focus world attention and international pressure on those who are responsible for these acts of persecution and repression. The Helsinki monitoring groups through their reports have provided and continue to supply the West with ammunition in the form of substantiated human rights violations. They must never be betrayed by failure on the part of the western democracies to use this hard-won information to pressure the offending Governments at every opportunity and with every means at our disposal to comply with the commitment they made in the Final Act of the conference on security and co-operation in Europe. It is our duty, as a free and democratic society, to speak out for those who cannot be heard through the blanket of silence imposed by the Iron Curtain. I believe the importance of the accords have been clearly established, both in the history of the human rights movement, and the catalyst they have provided to oppressed peoples.

The next step is to strengthen the CSCE process by every means available in order to increase pressure for reform in those nations which have ignored their commitments. By designating August 1 as Helsinki Human Rights Day, we will send a clear message of Canada's commitment to the accords and to the principles embodied in that agreement. It will put those countries who have a record of human rights abuses on notice that Canada will continue to press for compliance with the Final Act commitments. Finally, it will help to raise public

awareness of the agreement and human rights issues, both at home and abroad.

Similar efforts are being undertaken in other western nations. I urge my colleagues to join with me in supporting these efforts through the passage of this motion.

With your assistance, much can be accomplished in the field of human rights. Without it, the future may be bleak for those freedom fighters in oppressed nations, who are relying on our support.

In accepting the Nobel Peace Prize last year, Elie Wiesel said:

> We must always take sides, neutrality helps the oppressor, never the victim. Silence encourages the tormentor, never the tormented . . . When human lives are endangered, when human dignity is in jeopardy, national border and sensitivities become irrelevant. Whenever men and women are persecuted because of their race, religion or political views, that place must, at that moment become the centre of the universe.

While this motion may seem a small step on a long road toward the universal rights and freedoms we seek for those who look to us for help, it is a symbol of our commitment to make that journey a reality.

Hon. Chas. L. Caccia (Davenport): Madam Speaker, the idea of designating August 1, 1987 as Helsinki Human Rights Day as proposed by the Hon. Member for Parkdale—High Park (Mr. Witer) is a good one. He should be commended for coming forward with the idea and for the wording of the motion that he has put on the Order Paper for this debate today.

There is no doubt that the cause of human rights has been put forward in that fine document signed in 1975 by some 35 nations in Helsinki. The Hon. Member for Parkdale—High Park is, I am sure, familiar with that document in detail having participated at conferences where this agreement between East and West is regularly reviewed.

The Member for Parkdale—High Park probably knows that human rights is one of three baskets that are included in the accords. That is an important factor which must be kept in mind because I would submit to the Hon. Member for Parkdale—High Park that the cause of human rights within the Helsinki Agreement can best be pursued within the overall context of the agreement. As you know, Madam Speaker, 35 nations did get together in the mid-1970s with a feeling of optimism that there could be and there must be a rapprochement between East and West. The European nations added the United States and Canada to the 33 European signatories because they felt that the presence of two nations from North America, one of them being a superpower, was essential. So we did participate, and since 1985, Canada has held a very high profile in the promotion of human rights and in dealing at times also with specific cases of individuals. Today, the Hon. Member for Parkdale—High Park mentioned a list of names representing the present wave of cases that are on the agenda.

• (1250)

I would urge the Hon. Member for Parkdale—High Park, however, to look at the advancement that must be made in human rights as part of a broader approach that is contemplated by and implicit in the conference and the accords themselves. In those accords, there is a basket of issues dealing with disarmament. There is another basket of issues dealing with economic matters. Then there is the very important basket of social matters including human rights. One cannot make substantial progress on just one of these fronts. One must keep the pressure going and chip away at the totality of these fronts because mutual interests must be met.

The Conference on Co-operation and Security in Europe does not work on the basis of a voting process like this Chamber. It operates by consensus. Therefore, it is important that the Hon. Member who is advancing a list of names also participate with other parliamentarians in the proceedings of this conference by advancing other elements of the conference itself. These elements are disarmament, economic matters including the environment, and human rights.

No doubt progress can be made within the Conference on Security and Co-operation, and it has been made. That process has gone through very difficult times. In 1980 particularly, at the time of the invasion of Afghanistan, the conference came to a stalemate in Madrid for 18 months. Nevertheless, the spirit of Helsinki is basically a good one. That is what the Hon. Member is in essence endorsing. He is telling us that we should promote and advance the Helsinki spirit on August 1 by emphasizing Human Rights Day. We are with him all the way. However, it is important that the participation of parliamentarians be spread out on all fronts of that conference because it is a conference to which East and West come together with separate agendas and the two agendas must eventually be integrated.

For example, disarmament is very high on the agenda of eastern European countries. Elements of human rights are very high on the agenda of western nations including Canada. On the economic front, it is a mixed bag of different interests which not very often come together. Nevertheless, there is an awkward, difficult and sometimes not very focused convergence of interests. Therefore, the process must be refined and the role of parliamentarians, particularly through the Inter-parliamentary Union, is crucial.

I hope that the Hon. Member for Parkdale—High Park attends conferences of the Inter-parliamentary Union in order to advance the ideas he has advanced here today. I suggest that he put his time, efforts and energies, which I know are very high, into those conferences under the auspices of the Inter-parliamentary Union which brings together parliamentarians from East and West to discuss the Conference on Security and Co-operation in Europe. That is where we as Canadian parliamentarians can communicate our preoccupations and priorities. That is where we can communicate the names of people we think ought to be given human rights

considerations to our colleagues from eastern Europe. That is where the dialogue can take place, and it does take place at times.

The Hon. Member was quite right when he said that declaring August 1, 1987, as Helsinki Human Rights Day may appear to be a small step, but nevertheless it is a small step on a long road that began in 1975 when the Government of Canada participated, not only sympathetically but enthusiastically, in the notion of finding common ground and a convergence of interests, awkward and unfocused as it might be at times, in order to bring cohesion and build bridges between such different systems as are represented by the 35 nations that compose this particular conference.

I congratulate the Hon. Member for Parkdale—High Park. He has done us a service by reminding us that there is a CSC process, that we have a particular interest and obligation on the side of human rights, that we want to intensify our efforts, that we want to participate in these efforts in their totality, and that Canada as a middle nation has a particular role to play. I must say that that conference is one of the world's forums in which middle nations can play a major leadership role notwithstanding the two superpowers which, in this kind of exchange, often tend either to drag their feet or sometimes to be so aggressive and unconstructive that the whole process comes to a grinding halt. That is neither the object nor the substance of this motion. Perhaps it should be the object of a debate on another day.

Mr. John Reimer (Kitchener): Madam Speaker, I am very pleased to address the House on this motion and to underline the Government's support for the idea of a Helsinki Human Rights Day to be celebrated every year on the first day of August.

I commend the Hon. Member for Parkdale—High Park (Mr. Witer) for bringing this motion before the House. I listened very carefully as well to the comments made by the Hon. Member for Davenport (Mr. Caccia), and I think he made a very good point by saying that although the motion focuses on human rights, we should really remember that the Helsinki Final Act has many different element parts and we want to be supportive of the entire accords.

There is no question, nevertheless, that the promotion and protection of human rights in all of the 35 participating states of the Conference on Security and Co-operation in Europe is a very important and fundamental part of the Helsinki Final Act. Canadians have a deep interest in and respect for human rights throughout the world and have campaigned vigorously against abuses of these rights wherever they occur.

In its response to the Special joint committee report on Canada's international relations, the Government reiterated that its concern for the fundamental rights of individuals and groups is intrinsic to Canadian society and Canada's historical heritage. The Government further stated that human rights are and will remain a fundamental, integral part of Canadian foreign policy.

Twelve years ago, the signing of the Helsinki Final Act evoked a wide range of reactions. Some naively beieved that the hostility and uncertainty which had marked East-West relations for so long would quickly disappear in an era of *détente*. Others, somewhat cynically, viewed the Final Act as a commendable set of principles which would be ignored and soon forgotten. However, most of us viewed the Final Act with both cautious hope and pragmatic realism.

• (1300)

Hope was essential. Canada has deep roots in Europe. Our historical origins lie in Europe. We have shared the benefits of Europe's political and social ideals, along with the tragic cost of Europe's wars. Experience has shown that even long-standing divisions can be healed, or at least managed peacefully. The relationship between West Germany and Canada since 1945 is a good example of that. In spite of two world wars we are good friends and committed allies in NATO, for peace and security and the progress of democracy and human rights in the world. Our hope, however, was then and is still today tempered by realism. The tortuous negotiations which led to the Final Act made it painfully clear that distrust and hostility were very deeply-rooted, and productive dialogue would take time, patience and, above all, commitment.

More than that, however, the history of Communism since 1917 has taught us that we must study very carefully and diligently both its theory and practice. We have to be very careful and constantly on guard. Words might mean one thing in our democratic system but may be used in an entirely different way by the Communists for their own ends. For example, in the Yalta Agreement it was declared that within two years there would be free and unfettered democratic elections in all of the liberated states of eastern Europe. Did that happen? Certainly not from the point of view of how we understand free, unfettered and democratic. Nevertheless, the three nations who signed the Yalta Agreement all agreed on those words. We have to look at the theory and practice of Communism to determine how the Soviet Union meant those words when it signed the agreement.

In order to have a free and unfettered democratic election under Communism you must first remove by torture, death, expropriation and imprisonment all of the wealthy, the educated, land owners, and all foreigners whatever their name. A cousin of mine, because of his German name, Reimer, was taken as a 15-year old boy and sent to a gulag. He came back to the Soviet Union and, fortunately, six years ago came to Canada. Then you remove all the churches' power and influence. Then you get rid of all the political Parties. When you have one Party left and all other influences have been eliminated, and the one Party is supreme in all the institutions of the state, you can have a free, unfettered and democratic election. That is what they meant because that is what they did in all the eastern European states. The Red Army came

through and got rid of whoever it wanted to get rid of, using the excuse of war. Then the Communists started their system of torture and imprisonment to the point where Romania, Bulgaria, Poland, Czechoslovakia and the rest of eastern Europe had imposed on them the Communist system with its understanding of those words.

We have to keep all of that in front of us when we deal with something like the Helsinki Final Act. We just celebrated Black Ribbon Day in many centres across Canada. We also have to remember the events of 1939 to 1941 and all they mean to the denial of human rights and self-determination. We have to remember the way in which three states, Lithuania, Latvia and Estonia, were simply annihilated by the Soviet Union. Many people were killed and others taken forcefully to the Soviet Union. Then Soviet citizens were brought in so they could say that those three states do not exist any more. That is the way it stands today.

I could go on to give many more examples, but in spite of all that, the Final Act is nevertheless a modest beginning which I think we must support. It is a product of compromise. Together the states involved determined they must come to some understanding and work out an agreement concerning the recognition of the events which had taken place. They came together in a climate of understanding and *détente*. The Soviet Union wanted the West to accept the fact that they now control all of eastern Europe and it was their sphere of influence. We of course were not going to war to change that. Therefore, we saw an opportunity not to recognize and accept all of that but simply to say, "Yes, that is the reality. If you want us to recognize this simple reality and not go to war to change it, we insist upon other human rights and the recognition of the right of free movement of people. We can at least start building some measure of *détente*".

In that way an agreement was signed which met the needs of the peoples and states that met together at this conference.

Let us look at what happened this past year in one small country, the Baltic Republic of Latvia. There a small group was formed to monitor the Final Act. By passing this motion today we would be saying to those people who have risked their freedom that we are with them. We stand with all the people throughout easter Europe. We stand with all those who are denied the rights we have. In passing this motion what we are doing is more than symbolic. We are saying that we stand with those who are in prison in Poland today because of their work with Solidarity.

In conclusion, I want to move two amendments to the motion before us. First, I move:

That Motion 119 be amended. That the year 1987 be deleted from line 3, so that it will read, "designating August 1st as 'Helsinki Human Rights Day'."

I also move:

That Motion 119 be amended in lines 5 and 6 by deleting the words "of the twelfth anniversary of the signing".

The effect of those two amendments is that we will celebrate this agreement every August 1. The amendments are very simple and I am sure Members will understand and support them.

In conclusion, I want to say that one of the most effective ally for those in eastern Europe and the Soviet Union who would deny the human rights and many other things that we enjoy is our silence. By doing this we are saying, "we stand with you". By doing this we keep chipping away at the denial of human and political rights. We are showing that we recognize that although there is a huge gulf between us, we have to work at that and eliminate all of the rhetoric and the differences so that we can have at least a measure of peace and security.

• (1310)

The Acting Speaker (Mrs. Champagne): The Chair was in some difficulty having received two amendments. However, after studying them carefully we realize that the second amendment is consequential and the two amendments could become one. Therefore, I am sure the rewriting of the amendment will be done by the Table Officers as long as we all accept the substance of what is being done.

Shall the amendment carry?

Some Hon. Members: Agreed.

Amendment (Mr. Reimer) agreed to.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I appreciate this opportunity to speak in support of designating August 1 as Helsinki Human Rights Day. I would like to thank the Hon. Member for Parkdale—High Park (Mr. Witer) for having brought forward this motion, which we support.

In his comments the Hon. Member said something to the effect that silence never helps the victims but always the perpetrators. Yet it was pointed out to me that last year when the Committee on Human Rights was holding hearings on the issue of human rights in South Africa the Hon. Member was the only one who voted against sanctions against South Africa. That, too, is a kind of silence which speaks very eloquently of support for the perpetrators of human rights violations in South Africa.

Mr. Witer: Madam Speaker, I rise on a point of order. If the Hon. Member will check the record he will see that the statement which he has just made about the way I voted in a committee is inaccurate. I am sure he would want to correct his statement.

Mr. Manly: Madam Speaker, I will check the record. If I prove to be inaccurate I would want to apologize to the House.

I support the whole concept of a Human Rights Day on which the spotlight of our concern here in Canada and, we hope, the spotlight of the entire international community will

be put on human rights violations, not simply in Europe but throughout the world. The whole concept of human rights is far too often dealt with from an ideological perspective.

For example, the two superpowers are trying to use human rights in a very political way. The United States is able to pinpoint human rights violations in Russia and the Warsaw Pact countries and the Soviet Union is able to point to violations on the part of the United States through some of its covert activities throughout the world. In fact, both of these nations are quite right in pointing to the faults of the others, but we have to move beyond seeing human rights only from an ideological perspective and in terms of an East-West struggle. We must recognize that where human rights violations take place, whether in the East, West, North or South, they should be condemned and exposed.

We have to move away from the idea of trying to remove the speck from someone else's eye while ignoring the log in our own. We have to move away from this kind of hypocrisy. Canadians are guilty of this also.

We also need to recognize the complexity of human rights issues because sometimes what is defended as one nation's right to survive as a people becomes condemned by another nation as a violation of human rights when one nation is under a kind of seige.

We can see some of this in Canadian history. One of the most shameful incidents in Canadian history is the forcible expulsion of the Japanese from British Columbia. That was done under the provisions of the War Measures Act during World War II. That was a violation of the basic human rights of those people, many of whom were Canadian citizens. Yet it was justified by the Government of the time and the population of the time as being somehow necessitated by national survival.

More recently the imposition of the War Measures Act in the Province of Quebec in 1970 resulted in hundreds of people being arrested, many of them completely innocent of any kind of wrongdoing. That was a violation of human rights which took place under the rubric of some kind of national necessity.

We also need to recognize that the state of our world means that human rights violations are taking place in so many situations that it is almost overwhelming. How can we be aware of them all? Any spotlight that brings attention to one particular set of violations should be welcomed. However, while we might focus on one area we should not be blind or oblivious to the violations that take place in other parts of the world.

This past year the Standing Committee on External Affairs and International Trade did a study on the development assistance policies of Canada. We issued our report entitled *For Whose Benefit*? In this report we make a strong case for linking our development assistance to the human rights policies and practices of the nations that are receiving our development assistance. I would like to read some of the recommendations as follows:

> The committee recommends:
>
> i) That emergency humanitarian aid continue to be given on compassionate grounds without preconditions, but that it be monitored closely to prevent abuses;

Even in situations where there are abuses, where there are compassionate needs, emergency needs such as following an earthquake or something of that nature, there would be emergency assistance.

The committee further recommended:

> ii) That the victims of human rights violations not be forgotten when decisions are taken to reduce or delay long-term development aid to governments;

Since we cannot support bilateral aid to governments that violate human rights, we have to remember the individual victims within those countries.

Third, the committee recommended:

> iii) That human rights criteria be developed coherently as part of overall Canadian foreign policy, and that these be applied in a universal, consistent and transparent manner;

In other words, we don't want one set of human rights criteria to be used for development assistance and another set of criteria to be used when we are developing military alliances or trade negotiations.

Fourth, the committee recommended:

> iv) That such criteria, embracing both individual, civil and political rights and socio-economic and cultural rights, be derived from established standards of international human rights law and convention;

It is very important that when we talk about human rights we not only talk about civil and political rights as we understand them in the western democracies, but that we also emphasize the importance of socio-economic rights. What do human rights mean to a child growing up in Mozambique, for example, a country which has been left poor from four centuries of Portuguese colonialism? They are under constant stress and threats from the destabilizing efforts of the South African Government. What do human rights mean to a child growing up in Mozambique? Do they not appear in the form of milk, food, education and a safe shelter, rather than in whether or not someone can run for a legislature, although that is also important? Next it reads:

• (1320)

> That verifiable reports of violations, not ideology or strategic interest, be the basis for unfavourable assessments of human rights observance;

In other words, it is not a question of ideology but of objective description. Organizations such as Amnesty International try to provide that kind of evaluation of human rights. Groups such as that must be supported. It goes on to read:

> That, more generally, progress on human rights be considered part of development, with assessments of the human rights situation in a given country being related to the over-all record of development, particularly from the vantage point of the poorest people.

As we assess human rights, we want to see what a particular country is doing in the whole concept of development. Nicaragua is a good example.

While some people have complained that certain rights and liberties have had to be suspended during a period of crisis, it is a country that is under seige. The American Government is financing a Contra movement that is working to destabilize the whole economy and working to destroy the whole process of development. Yet, since the revolution, Nicaragua has had one of the most remarkable achievements of development in terms of education and health. It has had one of the best records in Central America in terms of being able to make effective use of Canadian development assistance.

When one considers the total picture in a country like Nicaragua, one sees that it has a good human rights situation, even though there are one or two areas where certain human rights have had to be curtailed because of the political crisis that has resulted from the American funded Contra attack upon that country.

The committee goes on to recommend that a human rights unit be established in the Policy Branch of CIDA, and that it develop a human rights grid in line with what the committee recommends. The committee recommends that there be four categories: human rights negative, human rights watch, human rights satisfactory, and human rights positive. In other words, we would attempt to consider the whole situation of a country and apply that situation to a grid to determine whether, for example, the human rights situation in that country is so negative that it stands in universal condemnation. In that case, there should be no bilateral aid.

Human rights watch indicates that there are problems but we believe there are still possibilities. We would not want to rule out the possibility of Canadian aid in those areas. Human rights satisfactory means that we would want to be able to provide aid. Finally, human rights positive refers to situations where a country has made great strides in improving human rights.

In conclusion, I want to indicate our support for the whole concept of human rights, and the Helsinki Human Rights Day on August 1. Wherever a spotlight can be brought on the need for improvements in human rights, we in our Party will support it.

Mr. Reginald Stackhouse (Scarborough West): Madam Speaker, I wish there was time available to do justice to the motion and the message that it communicates. However, looking at the clock, I see that our time is running out very quickly, and if there is agreement in the House it might be possible for us to vote on this motion now because of the unanimous support which I detect from Members representing all Parties.

I would welcome such support both as a colleague of the mover of the motion in the House and in the Committee on Human Rights.

I am sure that I represent the general opinion of the House in supporting the mover of this motion and the intent of the motion. The great value of a motion such as this and the idea that it advocates, namely an annual remembrance of the Helsinki Human Rights Accords, is that it will raise the consciousness of our people about human rights and continue to maintain that consciousness year by year. It is absolutely vital, particularly in a democracy, that such a message not simply be a commitment on paper but that it be incarnated in the interest, devotion and sense of men and women throughout the land.

The message of human rights is part of the political obligation of every Government of the world. We recognized in our signing of the accords that we have a responsibility to concern ourselves with human rights in other parts of the world because they are the rights of men and women who share our humanity. They share with us this world and our humanity and we have a common obligation to them.

It has also been pointed out that we have a responsibility in that our commitment to human rights is such that when we speak to the world we can speak with sincerity, integrity and effect.

This is a subject that calls forth from the heart and the mind. There is much that might be shared but, alas, time is running out and I want to give an opportunity to speak to my distinguished colleague, the Hon. Member for Louis-Hébert (Mrs. Duplessis).

[*Translation*]

Mrs. Suzanne Duplessis (Louis-Hébert): Madam Speaker, I take great pleasure today in joining my colleagues in their support for the motion presented by the Hon. Member for Parkdale—High Park (Mr. Witer).

His proposal that August 1 should be designated "Helsinki Human Rights Day" is indeed appropriate, because it expresses the profound sentiment that is felt by every person in this country. Madam Speaker, there is not a single person in Canada who is not concerned about this problem. The Hon. Member's proposal also addresses the vital role of the CSCE in seeking a greater element of trust and stability in East-West relations. Finally, it reflects the role of human rights in developing the trust that is a prerequisite for any tangible improvement in East-West relations. For Canada, human rights are a moral obligation. They are the expression in concrete terms of our obligation to respect others. Furthermore, they are the keystone of our democracy and the foundation of our civilization, because full respect for these rights opens the door to the free exchange of ideas that is the source of all creativity. Over the years, the Canadian Government has made a tremendous effort to reinforce the protection of these rights in Canada by enshrining them in the Constitution.

Our support for human rights does not stop at our borders. Since the Second World War, we have signed universal

declarations of human rights and we have been signatories of UN conventions on human rights. In years gone by, the Canadian Government has been particularly active and sent delegations to other countries to express our position that human rights must be respected throughout the world.

Madam Speaker, I want to say that I wholeheartedly support this motion and that I would like to see it adopted today.

• (1330)

[*English*]

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion (Mr. Witer), as amended, agreed to.

The Acting Speaker (Mrs. Champagne): The hour provided for consideration of Private Members' Business has now expired.

SITTING SUSPENDED

The Acting Speaker (Mrs. Champagne): Pursuant to order made earlier this day, the sitting is now suspended to the call of the Chair.

At 1.32 p. m. the sitting of the House was suspended.

SITTING RESUMED

The House resumed at 5.14 p.m.

[*Translation*]

MESSAGE FROM THE SENATE

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that a message has been received from the Senate informing this House that the Senate has passed Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees.

* * *

ROYAL ASSENT

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa

28 August 1987

Sir,

I have the honour to inform you that the Honourable Claire L'Heureux-Dubé, Puisne Judge of the Supreme Court of Canada, in her capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 28th day of August, 1987, at 5.15 p.m., for the purpose of giving Royal Assent to certain Bills.

Yours sincerely,
Anthony P. Smyth
Deputy Secretary, Policy and Program

• (1710)

THE ROYAL ASSENT

[*English*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Mr. Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Mr. Speaker with the House went up to the Senate Chamber.

And being returned:

The Acting Speaker (Mrs. Champagne): I have the honour to inform the House that when the House went up to the Senate Chamber the Deputy Governor General was pleased to give, in Her Majesty's name, the Royal Assent to the following Bills:

Bill C-18, an Act respecting national transportation—Chapter No. 34, 1987.

Bill C-19, an Act respecting motor vehicle transport by extra-provincial undertakings—Chapter No. 35, 1987.

Bill C-85, an Act to provide for the resumption and continuance of railway operations and for the settlement of disputes respecting terms and conditions of employment between railway companies and their employees—Chapter No. 36, 1987.

[*Translation*]

Mr. Prud'homme: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Saint-Denis on a point of order.

Mr. Prud'homme: My colleague for Davenport (Mr. Caccia) and myself simply want to say that we appreciate your patience. We were with you this morning until 2.14 and we are still here at 5.30 this afternoon. We find you very patient and would like to wish you a good week-end.

The Acting Speaker (Mrs. Champagne): In the opinion of the Chair, that is not a point of order, but a touch of humour on the part of the Hon. Member for Saint-Denis.

Pursuant to the order made earlier today, the House stands adjourned until next Monday at 11.00 a.m., pursuant to Standing Order 3(1).

The House adjourned at 5.30 p.m.

HOUSE OF COMMONS

Monday, August 31, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

CANADIAN BROADCASTING CORPORATION

TABLING AND REFERENCE OF ANNUAL REPORT

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, pursuant to Standing Order 67(2), I have the honour to table the annual report of the Canadian Broadcasting Corporation, and pursuant to Standing Order 67(4), the report is deemed to have been referred to the Standing Committee on Communications and Culture.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, today, I welcome this opportunity to table two more petitions asking this Government to listen to the Canadian people, and especially to the many representations I and my party colleagues have made to the Members of the Party in power, the Progressive Conservative Party, all on the subject of proposed tax on food.

Conservatives in the Quebec Caucus have already said they do not want the Government to tax food, and we agree.

Mr. Speaker, the petition I am tabling on behalf of the constituents who visited my riding and especially the By Ward Market this summer, reads as follows:

Whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food;

And whereas food constitutes a vital element of day-to-day life, and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low income taxpayers, youth and students;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

• (1110)

[*English*]

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Derek Blackburn (Brant): Mr. Speaker, I, too, rise to present a petition from people mainly in Atlantic Canada opposed to the Draconian measures in Bill C-55 and call upon this House to reject the Bill and bring in one that is much more fair.

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have two petitions. The first deals with Bill C-55 which threatens Canada's traditional commitment to assisting refugees and sets out measures designed to keep most refugee claimants out of the country as opposed to ensuring that genuine claimants are given protection.

The petitioners humbly pray and call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings for claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Cyril Keeper (Winnipeg North Centre): The second petition deals with the Post Office.

Whereas the federal Government's proposal to seek financial self-sufficiency by 1988 for Canada Post Corporation will result in cut-backs, deterioration in service and consequently will be at the expense of service to Canadian consumers, the petitioners call upon Parliament to instruct the Government to make improved service the highest priority of Canada Post and abandon the policy of closing rural Post Offices and cancelling rural routes.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I have a petition from people in the Provinces of Quebec and Ontario concerning Bill C-55. They note that a standing committee of Parliament proposed a new procedure for

refugees which if adopted would fairly and effectively solve problems of backlogs and unsubstantiated claims.

They therefore call upon Parliament to withdraw C-55 and substitute legislation embodying the principles of fair and quick oral hearings before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right of appeal on the basis of fact.

Mr. Rod Murphy (Churchill): Mr. Speaker, I also have a petition concerning Bill C-55.

The petitioners state that a standing committee of Parliament proposed a new procedure for refugees which if adopted would fairly and effectively solve problems of backlogs and unsubstantiated claims.

Therefore, the undersigned petitioners humbly pray and call upon Parliament to ensure that the Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee status before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from a number of residents of the Cities of Toronto, Montreal and other municipalities in Ontario and Quebec. They object to Bill C-55. They point out that the concept of a safe third country has no foundation in law and no definition and therefore subjects the refugee process to undue political and diplomatic pressures. They also point out that a better alternative has been provided by the Standing Committee on Labour, Employment and Immigration which has the support of churches, the labour movement, the Bar Association and many other groups.

Therefore they request Parliament to withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact. In duty-bound, your petitioners will ever pray.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, as reported (with amendments) from a legislative committee.

Mr. Gauthier: Point of order, Mr. Speaker. The Government has kept its word and called the Bill we have on the Order Paper. I do not see either Minister to discuss the Bill. We have a series of amendments which are at this time usually the object of debate. I have one sheet of paper given to me by the Clerk concerning some amendments. I just wondered if prior to getting into the debate we could have some direction as to who is speaking for the Government in this debate and when we can expect to start debate on the amendments. The first amendment will be that of the Minister himself, Amendment No. 1.

Mr. Lewis: Mr. Speaker, I am pleased to advise the House that the debate will be led off by the Parliamentary Secretary to Minister of Employment and Immigration (Mr. Friesen). We are ready to go and I am sure things can proceed after your preliminary ruling.

Mr. Fennell: Got you, J.R.

Mr. Gauthier: I have to apologize. I guess it was a Pavlovian reaction of some kind. I expected the Parliamentary Secretary to be in his place, which is on my extreme left. Today he is right in front of me. I understand there has been a shuffle and the Whip has brought some of his friends to the centre of things. I apologize.

[*Translation*]

Mr. Speaker: This is also a problem for the Chair.

[*English*]

There are 23 motions on the Notice Paper in amendment to Bill C-84, an Act to amend the Immigration Act, 1976, and the Criminal Code in consequence thereof. I have had an opportunity to review some of the motions and propose that consideration be given as follows:

Motions Nos. 1, 4, 7, 11 and 18 standing in the name of the Minister will be grouped for debate and a vote on Motion No. 1 will be applied to Motions Nos. 4, 7, 11 and 18.

Motions Nos. 2 and 3 seek to delete Clause 2. Since the motion of the Hon. Member for Spadina (Mr. Heap) was received first, it will be selected for a separate vote and debate. Motion No. 3 will not be selected.

Motions Nos. 5, 9 and 20 will be selected for separate votes and debates.

Motions Nos. 6 and 10 standing in the name of the Hon. Member for York West (Mr. Marchi) are duplicates of Motions Nos. 5 and 9 and will not be selected.

The Chair will review the remaining motions and make a definite ruling at three o'clock.

• (1120)

Hon. Flora MacDonald (for the Minister of Employment and Immigration) moved:

Motion No. 1.

That Bill C-84 be amended in Clause 2 by adding immediately after line 36 at page 2 the following:

"(3) If, during the second session of the thirty-third Parliament, Bill C-71 entitled An Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act is assented to, then on the day this subsection comes into force, the reference in subsections 39(2) and (3) of the Immigration Act, 1976, as amended by this Act, to "19(1)(e) or (g)" shall be read as a reference to "19(1)(e), (g) or (j)."

Motion No. 4.

That Bill C-84 be amended in Clause 3

(a) by striking out line 37 at page 2 and substituting the following therefor:

"3.(1) Subsection 40(1) of the said Act is"

(b) by adding immediately after line 5 at page 3 the following:

"(2) If, during the second session of the thirty-third Parliament, Bill C-71 entitled An Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act is assented to, then on the day this subsection comes into force, the reference in subsection 40(1) of the Immigration Act, 1976, as amended by this Act, to "19(1)(e), or (g)" shall be read as a reference to "19(1)(e), (g) or (j)."

Motion No. 7.

That Bill C-84 be amended in Clause 4

(a) by striking out line 6 at page 3 and substituting the following therefor:

"4.(1) The said Act is further amended by"

(b) by adding immediately after line 25 at page 6 the following:

"(2) If, during the second session of the thirty-third Parliament, Bill C-71 entitled An Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act is assented to, then on the day this subsection comes into force, the reference in subsections 40(1) and (7) of the Immigration Act, 1976, as enacted by this Act, to "19(1)(d), (e), (f) or (g)" shall be read as a reference to "19(1)(d), (e), (f), (g) or (j)."

Motion No. 11.

That Bill C-84 be amended in Clause 5

(a) by striking out line 26 at page 6 and substituting the following therefor:

"5.(1) The said Act is further amended by"

(b) by adding immediately after line 44 at page 6 the following:

"(2) If, during the second session of the thirty-third Parliament, Bill C-71 entitled an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act is assented to, then on the day this subsection comes into force, the reference in paragraph 48.1(a) of the Immigration Act, 1976, as enacted by this Act, to "19(1)(e), (f) or (g)" shall be read as a reference to "19(1)(e), (f), (g) or (j)."

Motion No. 18.

That Bill C-84 be amended in Clause 12

(a) by striking out line 31 at page 19 and substituting the following therefor:

"12.(1) The said Act is further amended by"

(b) by adding immediately after line 40 at page 21 the following:

"(2) If, during the second session of the thirty-third Parliament, Bill C-71 entitled An Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act is assented to, then on the day this subsection comes into force, the reference in subsections 104.1(1), (2) and (7) of the Immigration Act, 1976, as enacted by this Act, to "19(1)(e), (f) or (g)" shall be read as a reference to "19(1)(e), (f), (g) or (j)."

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, since giving this Bill second reading about 10 days ago the House has passed Bill C-71 which deals with war criminals and those who have committed crimes against humanity. The five motions which we have presented at this time are all consequential amendments to the passage of Bill C-71 which was passed last week. Pursuant to your ruling, Mr. Speaker, I will deal with these five motions in one address.

The purpose of the motion to amend Clause 2 of Bill C-84 is to add "war criminals"' to the list of types of persons who may be made the subject of security reports leading to deportation from Canada.

Bill C-71 would add a new inadmissible class of persons to the list of inadmissible classes in Subsection 19(1) of the Immigration Act, 1976. This new inadmissible class, which would be described in Section 19(1)(j) of the Immigration Act, precludes the admission to Canada of persons who there are reasonable grounds to believe had committed a war crime or crime against humanity.

The effect of Clause 2 of Bill C-84 is to continue the existing process for handling security matters concerning permanent residents of Canada. This process, set out in Sections 39 and 40 of the Immigration Act, involves a security report signed by the Minister of Employment and Immigration and the Solicitor General, a review by the Security Intelligence Review Committee, and a recommendation to the Governor in Council.

It should be noted with reference to Bill C-71 that the provisions regarding the inadmissibility of permanent residents who may have committed a war crime is not retroactive. These provisions will prevent the admission to Canada for permanent residence of any person, after the proclamation of Bill C-71, who has committed a war crime or crime against humanity and will allow for the deportation of permanent residents who commit such odious crimes after the coming into force of Section 19(1)(j).

I am sure that all Members will agree that persons who have committed a war crime or crime against humanity ought to be treated in the same manner as other persons who pose a security risk to Canada. This motion to amend will ensure that that is the case.

The purpose of the motion to amend Clause 3 of Bill C-84 is to add a reference to "war criminals" to Section 40 of the Immigration Act. As mentioned earlier in reference to Clause 2 of Bill C-84, Sections 39 and 40 of the Immigration Act set out the process for handling security matters involving

permanent residents of Canada. This motion is therefore consequential on the addition of the reference to Section 19(1)(j), which describes war criminals, to Clause 2 of Bill C-84. Clause 2 amends Section 39 of the Act.

The purpose of the motion to amend Clause 4 of Bill C-84 is to add a reference to "war criminals" to the list of types of persons who may be made the subject of security certificates leading to deportation from Canada. As mentioned in reference to Clause 2 of Bill C-84, Bill C-71 would add a new Section 19(1)(j) to the Immigration Act thereby making war criminals inadmissible to Canada.

Clause 4 of Bill C-84 establishes a new process for handling security matters involving persons who are not permanent residents of Canada, that is, for example, visitors, refugee claimants, and illegal aliens in Canada. The new process involves a security report signed by the Minister of Employment and Immigration and the Solicitor General and a review by the Federal Court.

I am sure that all Members will want to support this motion to amend Clause 4 to ensure that once Bill C-71 is proclaimed war criminals will be treated under the Immigration Act in the same manner as other security risks.

The purpose of the amendment to Clause 5 of Bill C-84 is to ensure that when Bill C-71 is proclaimed war criminals will be denied access to Canada's refugee determination system.

• (1130)

The United Nations Convention relating to the status of refugees provides in Article 1F that:

> The provisions of this Convention shall not apply to any person with respect to whom there are serious reasons for considering that he has committed a crime against peace, a war crime, or a crime against humanity, as defined in the international instruments drawn up to make provision in respect of such crimes.

The UN Convention lists war criminals as persons considered not to be deserving of international protection. As a result, we wish to deny access to the refugee determination system to minimize the prospect that such persons will be able to manipulate the system in order to delay their removal from Canada.

Finally, there is the amendment to Clause 12. The purpose of this amendment to Clause 12 would be to add a reference to war crimes to the new provisions established in Bill C-84 for detention at the port of entry for investigation of identity or security risk.

Clause 12 of Bill C-84 would establish a new Section 104.1 of the Immigration Act. This Section would permit the Minister to issue a certificate requiring detention of a person upon arrival in Canada for up to 28 days for investigation of whether that person may pose a security risk to Canadians.

The present motion to amend Clause 12 by adding a reference to paragraph 19(1)(j) of the Immigration Act as would be established by Bill C-71, would ensure that persons suspected of being war criminals would be treated in the same manner as other persons who are suspected of posing a security risk.

Finally, I wish to emphasize that nothing in these amendments will interfere with our ability to prosecute war criminals in Canada. Removal provisions do not overrule or override the Criminal Code.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, I am very pleased to see the Parliamentary Secretary steering this Bill so competently through the House. While I am very happy to hear his voice, and follow the logic of his approach, I must say that with two Ministers of Immigration in the House, whose combined skills are perhaps not as good as the Parliamentary Secretary alone, I cannot understand why they should not be here today to deal with their Bill and guide us through the report stage.

An Hon. Member: Where is your critic?

Mr. Caccia: When one considers that for some reason, which is hard to understand, the Tories decided to have two Ministers in charge of immigration, at least one of them ought to be here, particularly in view of the shabby way in which they have handled questions in Question Period when we were grilling the Government on a number of questions related to Bill C-84.

I must confirm my confidence in the Parliamentary Secretary and say that actually, in a way, I am reassured by the fact that his presence here today shows that his skill and competence is being recognized by the Government.

The amendments to Clauses 1, 4, 7, 11, and 18, which were put forward by the Parliamentary Secretary, are important because they deal with the processing of war criminals. We on this side of the House concur in the necessity of introducing these clauses and debating them under one motion as you us to do a few moments ago.

Therefore, on behalf of the Member for York West (Mr. Marchi), who is due to arrive any moment, I will be very glad to concur. I believe he has been held up on constituency business, which I believe everyone understands.

He is not the proponent of the Bill and there is a big difference. The proponent of the Bill is the Minister of Employment and Immigration (Mr. Bouchard) and that is why I am saying he should be here.

In any case, we concur with the motion before us.

Mr. Dan Heap (Spadina): Mr. Speaker, we support this group of motions relating to this amendment. We are also very pleased that the war criminals Bill has been passed. Of course, these motions are consequent upon it.

We support these motions, notwithstanding that we oppose those parts of Bill C-84 to which these motions relate. Specifically, we oppose the denial of access to the refugee

process for the several classes of people who are referred to in this motion. We disagree with the interpretation that the Hon. Parliamentary Secretary has given, based on a quotation from one aspect of the United Nations Convention for Refugees.

Representatives from the United Nations High Commission for Refugees made it very plain when they spoke to us during our committee hearings on this Bill that, while they do not grant the absolute demand for protection to war criminals and the others described in this motion, they still ask that the decision to find the person as one of those so described should be made as part of determining the refugee status which the person has claimed. We are talking about people who have claimed refugee status but are found to be inadmissible on these grounds.

The United Nations Convention does not require that Canada or any country admit somebody that it finds inadmissible on these grounds. It does not even require that Canada observe the rule against returning that person directly or indirectly to the country where he fears persecution. Therefore, the right of Canada to do what it thinks is necessary for its security, and necessary in accordance with the war criminals Bill, is not in any way infringed or challenged either by the United Nations Convention regarding the protection of the status of refugees or by the decisions of the executive of the United Nations High Commission for Refugees. This was made quite clear to us by their representative who spoke to our committee a couple of weeks ago.

However, they do urge that their procedure be followed. Their procedure includes not only recognition or non-recognition of a person's claim to refugee status, but also recognition of the facts of the crimes of this sort for which the person may either be convicted or very reasonably suspected of committing.

In their view, the difference it makes is that if there is a person in Canada who is convicted or suspected of those crimes and therefore considered unacceptable, inadmissible in Canada—of course leaving aside the extradition at the request of another country which is based on other legislation—nevertheless, in regard to refugee status, Canada ought to allow the refugee process to continue its full course, including consideration of that security risk or crime, war crime, or crime against humanity.

• (1140)

Considering both facts, both the crime and the fact of refugee status, it might make a difference in how that person's situation would be handled. It might be possible, if the United Nations High Commission so wished, to have that person sent to some other country than the one from which he fled. There are war crimes and there are war crimes, and this has come out during the debate on the war crimes Bill.

Not everyone is completely at one about the exact definition or scope of the definition of war crimes. Therefore, the United Nations prefers that we follow the rule it has adopted, which is not binding on us but is recommended. It prefers that we do not deny access to the refugee states process even to these people. In fact, there have been very few cases, perhaps a couple of dozen, who have come anywhere close to this category in the last couple of decades in Canada.

It is not a burdensome item and the UNHCR prefers that we keep the principle clear of not denying refugee status to a person who has claimed it. But it is an agreement with us that after that status has been granted, and in the case of someone who is also found to fall into this inadmissible category, Canada then is free to deport that person according to our own laws but it wishes we would consult with the UNHCR before we do that.

Therefore, Mr. Speaker, we would be supporting this clause, although we will be opposing certain parts of the Bill with which this clause deals.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker since we are discussing the amendments proposed by the Government, I have a few questions for the Parliamentary Secretary and I think it would be desirable to have some appropriate answers.

Mr. Speaker, last Friday, we adopted here in the House Bill C-71, a Bill that provides the courts with the requisite mechanisms to send war criminals living in Canada back to their own countries to stand trial. I have some trouble understanding why the Government is proposing these amendments. There must be a very logical answer which I am sure the Parliamentary Secretary could give me.

[*English*]

I would like to ask the Parliamentary Secretary a question. Since Bill C-71, which was adopted last Friday, is supposed to be a "made in Canada" approach to war criminals, that is, they would be charged under the Criminal Code, why do we now want to deport, or to be able to deport these same people? My understanding is that by virtue of Section 52 of the Immigration Act, persons can be tried in Canada before they are deported. Can we have some response from the Parliamentary Secretary as to why we would want to try these people and then deport them? Is that the purpose of the amendment?

Mr. Deputy Speaker: Am I to understand there is unanimous consent to allow the Hon. Member of Ottawa—Vanier (Mr. Gauthier) to put his question to the Parliamentary Secretary?

Some Hon. Members: Agreed.

Mr. Friesen: The Hon. Member for Ottawa—Vanier will understand, of course, that in order to update legislation there must be full reference to new provisions made in other legislation. It would be inappropriate and incomplete to have a new Bill passed which deals with war measures and then have another measure passed dealing with immigration, which is affected by Bill C-71 in this particular case, and not have any

reference to it. It would be as though the Immigration Act was blind to a new provision which had been made under Bill C-71.

Yes, it would be the view that if someone has been here as a permanent resident and now falls under the inadmissible class of Section 19(1)1(j), he is deportable just as every other person mentioned on Section 19(1) is deportable if they are a permanent resident.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motions Nos. 1, 4, 7, 11, and 18. A vote on Motion No. 1 will be applied to the other four motions. Therefore, the question is on Motion No. 1. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motions Nos. 1, 4, 7, 11 and 18 agreed to.

Mr. Deputy Speaker: Motion No. 2 will be debated and voted on separately.

Mr. Dan Heap (Spadina) moved:

Motion No. 2

That Bill C-84 be amended by deleting Clause 2.

He said: Mr. Speaker, Clause 2 and Clause 3 are really, as explained in the notes, consequential on Clause 4. However, I understand we have to take them up as they come.

The effect of Clause 2 or Clause 3 is to separate out certain groups from an action that is taken by Clause 4. The effect of the three clauses together is to set up a new procedure around the matter of security certificates. In the existing legislation we have provision for security certificates.

The Minister of Employment and Immigration (Mr. Bouchard) and the Minister of Justice (Mr. Hnatyshyn) together may sign a security certificate which accuses a certain person of being in effect a threat to the security of Canada. They are not required by law to provide information as to the nature of the action the person is accused of committing, nor are they required to provide any of the evidence. The argument for that contrary to our otherwise normal legal procedure in Canada is that to describe the act or the evidence might of itself endanger the security of Canada or the security of certain persons. This provision has been in force for some years and I am told that in the last couple of decades about 23 people have been accused under that provision.

There is a limited degree of protection of the rights of the persons so accused. The charge and the evidence are reviewed by the Security Intelligence Review Committee, the same body that was set up by Parliament to monitor the work of CSIS, the Canadian Security Intelligence Service. The Security Intelligence Review Committee will review the information, the accusation and the evidence, and it will describe some of it to the accused person, to the extent it believes it can give that information without endangering the security of Canada or the safety of any persons. The accused person is allowed to respond to that limited part of the information. The Security Intelligence Review Committee then makes a recommendation to the Minister as to whether the certificate should be sustained or not. If the certificate is sustained, and if the Minister judges that the person is a threat to the security of Canada, that person may be deported.

What is being done by the new law is to say that while the earlier law applies to Canadian citizens, if they are so charged, and to permanent residents of Canada, if they are so charged, it does not apply to others such as visitors on a visitor's visa or to people who have come in without any adequate documentation such as many refugee claimants claiming what we have provided in our law as the Inland Refugee Claim procedure. Those people, including those refugee claimants, instead of having the certificate reviewed by the SIRC will have it reviewed by the Supreme Court. We will be opposing that when it is dealt with under the amendments relating to Clause 4.

• (1150)

I will not go at length into the reasons for opposing it now. Since we are opposing the creation of this new procedure for those who are neither citizens nor permanent residents of Canada, we therefore oppose the separation of those people from citizens and permanent residents in the division of this law into two parts. There seems to us to be no sufficient reasons shown why the matter should be put before the Federal Court of Appeal rather than the Security Intelligence Review Committee.

Very briefly, the explanation given by certain persons, staff and certain Members of Parliament, is that it will expedite the action. That seems very questionable since there seems to be great evidence that the Federal Court has as great a backlog, if not a greater backlog of business, than does the SIRC. Although at present the SIRC meets only monthly it is able to meet in panels or as single persons in order to deal with matters as they come up.

To my understanding there has been no delay, or no undue delay, in having these cases, the few that have occurred, looked at by the SIRC. There may well be a delay of months, according to the backlog of the Federal Court. That would be potentially injurious to the accused person who, of course, is being detained. That sort of delay and prolongation of the process certainly increases the administrative burden of the Department and of the justice system.

Further, the Federal Court has no expertise as such in security matters. Whether some individual members may have a background in security or not, the court as such has no expertise in that area. As the Parliamentary Secretary to the Minister pointed out during debate at second reading, the court has access to the security information provided by CSIS. It has the same access as does the review committee. That is

not the question. The question is about the court's familiarity and expertise in evaluating such information.

The whole point of the review is that the matter should not be left merely to the fact that the security authorities have presented certain evidence. That evidence has to be weighed. We have a body which is appointed for two special purposes, and one is to weigh that evidence. Over several years it has developed a recognized competence in doing that.

The Federal Court is a court which judges legal procedures. It reviews how a case has been handled to see whether or not it has been handled according to law. It is not within its expertise to handle matters of fact. It is certainly not within its expertise to weigh matters of security. Therefore we believe that as a matter of justice the group should not be divided to separate non-permanent residents from the rest.

We also believe there may very well be the occasion of a Charter challenge under the Canadian Charter of Rights and Freedoms. In the general spirit of the Singh decision of two and a half years ago, it may be that the Supreme Court will find that it is unconstitutional, contrary to the Charter, to deny as good a hearing to non-permanent residents as is available to permanent residents. That was certainly the spirit of the Singh decision. It would be consistent with that decision if the Supreme Court found that in this case.

Rather than waiting perhaps two or three years for a Supreme Court challenge, with the exception of that and with the trouble that may accrue to individuals in the meantime, I hope that the Government will agree to the amendment that I will put later which would withdraw that amendment to Clause 4. I am therefore asking that we withdraw this consequential amendment now.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, unlike the government Members in committee, we listened to those who appeared before our committee on Bill C-84. We carefully developed a position whereby we concluded that Clause 2, which gives considerable powers to the Minister of Employment and Immigration, should be removed. The reason is this. The Minister would be given the power to arbitrarily sign a certificate against a person without the benefit of the report by the committee. I am referring to the Security Intelligence Review Committee. This is an arbitrary power that was objected to by a number of organizations which appeared before the committee.

For instance, the Inter-Church Committee for Refugees commented, saying that the Security Intelligence Review Committee is doing a good job and has developed expertise in evaluating security certificates. It asked, why that role should be suspended? Actually, it urged that the review task be left with the committee. It felt that the jurisdiction should remain with the Security Intelligence Review Committee. It also argued that the Federal Court does not have the expertise necessary to deal with these matters.

We had submissions from the Canadian Bar Association which said it could not see any reason for the inclusion of Clause 2 in the proposed Bill. Representatives of the Bar Association felt that the Federal Court is not an expert tribunal on security issues. They also confirmed that the Security Intelligence Review Committee is doing a good job. They argued that the Federal Court is not fast in making a decision, that a waiting period of six months in the Court of Appeal and longer could take place.

The Canadian Bar Association also felt that the Federal Court would not be any faster than the present process. It reinforced the notion that the committee is adequate. It, too, wanted to leave the jurisdiction with the committee and argued that, perhaps, the decision-making process of the Security Intelligence Review Committee ought to be spread out and expedited.

Amnesty International commented that it cannot see any reason to change the existing system. That association said that often foreign governments do not state the truth about the activities of people they consider as threats—among those foreign governments there are some that are friendly to Canada, as in the case of South Korea—and student security checks.

• (1200)

The Canadian Ethnocultural Council saw no reason to transfer this responsibility to the Federal Court, which already has a heavy case-load, and that council also argued in favour of maintaining the present system.

The Canadian Jewish Congress also supported the existing procedure of the committee. It felt that the procedure for the examination of the validity of the security certificate could be stacked against the claimant; there is no appeal and no cross-examination, the Minister's case would be presented *in camera*, and the claimant would only receive a summary of the evidence.

The Civil Liberties Association also commented against the change, and the inclusion of Clause 2 to which we object. That organization felt that the Security Intelligence Review Committee is developing a reputation for independence, and that it does have an expertise which ought to be utilized. It also suggested that the committee procedure by the Security Intelligence Review Committee should be maintained.

We also received a submission from the coalition interested in Bill C-84. It argued that the Security Intelligence Review Committee was established to provide for proper review of security decisions. It argued and recommended in favour of leaving the present system in place. It agreed with the Canadian Bar Association proposal to impose time limits. The coalition also stated that there has been no indication that the committee is not working well. It argued that it has now developed considerable experience and knowledge.

There were also submissions from individuals, for example, Mr. Joe Stern, who argued that the role of the committee ought to be continued. The Etobicoke Committee for Fairness to Refugees also felt very strongly that this clause should be removed.

The Inter-Church Committee for Refugees came before the committee. It felt that if there are security worries, the people should go to the refugee division quickly and then a decision could be made regarding security.

It is interesting to note that the United Nations High Commission for Refugees made the observations that we should first determine whether or not a person is a refugee, that a person should be given time to find another country, and that the commission can assist. We would not be helpful if we did not know whether this person was a refugee. The commission argued that we should determine the refugee status first, and then decide on security issues, as it is done presently. This body has been in existence for many years, and it has been engaged in the matter of developing policy and handling the movement of refugees around the globe, and it came forward in favour of removing Clause 2 from this Bill.

Amnesty International also commented on this important matter. It said that the law should give all refugee status claimants the opportunity to be heard on the merits. It developed a rationale for handling cases where the claimants are found to be refugees and security threats.

The submission made by Rabbi Gunther Plaut is also worth considering. He also recommended that we continue with the present system for the reason that criminality is defined differently in different countries. He said that situations may look different when assessed through Canadian eyes. He said it is important to determine that a person is a refugee at the same time as the security assessment is made, and then it is important to decide what to do.

The Canadian Jewish Congress and the coalition, and other people, also appeared before the committee and made comments on this particular clause. I wish to stress that it is important that the Minister pay attention to the arguments advanced by a number of interested parties.

Because the Federal Court is inexperienced in this matter, and the Minister without the benefit of a report by the Security Intelligence Review Committee would have the powers to sign a certificate against a person and file it with the Federal Court, we are voting for the deletion of Clause 2. The present system has proven so far to function properly, and it does not give special powers to a political individual without the benefit of a report from the Security Intelligence Review Committee on which to base a decision.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): I appreciate the comments of the two members opposite. As the Hon. Member for Spadina (Mr. Heap) correctly pointed out, the purpose of Clause 2 is to make a distinction between permanent residents and visitors. Clause 4 will bear that out when there is a distinction made in the manner the two classes of people are treated when a decision has been made.

Broadly speaking, the people that we are talking about in this clause, and again in Section 19(1) of the Immigration Act, are the inadmissible class. Here I disagree with the Hon. Member for Davenport (Mr. Caccia), and I would remind Members opposite that the first purpose of the entire determination system is not to determine whether these people are refugees, but to determine whether they need protection. This was again stated last week in committee. The purpose of the determination system is to decide if these people need protection. In fact, all Members know that some people have found protection elsewhere and have chosen to leave there. As one witness stated, they are shopping for the best place to go.

The second purpose is to provide protection for Canada. We are dealing with an inadmissible class, people who have been convicted of crime, who may be security risks, and now, on the amended version, who may have been guilty of war crimes. Surely Members opposite would concede that there is a rationale for treating visitors differently from permanent residents. Permanent residents do have rights, as do citizens. They can work. They have a right to employment and to the social services of Canada. Within the immigration system they have not only a right to sponsor but a right to appeal in a sponsorship program. Visitors do not have that right. I hope Members opposite would concede that there is a difference between visitors and permanent residents.

• (1210)

The purpose of the process outlined in Section 2 of this Bill is to make sure that there is maximum fairness provided to those who have been investigated and who have been issued a certificate. Therefore, in order to provide maximum fairness it seems to us that you can get that by appealing to the Federal Court. The Hon. Member for Spadina said that the court was not competent to hear this evidence. I hope he will rethink the suggestion that the court system is not competent to hear evidence. What is it all about if it is not competent to hear evidence, Mr. Speaker? Surely that is the very business in which the court is engaged. If the Minister of Employment and Immigration (Mr. Bouchard) together with the Solicitor General (Mr. Kelleher) make application on the basis of security information to a Federal Court, the very competentcy of the Federal Court guarantees that the person named in that application will get maximum fairness because that decision will be made in fact and in law. Therefore, I am somewhat perplexed at the persistence on the part of the Member from Spadina in raising this matter constantly.

The Member from Spadina says there will be Charter challenges. There is no escaping that because lawyers litigate. That is what they are all about. I think it is clear that there is good argument to be made that the Charter deals with people who are similarly situated. Surely the Member will agree, and

we are confident that the court will agree that visitors and permanent residents are not similarly situated.

Finally, the Member mentions that there is a backlog in the court system. There is a backlog in the immigration appeal division but not in the trial division where expertise has been developed in determination of fact.

I cannot accept what the Member from Spadina and the Hon. Member for Davenport have said regarding this amendment. We cannot support the amendment. I do not think the Member from Spadina has dealt with Clause 4. It would be interesting for him to deal with, but he has not chosen to do that and I am surprised he chose to deal with this clause. At any rate, for these reasons, we cannot support the amendment proposed by the Member from Spadina.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 2 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

An Hon. Member: Agreed.

Some Hon. Members: No.

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

An Hon. Member: Yea.

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

Some Hon. Members: Nay.

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

[*Translation*]

Mr. Gauthier: On a point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Ottawa—Vanier (Mr. Gauthier), on a point of order.

Mr. Gauthier: Mr. Speaker, you said: "I declare the amendment lost." In fact, when you put the question, we said "yea" to the motion; no one said "nay". So the amendment is carried, not lost.

[*English*]

Mr. Deputy Speaker: I am willing to look at the record. When I asked for the yeas and nays it is my recollection that I heard someone say yea, probably the Hon. Member for Spadina (Mr. Heap), while a large number of Members said nay. Therefore, I declared the motion negatived. That was my recollection but I am willing to hear the Hon. Member for Ottawa—Vanier (Mr. Gauthier)

Mr. Gauthier: Mr. Speaker, why would the Opposition speak against the motion?

Miss MacDonald: That is what we want to know.

Mr. Gauthier: Let me finish. Why would the Opposition speak against or for the motion and then stay quiet and not want its voice vote to be heard? Our Party and the New Democratic Party spoke for the amendment. We voted for it and that is it as far as I am concerned. The yea vote was won by us.

Some Hon. Members: Oh, oh!

Mr. Blackburn (Brant): You always get a second chance on Monday mornings.

Mr. Deputy Speaker: I sympathize with the argument put by the Hon. Member for Ottawa—Vanier—

Mr. Gauthier: I don't need that.

Some Hon. Members: Oh, oh!

Mr. Deputy Speaker: I know a member of his Party spoke against the motion—

Mr. Gauthier: Spoke for the motion.

Mr. Deputy Speaker: When I took the voice vote my understanding was that the nays had it.

Some Hon. Members: Right.

Mr. Deputy Speaker: I thought it was by an overwhelming majority. Five Members did not stand up. No one stood. The decision will stand.

Mr. Dan Heap (Spadina) moved:

Motion No. 5

That Bill C-84 be amended by deleting Clause 3.

He said: Mr. Speaker, I am fairly confident that the history of Canada will not hinge or turn on the vote on the last motion.

Some Hon. Members: Oh, oh!

Mr. Heap: Motion No. 5 is a motion to delete Clause 3 and Clause 3 in turn is consequent on Clause 4. The Hon. Parliamentary Secretary has expressed disappointment that I did not speak on Clause 4.

Mr. Friesen: Surprised.

Mr. Heap: I understand that we were taking the clauses in order so I spoke on Clause 2 when we dealt with Clause 2 and I will speak on Clause 4 when we deal with Clause 4. I hope that the Parliamentary Secretary will agree with me because that, of course, is the important clause out of those three clauses.

Clause 3 is like Clause 2, it is consequent on Clause 4. Therefore, I will not speak on it at length. I would rather devote time to Clause 4.

• (1220)

I would simply say that the whole system of segregating out visitors or others who are not permanent residents or citizens as established by Clause 4 is what I wish to reject. However, I wish to take this occasion to respond to a couple of points made by the Parliamentary Secretary.

The Parliamentary Secretary talked about the court being competent to judge questions of evidence. In fact, the court's main expertise is to judge questions of procedure. According to its jurisdiction, it spends less time by far judging questions of evidence *per se*. It may judge a question of unreasonable disregard of evidence. Cases like that are often sent back to the jurisdictions from which they came for rehearing.

I notice that the Hon. Parliamentary Secretary did not really challenge the point that the Federal Court does not have any specific expertise in security matters. The Security Intelligence Review Committee has that specific expertise. Therefore, the point I was making has not really been addressed or negated by the Hon. Parliamentary Secretary.

The Parliamentary Secretary has said that visitors are not situated similarly to permanent residents. That is true, but the Supreme Court heard that argument in the case of Singh, the judgment it gave two and a half years ago. At that time, the court said in effect that when it is a matter of risk of life or imprisonment, the difference of situation between a permanent and a non-permanent resident is not enough to deny the normal due process to the non-permanent resident. It is true, as the Hon. Parliamentary Secretary said, that when it comes to a question of the right to take employment in Canada, there is a difference. That difference is legislated and, to the best of my knowledge, it has not been challenged at the Supreme Court, though I am not familiar with all the cases.

It was interesting that the Hon. Parliamentary Secretary made a sort of facetious reference to the possibility of Charter challenges. He said that of course lawyers will litigate, implying that lawyers will litigate frivolously or that they may have some rich clients who will hire them to litigate frivolously. It reminds me of the remark made by the Minister of State for Immigration (Mr. Weiner) a couple of months ago when confronted with the fact that lawyers in private practice with expertise in immigration matters who had spoken publicly on the Bill had all spoken against Bill C-55. The Minister responded by saying: "Oh, they are just interested in their fees".

I find it remarkable that a lawyer who is simply interested in fees would be taking up the case of refugees who are mostly very poor. Except for the occasional one who may have made a fortune dealing in drugs in Vietnam and has retired as a general in Canada, refugees are not usually regarded as rich clients.

I also find it very interesting that this has come from a Government which has been preaching for nearly three years that it is the private sector that is the engine of recovery. I find it very comical that this Government, which is selling off public corporations as fast as it can, this Government which has boasted that it will reduce the number of people in public employment, should speak with scorn about or try to denigrate lawyers in private practice.

I do not know if the Minister really thinks that all those lawyers ought to be hired by the Government, and I do not know if the Hon. Parliamentary Secretary thinks that they all ought to be civil servants before their opinions should be taken into consideration. I understand, of course, that lawyers hired by the Government have some difficulty expressing opinions in disagreement with the Government unless they have plans for other employment.

I find it strange that the Government should offer public scorn to the opinion of lawyers in the private sector whose only apparent offence from the Government's point of view is that they might want fees for their work.

I hope the Government will reconsider and will have some regard for lawyers in private practice, especially since it was lawyers in private practice who obtained the Singh decision against the expertise of government lawyers. I think it would be foolish on the part of the Government to dismiss the possibility of litigation brought by lawyers in private practice as though it were badly motivated and ineffective. I would ask Parliament to uphold this motion to delete Clause 3.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we argue in favour of deleting Clause 3 for the reasons to which we already referred earlier. It would be difficult to add new information to the argument.

I would only like to bring to the attention of the Parliamentary Secretary and the Government once again the comments on Clauses 2 and 3 of the United Nations High Commissioner for Refugees. The High Commissioner made the important point that the first and most important thing is to determine whether or not a person is a refugee. That is the paramount decision that must be made. That must be done first because that is the nature of the matter affecting the future of a person who applies as a refugee, relying on us as a nation complying with our international agreements. The decision on security must then be made, but as a subsequent step.

The United Nations High Commissioner for Refugees has registered an important message with the Government of Canada and that message has been ignored. That is why we feel that Clause 3 ought to be deleted.

All of a sudden, the experience of the committee is being put aside and a new process is being put into place that deals more with procedure than evidence, as the Hon. Member for Spadina (Mr. Heap) so eloquently put it. We feel that that is not the wise approach.

Reference has also been made to the possibility of this clause being found unconstitutional, and not simply for the fun of hiring lawyers and taking the Government of Canada to

court. There may be some very good grounds for taking the Government to court on this legislation in light of our Constitution.

For the life of me, I cannot understand why the Government takes this matter so lightly and ignores the submissions, comments and suggested amendments made by the committee. That is not good Government and it is not the open and democratic approach this Government promised in 1984. As a matter of fact, one can hardly find one comment or one suggested amendment made by the groups and individuals who appeared before the committee that has been accepted. In this case, this is an attitude of neglect on the part of the Government which is extremely difficult for us in Opposition to understand.

• (1230)

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, to respond very briefly to what my friends across the way have said, I would point out again that the review committee sits only several times a year. To wait for the next sitting would be to ask the whole process to slow down and invite the committee to be burdened with decisions we feel should be made by the court. After all, the purpose of the committee is not to deal with immigration or refugee cases, it is to be a watch-dog of the whole security system. It will hear some cases, of course, but it is to provide an overview and make sure the security system is functioning well and the private lives of Canadian citizens are not invaded without reason. We feel that the court system is the place for the case to be heard. What the Hon. Member for Spadina (Mr. Heap) has described within the court system may be true with respect to the appeal division but not the trial division which is the competent court with which we are dealing.

He drew a fairly long bow with respect to my remark regarding litigation. As usual for the NDP, sooner or later it comes down to money. The fact is that over the last five years, since the Charter was passed, all the discussion has been about Charter challenges. That is the situation we are in. What are the parameters with respect to the Charter. Laws will be challenged on the basis of the Charter. Every time you pass a law you invite that kind of challenge. We accept that. That does not invite the long lecture that I got from the Hon. Member for Spadina.

Since this proposal on the part of the Hon. Member is again consequential to the previous proposal, it is logical that we will not support it.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 5. Is it the pleasure of the House to adopt the motion?

An Hon. Member: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

The next motion is Motion No. 9.

Mr. Dan Heap (Spadina) moved:

Motion No. 9

That Bill C-84 be amended by deleting Clause 4.

He said: Mr. Speaker, this is the clause the Parliamentary Secretary was waiting for. I hope I have now satisfied his yearning because I am going to speak on it as he so much wanted me to do. I see him looking very happy and his disappointment is assuaged.

This clause is basically unnecessary and therefore unfair. It is not a question of whether Canada has the right and should have the power to protect itself against persons who may threaten our security or who otherwise are serious offenders in our eyes, people such as war criminals. That is not the question. We have dealt with war criminals in Bill C-71. We have provided for their inclusion under the Immigration Act. My Party supported both those decisions. What is at stake here is the refugee determination system for those people. That is why I and my Party oppose Clause 4 and have asked for its deletion.

I am advised that the Security Review Committee meets monthly, is flexible and can meet more often, as it has had occasion to do. It can meet in panels, even panels of one. It is very flexible in its approach. It has not caused any delay in the hearing of security cases which have come before it. Any delay was not caused by the inability of the committee to meet expeditiously. It was caused by the inability of CSIS to provide the information on which the committee could meet. If CSIS does not provide the data, then neither the committee nor the Federal Court can handle the case. Therefore, there is no ground for predicting that these cases could not be handled expeditiously.

In fact, the committee was told that the two functions of the security committee actually assist each other. That is to say, the examination of the particular cases, as under the Immigration Act, together with other cases, actually assists in elucidating the possible problems the Security Review Committee has

to examine in the operation of CSIS. That was explained to us by the chairman of the committee.

It is very important that this committee not operate in a vacuum, only examining abstract reports. It is very important that it have access to particular cases so it can see not only the analysis but the facts on which the analysis is based. For example, there were several cases of people who came from Chile. They were admitted as permanent residents but are now being accused of being security risks. That was the information provided by CSIS. But CSIS had not evaluated that information adequately. Perhaps that is not its function. At any rate, it did not. It simply said we have this information which is very damaging to those persons with respect to security.

The matter was brought to the security review committee and, operating with their knowledge of the security operations of Canada, and in dealing with counsel for the Chileans concerned, it turned out that all the evidence against those persons was based on information from the Pinochet Government which those persons had fled. It was either police reports originating from the Pinochet police or newspaper reports originating from newspapers owned or controlled by the Pinochet Government.

It is commonplace that a dictatorial Government, and I hope the Parliamentary Secretary will not dispute the dictatorial nature of the Pinochet Government, tries to persecute people who have left the country after opposing the Government and trying to organize a democratic resistance. When they are finally chased out of the country in fear of their lives or liberty, a Government such as Pinochet's will pursue them with lies. It will try to compromise them in the eyes of whatever country they may go to. That is what happened in the case of these Chileans.

• (1240)

Therefore, it was very important for those persons that the Security Intelligence Review Committee reviewed their cases. It was also very important for the work of the SIRC in monitoring, overseeing and evaluating the work of our security service. It would not be to the benefit of Canada to separate the business of looking at particular cases such as this from the over-all review and analysis by the SIRC. It would not be to the benefit of certain individuals concerned, in certain cases at least, and it would not be to the benefit of the over-all work of the review committee.

We are asking that the review committee continue to have the responsibility. If the Minister is concerned about delay, as the Hon. Parliamentary Secretary suggests, it would have been and may still be quite easy to put certain time requirements into the clause.

In fact, I moved such an amendment in committee but the Hon. Parliamentary Secretary and his colleagues in the government caucus, who say they are interested in speed, were not interested in speed at that time. They were not interested in amendments to the clause which would require the SIRC to render its decisions within certain statutorily specified times.

Therefore, there is not much weight to the Hon. Parliamentary Secretary's argument that they are concerned about SIRC being too slow. There is no evidence that SIRC would be too slow and there is no evidence that the Government is seriously concerned about speed.

Therefore, Mr. Speaker, I hope that the House will adopt my motion to delete Clause 4 which would resolve any doubt in the Minister's mind about whether I was giving undue attention to Clauses 2 and 3.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we feel the same way. Much has been said on this matter in committee by my colleague, the Member for York West (Mr. Marchi). He argued about the potential unconstitutionality of this process and about the necessity of deleting this clause.

It is interesting to note that if we do not delete this clause and the preceding one the Minister will be given enormous discretionary powers of his or her own. The decision of the Minister on the basis of a certificate will go forward to the Federal Court. The Federal Court will have to take upon itself the onus of deciding whether the reasons which led to the issuance of that certificate are valid, sound and proper. It seems to me that that is quite a lot for a court to have to decide on the basis of a political decision.

We believe that the alternative is a much better way of handling refugee cases than the one being proposed here. The method proposed here has too much of a political undertone and gives extensive powers to one person, namely, the Minister of Immigration of the day. It then shifts the entire responsibility of deciding whether the political decision is valid and ought to be accepted, namely whether the certificate is appropriate or not and whether the grounds upon which the decision was made are correct or not, to the court which must then examine a political decision. Therefore, we are very unhappy about this development and that is why we urge the deletion of this clause.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I will respond first to the last comments made by the Member for Davenport (Mr. Caccia) that this has political overtones. It is just the opposite. If it is turned over to the Federal Court it removes any kind of political overtones from the proceedings. The Member might argue that in some of the Immigration Appeal Boards in some of the regions there may have been some intrusion of politics. He may want to argue that, but I hope he would not argue that if an application is brought before the Federal Court it becomes political. After all, it is removing the politicians from the scene. The Minister together with the Solicitor General file an application on the basis of evidence presented by CSIS which puts it in a nonpolitical arena in the federal court system. I hope my friend from Davenport will understand that.

He also said that the Minister has enormous discretionary powers. It is just the opposite. It must be dealt with in fact and in law. He does not have discretionary powers. Once he files to the federal court system it is out of his hands and the court decides.

I would now like to respond to the Member for Spadina (Mr. Heap) who began by saying that that which is at stake is the refugee determination system. I could not agree more. That is exactly what is at stake in this section and that is why I cannot accept his proposal.

The system has been defrauded by misuse. He and I have heard of the case which was reported in the press not too long ago of someone from New York who was involved in a $50 million insurance fraud and came to Canada and applied for refugee status here. That is what makes the refugee determination system fall apart.

I will remind Members of the classes of people with which we are dealing. In Subsection 19(1)(d), (e), (f) and (g) and in 27(2)(c) there is reference to organized criminal activity, espionage or subversion against democratic government, subversion by force of any government and acts of violence or subversion by force of any government. It is people involved in that kind of thing with whom we are dealing.

The guarantee that there will be some fairness in this system is that the evidence which it is not in the public interest to have publicized will be heard *in camera* and the individual will be protected from having information about him disseminated through the media. This addresses the whole element of fairness.

My friend from Spadina talks about the Pinochet Government. I think all of us in the House recognize that he is no boy scout leader. It is not always pleasant living in Chile. The Member referred to the evidence which was accepted by CSIS and then thrown out by the review board. I hope he will be confident that the court will be competent enough to make the same kind of decision as the review committee could make. Surely if the review committee were brilliant enough to discard trumped up evidence on the basis of newspaper reports from Chile or statements made by the Pinochet Government, court justices will be able to see through that kind of scam too and will be competent to deal with it.

• (1250)

Therefore, I suggest that Clause 4 is at the heart of the entire system with which we are dealing and to accept the amendment by the Hon. Member for Spadina would be to gut the legislation. We could not accept that.

Mr. Deputy Speaker: The Hon. Member for Davenport (Mr. Caccia) by unanimous consent?

Some Hon. Members: Agreed.

Mr. Caccia: Mr. Speaker, would the Parliamentary Secretary clarify for the benefit of the House the question of certificates which we dealt with earlier? It is my understanding that the Minister does not file an application, he files a copy of the security certificate with the Federal Court. Because it is the Federal Court, the court is almost obliged to uphold this certificate unless the process of issuing that certificate is found to be improper. Will the Parliamentary Secretary clarify whether this is correct?

Mr. Friesen: Mr. Speaker, it is my understanding that the court is entirely competent to accept or reject the Minister's statement.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I did not have the privilege of taking part in the committee when it considered this particular clause, but I want to echo the concerns that other people have raised about the kinds of "star chamber" aspects of this legislation.

The argument made by the Government is that there may be security grounds related to people seeking to be refugees and therefore this is required. If I understand correctly, I do not believe that there have been security offences committed within Canada by any person who has been admitted to this country as a refugee.

[*Translation*]

Mr. Speaker, that is also the case with some people who try to obtain refugee status and against whom allegations are made by the government of the country from which they came. As my hon. friend from Spadina (Mr. Heap) said earlier, if, for instance, the testimony is given by the secret police of a country like Chile, a very repressive dictatorship, containing statements that the alleged refugee has committed offences against the security of their country, we do not know exactly how such testimony will be dealt with by a judge of the Federal Court of Canada. We can assume there will be some problems since one of the critics of the Bill has pointed out, with regard to the Canadian Security Intelligence Service, that they have, on occasion, too readily accepted information on security from authorities in countries that are not democratic and in fact are dictatorships.

Mr. Speaker, the Government is proposing that, if a person is suspected of being a possible threat to Canada's security—and as I just said in English, we have very little, in fact no proof that this has been a problem in the past—that in this case, instead of referring the evidene to an adjudicator who knows the immigration sector, instead of having that, we start over with a new process. The Federal Court of Canada is a very busy court. Even if, according to the Bill, a judge of the Federal Court must examine the certificate within seven days, there is no guarantee that the person in question has the right to know what the charges are against him. In some cases, that person will have no idea what the allegations are, since the judge will have the right, at the Government's request, to deny all access to information referred to the Court, on the basis of which the Government wants to prevent that person from being admitted to Canada.

Mrs. Speaker, that is also the case with some people who are seeking to obtain refugee status in Canada and who will have to face allegations made against them by the Government of their own country. As was mentioned by the Hon. Member for Spadina (Mr. Heap), if, for instance, we have testimony by the secret police of a country like Chile, a very repressive dictatorship, containing allegations that the alleged refugee has committed offences against the security of their country, we do not know exactly how this testimony will be dealt with by a judge of the Federal Court of Canada.

[*English*]

I simply question the necessity for this entire heavy-handed kind of clause which again does not relate to evidence that we have had in Canada that people coming here as refugees have proven to be risks to Canadian security. They may be dealt with as security risks in Guatemala or Chile, which is precisely why they may be coming here. They are considered by those Governments to be a threat to the security of those states and are therefore being persecuted. They would not be a threat under our terms, but in seeking such simple things as dignity, land reform for peasants and better income, they are deemed to be in opposition to a government that may not be democratic.

That is why I support the efforts of my colleague, the Member for Spadina (Mr. Heap), and other Members, and say that if a process related to security questions is needed, it does not need to be heavy-handed in this way.

If it is needed, it does not need to be shunted into a different channel. There is no reason why it cannot be handled through the regular process of determination of refugees.

Of course, if there are security questions which trouble the Canadian authorities, then there needs to be a fast-track. However, the problem with the refugee determination process over-all is that there has not been adequate swift disposition of cases. If there was swift disposition of cases this type of instrument would not be needed and fast-tracking would probably not be required as well.

Mr. Speaker: The Hon. Parliamentary Secretary, by unanimous consent?

Some Hon. Members: Agreed.

Mr. Friesen: Mr. Speaker, I wonder if the Hon. Member for Ottawa Centre (Mr. Cassidy) heard what he was saying. He talked about proceeding with this on the basis of mere suspicion. I find that offensive. The whole system is based on Canada's system of evidence and rules of evidence. Our court system is not based on mere suspicion.

He also talked about the court being heavy-handed. I hope that he will reconsider his view of the court system. We are appealing to the court system because it is fair. It makes its determinations on the basis of evidence, not on the basis of suspicion. It is staffed by justices who have been trained in law and weighing evidence. It is our judgment that the claimant will have the best hearing if he is heard by a court of law.

Mr. Sergio Marchi (York West): Mr. Speaker, it is not as easy as the Parliamentary Secretary would have the House of Commons believe. In the last number of weeks we have heard representatives from a wide range of organizations, including the Civil Liberties Association of Canada. They mention that with this particular aspect of security plus a detainment certificate, potential claimants for refugee status are being treated, on suspicion, worse than the criminal who would rob a bank in broad daylight. Therefore, I do not believe that the Parliamentary Secretary is completely correct.

Second, the United Nations High Commission for Refugees has expressed a great deal of concern about this particular clause.

I see that it is one o'clock. I would like to continue the debate following Question Period.

Mr. Deputy Speaker: Very well. It being one o'clock, I do now leave the Chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

FISHERIES

DEEP SEA DRIFT-NETS—KILLING OF MAMMALS AND SEABIRDS

Hon. Chas. L. Caccia (Davenport): As you know, Mr. Speaker, deep sea drift-nets are the marine equivalent of strip mining. Individually they hang to a depth of seven metres and often stretch for 50 kilometres.

In the Pacific Ocean alone there are an estimated 30,000 kilometres of drift-nets laid by 1,700 ships which belong to South Korea, Japan and Taiwan. The nets are intended to catch salmon and squid but also trap and kill up to 50,000 mammals such as whales, dolphins and sea lions, and one million seabirds.

Strung together these nets would reach from Tokyo, across Canada, to Rome. This shocking and wasteful method of fishing must be stopped before mammal, seabird and fish populations are depleted. The International Whaling Commission could stop this unacceptable exploitation of our common resources. We urge the Government of Canada to condemn Japan, South Korea and Taiwan strongly for using drift-net fishing, and to lead an international campaign to stop this practice.

SPORTS

IMMIGRANT SPRINTER BEN JOHNSON WINS WORLD CHAMPIONSHIP GOLD MEDAL

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, many people have criticized the Government for its policy of steadily decreasing the number of immigrants admitted to this country. Some have asked just what have they added to Canada? Well, they cannot ask that question any more because a simple answer would be that Canada would not have the gold medal won by Ben Johnson, the fastest man in the world, if, 15 years ago, his mother Gloria had not decided to migrate from Jamaica to Canada and bring her family with her.

The example of Ben Johnson is not a single example. He is the most celebrated of us all today, a world-class name, but he is only one of hundreds of thousands, in fact of millions of people who have come from various countries and have made Canada a better country.

We are proud of him throughout this land but nowhere more than in the city of Scarborough where he and his family have lived these many years.

* * *

SPORTS

CANADIANS PROUD OF BEN JOHNSON'S OUTSTANDING ACHIEVEMENT

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, he is not only the fastest man in the world, he is the fastest man the world has ever seen, and he is a Canadian. As we lavish him with deserved praise and luxuriate in our own pride that he is our compatriot, we can contemplate the fact that Ben Johnson came to us from across the sea, as so many have done who have made this country great. We must remember this when we are tempted to limit the spirit of generosity that brought him and others like him to Canada.

Let us remind ourselves as well that the talent, motivation, discipline and intelligence to master one's craft, to make one's self a great athlete, are the same characteristics demanded for excellence in any field of endeavour. There is among all Canadians, irrespective of their origins, sex or race, and in every field of endeavour, the potential, if we are prepared to nourish it, to make of Canadians what Ben Johnson has taught us we can all become, the very best.

Thank you, Ben Johnson, for being a Canadian.

SPORTS

TRIBUTE TO BEN JOHNSON—"FASTEST MAN ON EARTH"

Mr. Bob Hicks (Scarborough East): Mr. Speaker, may I add to the comments of my colleagues. Today all Canadians are proud. They are proud of the outstanding athletic feat of Ben Johnson who, yesterday in Rome, shattered the world record for 100 metres and proved to the entire world that he is the fastest man on earth.

What Ben Johnson has demonstrated to us is that such success comes only after years of dedication, after years of a gruelling training schedule, and after years of continuing to believe in one's self. Ben Johnson has surely become a role model for all young athletes training in every part of our country.

I know I speak on behalf of all Members of this House and on behalf of all Canadians when I repeat how proud we are today of Ben Johnson. May I add, as an incidental postscript, that Ben Johnson comes from that beautiful city of Scarborough.

* * *

[*Translation*]

NEW BRUNSWICK PROVINCIAL ELECTION

REPORTED TACTICS OF CONSERVATIVES

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, now we know when Frank McKenna is going to be elected Premier of New Brunswick.

[*English*]

Yesterday in New Brunswick large crowds gathered to acclaim the Liberal Leader as he made stops in Shediac, Memramcook, Ste.-Marie, Bouctouche, Rexton, Richibouctou, and this is only the beginning. You have not seen anything yet.

[*Translation*]

The Conservatives are desperate. We can tell by the promises they are making. They are promising major projects all over the place. They are even promising bridges, and who knows, before long they may even be promising rivers.

Promises come cheap, especially when people do not intend to keep them. Some of those promises go back as far as 1982 and were conveniently forgotten.

Mr. Speaker, it will not be long. Take a deep breath, because there is going to be a big bang in New Brunswick.

S. O. 21

[*English*]

NATIONAL PARKS

NAHANNI NATIONAL PARK—OPPOSITION TO BOUNDARY EXPANSION

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the experience in the North has been that once land is tied up in a national park, the public, especially local people, are pretty well excluded and the area becomes part of the personnel fiefdom of parks officials.

For this reason there ought to be no expansion to the boundaries of the Nahanni National Park Reserve. I am opposed to any such expansion and am of the opinion that the existing 7,000 square mile reserve is quite sufficient.

• (1405)

The Government, which has already misled local people on the jet boat issue, should keep its sticky fingers off the Nahanni Karst, Tlogotsho Plateau and Ragged Range areas. The rights of local people to hunt, trap, prospect or just visit in these areas must not be impeded.

There must be no further land-grab in the Nahanni.

* * *

CANADA POST CORPORATION

CALL FOR CONTINUATION OF BOOK RATE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I want to bring to the attention of the House what is probably a very little known fact. It is that the Government subsidizes the transfer of books from libraries to citizens and between libraries. This is called the book rate.

This rate has been under active review ever since the Nielsen Task Force Report. Libraries have been unable to get any assurance that the subsidy will continue, and therefore that this service will continue.

How much are we talking about in dollars and cents? The Library association assures me that we are talking about potential increases of 400 per cent to 900 per cent. As one example, in Halifax County the increase there could be as high as 1,100 per cent. These are massive increases in costs for libraries.

The people who will be affected are those who are unable to have access to libraries, people in small rural communities. This is another attack on rural Canadian life. The blind and disabled will be affected, people who do not have easy access to library services. The elderly, who cannot find their way to libraries, will be affected. Students who are taking courses outside the city where their university may be located will also suffer.

This is a service that must continue. It is time for the Government to wake up and remember that the Post Office is a public service. It is not a private profit-making business. This is not an opportunity for the Conservative Government to continue to attack ordinary Canadians and their services.

* * *

THE DISABLED AND THE HANDICAPPED

OPENING OF BETHANY CARE CENTRE IN AIRDRIE, ALTA.

Mr. Gordon Taylor (Bow River): Mr. Speaker, last Saturday it was my pleasure to represent the Hon. Minister of Public Works (Mr. McInnes) at the official opening of the Bethany Care Centre in the City of Airdrie.

The complex consists of a 24-bed wing for brain-injured patients, a 50-bed seniors lodge, and a 50-bed nursing home. Each corridor has a street name and each room a house number, with individual thermostats, a window, and its own colour, while sinks, mirrors, et cetera are constructed to accommodate the aged and the disabled. There is a chapel, a crafts room, a greenhouse, a training centre and an auditorium—in fact everything to provide the best possible physical, social, spiritual and emotional care.

I commend the Lutheran Welfare Society of Alberta and all its members for sponsoring this splendid complex that will continue the long tradition of the Lutheran Society in providing care in a loving Christian manner. In fact, the Christian care for others permeates the entire complex. I commend the Government of Canada and the Government of Alberta for sharing in this project that will keep costs down to an affordable level.

This participation shows that the federal Government and the Government of Alberta really care for our aged, our injured and our disabled.

* * *

SPORTS

BASEBALL—NATIONAL LITTLE LEAGUE CHAMPIONSHIP—TRIBUTE TO WINNING TEAM FROM GLACE BAY, N.S.

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, the people of Cape Breton and in particular the residents of the town of Glace Bay have been known throughout the country as a people proud of their heritage, and tenacious in their quest to achieve excellence.

Last week a group of young persons from that community made a long and tiring journey to participate in the Canadian National Little League Championship in British Columbia. Although they were only rated to do "just okay", their skill, their team play and their dedication demonstrated on the

baseball field surprised and pleased their toughest critics. These young men won, and won convincingly, the Canadian Little League National Baseball Championship in British Columbia.

To the players, the coach, management, and the players' parents, I extend on behalf of all Members of Parliament our heartiest congratulations.

They also went on to participate in the World Little League Baseball Series in the United States and did exceedingly well there. Both as individuals and collectively they are Cape Breton's youngest ambassadors. They are the finest quality of young people that this country has to offer.

Congratulations on a job well done!

* * *

LABOUR RELATIONS

AIR CANADA—EFFECT OF HIRING PART-TIME WORKERS

Mr. Rod Murphy (Churchill): Mr. Speaker, contract trouble looms once again in the transportation industry. I understand that the conciliation report of the International Association of Machinists and Aerospace Workers in Air Canada was given to the Minister of Labour (Mr. Cadieux) on Tuesday of last week. To date the Minister has not released the report, or indicated his intentions with regard to the report.

• (1410)

Meanwhile workers at Air Canada are concerned for their jobs as the management of Air Canada, under obvious instructions, continues to demand the right to hire more part-time workers. The jobs and the security of hundreds of full-time airline employees are in jeopardy as the Government heads into the dangerous areas of deregulation and privatization.

I call upon the Government to quit its efforts at Air Canada before it sparks another confrontation with Canadian workers who are trying to protect their livelihood. Such problems, on the railways or in the air, are caused by the same attitudes and actions. Deregulation and contract concession hurt Canadian workers. The Government must change its attitude if we are to return to peaceful industrial relations in Canada's transportation industry.

* * *

SPORTS

FUNDING OF SPORTS ORGANIZATIONS

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I would like to join with other Members of the House in congratulating the world's fastest man, Canadian Ben Johnson. He certainly was an inspiration not only to the people of Canada, but to people across the world. It was a shame that at the same time that our Ben Johnson was standing to receive his medal for Canada, he was not wearing a Canadian uniform. The fact that he had to accept the medal for Canada without wearing a Canadian sweat-suit, in Ben Johnson's own words, "made me feel bad. We were supposed to get suits, but I didn't get anything. Not a top, nothing. I wore what I had".

This particular situation illustrates the precarious financial situation facing sports bodies in Canada. I was most disturbed to hear the Minister of State for Fitness and Amateur Sport (Mr. Jelinek) suggest that he was going to start ordering athletes to participate in various ventures whether or not they wished to do so. For example, he was talking about forcing athletes to participate in the Pan-American Games, instead of preparing for Europe.

Before the Minister of National Health and Welfare (Mr. Epp), and the Minister of State for Fitness and Amateur Sport proceed with their decision to eliminate all funding for sports organizations' functions under the new Bill C-51, they must consider some of the financial implications and be prepared to replace that funding with funding either from government or other sources.

Ben Johnson accepting a medal without wearing a Canadian sweat-suit is an insult to Canada, and something we do not wish to see repeated.

* * *

THE ECONOMY

GROWTH STATISTICS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, again I wish to draw the attention of Canadians to our excellent economic performance which started in September, 1984. Last weekend when I was talking to people, they again told me how impressed they are with our economic performance. We are zeroing in on the creation of almost a million jobs. Interest rates are down, which means that house buying and other areas of investment are up. This means that today there is greater confidence not only in the country but in the Government.

* * *

IMMIGRATION

BILL C-84—CALL FOR ACCEPTANCE OF AMENDMENTS

Mr. Sergio Marchi (York West): Mr. Speaker, once again I urge the Government to amend Bill C-84, an Act to amend the Immigration Act.

I believe that all Canadians wish abuse to be curbed, and that all Canadians want all bona fide refugees within the system who request and require it to receive due processing. I believe it is incumbent upon the Government to look at the report stage and accept some of the amendments put forward in the spirit that Canadians wish.

In committee, the Government basically ignored the many recommendations and amendments that were moved passionately and with great force by witness after witness from across the country.

I urge my fellow Members on the government side, in particular the Minister of State for Immigration (Mr. Weiner) and the Minister of Employment and Immigration (Mr. Bouchard), at this eleventh hour to accept some of the amendments in order that we can curb abuse and make the system more fair, and also ensure that this legislation is in line with the system of justice that Canadians are proud of, with the Charter of Rights, and with our international obligations. On those three merits this legislation is riding roughshod over those facts. It will be tied up in the courts, and the policy will be paralyzed unless the Government is prepared to pay a small price now, instead of, as the commercial goes, a big price later on.

ORAL QUESTION PERIOD

[*English*]

TRADE

UNITED STATES TARIFF ON CANADIAN POTASH

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to welcome back to the House the Minister for International Trade. I wish to raise some questions with the Minister concerning what is becoming a very nasty, turbulent, and dangerous trade dispute in which the Government has totally abdicated responsibility by taking no action, making no statements, and providing no leadership. The Premier of Saskatchewan has now given notice that he intends to introduce into the Legislature a motion that would impose major restrictions on the production and export of potash, as a means of retaliation against the imposition of extraordinary tariffs imposed by the United States.

• (1415)

Is this an action with which the Government of Canada agrees? Is the Government of Canada supporting this initiative by the Government of Saskatchewan? What other kinds of actions and initiatives is the Government of Canada taking to head off a dispute that could result in the unemployment of 4,000 to 5,000 workers in the potash industry of Canada?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, as I have already stated, we share the frustration and disappointment of Saskatchewan in this decision which was against the potash companies in the Province of Saskatchewan.

We are receiving today a detailed briefing on the reason for the decision of the U.S. Department of Commerce, and I will have more comment at such time as we have that basis of decision.

GOVERNMENT POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): If I may paraphrase the Minister's words, Mr. Speaker, we find that response extraordinarily disappointing. There is an irony here. The Government is negotiating free trade and one of the backers is going to introduce perhaps one of the most severe forms of protectionist response and retaliation that we have seen in decades. Surely the Minister recognizes that there is an inherent contradiction there.

Is the Government of Canada this week, because the legislation will be introduced this week, supporting the Saskatchewan stand, or does it have an alternative? Does it have any other response that it is prepared to make before we engage in this very major trade war on the horizon?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I think the only inherent contradiction raised today is the stance being taken by the Hon. Member worrying about a protectionist measure in the U.S. while at the same time his Party is opposing our efforts to get a free trade agreement with the United States.

I can only advise the Hon. Member that we are in touch with the Government of Saskatchewan. We do not intend to pre-empt its announcement but we are working along with that Government.

Mr. Axworthy: I am afraid that the abdication of responsibility by this Government in this very crucial issue will result in incredible consequences of which we will all be the victims.

CANADA-UNITED STATES NEGOTIATIONS—BINDING DISPUTE SETTLEMENT MECHANISM

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I would like to ask one further question of the Minister for International Trade. The ambassador for the trade negotiations over the weekend said that there was apt to be a further meeting between the President of the United States and the Prime Minister of Canada to work out remaining trade differences.

Is the Government of Canada still standing behind the commitment made by the Prime Minister that any trade agreement with the United States must include a binding dispute settlement mechanism? I ask the question because last week the Deputy Prime Minister refused to give that guarantee and was talking about an adequate mechanism. It is a very important difference.

Is the reason that the supposed meeting is coming about so the Prime Minister can concede, once more, another important issue and give away the particular commitment made that we would have a binding dispute mechanism as part of a free trade agreement?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the negotiators met all last week, as I believe the House knows. They made a lot of progress last week. There are many issues that still have to be resolved and the negotiators will be meeting again next week to address those.

In terms of the specific question raised by the Hon. Member, there is no contradiction between the statements made by the Deputy Prime Minister, myself and others. We have always said that an adequate dispute settlement mechanism must be a binding one.

Mr. Axworthy: Adequate is not what you said.

Miss Carney: If I am allowed to answer the Member's question, I will repeat my answer. We have always maintained that an adequate dispute settlement mechanism has to be binding on both parties. There is no point in having a trade treaty without binding rules to put it into effect.

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FISHERIES

CANADA-FRANCE NEGOTIATIONS—NORTHERN COD STOCK

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, my question is for the Deputy Prime Minister. I want to remind him that the inshore fishery in Newfoundland and Labrador for the past four years has been a complete disaster and that thousands of jobs are at risk. In spite of that, the Government has put northern cod on the table in its negotiations with the French. How can the Deputy Prime Minister justify that? Will he now, on behalf of the Government, stand up for the interests of Newfoundland and East Coast fishermen and tell the French that the northern cod is not negotiable and there will be no give-away of Canadian fish to French interests?

• (1420)

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Hon. Member has taken a long time to ask a question on this subject. This is a matter that was thoroughly ventilated last February and March and nothing new has occurred since except that the Prime Minister was successful yesterday in his conversations with Prime Minister Chirac in having the French return to the bargaining table in order to complete negotiations on these most difficult and contentious questions about the East Coast.

Northern cod will be in no danger as long as we are looking after it. The hon. gentleman says—

Some Hon. Members: Oh, oh!

Mr. Crosbie: The only cods that are in danger are the cods across the House, including the honourable cod that leads the NDP.

Landings for cod in the inshore to date have been down by 16 per cent, unfortunately, as compared to last year, but the landed value of cod in the inshore fishery has increased by 52 per cent. The hon. gentleman should not be too alarmist. Not everything in Newfoundland is dark and gloomy. There are some very positive signs. The landed value increased 52 per cent in the inshore cod fishery in Newfoundland.

Mr. Rompkey: Mr. Speaker, the Minister talks about ventilation. The only thing that is being ventilated is the Minister. He has been replaced as the lead by Mr. Fortier. He talks about the inshore fishery. There has been a 40 per cent reduction this year from last year and he cannot deny those figures.

OVERFISHING BY FRENCH VESSELS

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, there has been excessive overfishing by the French off the South Coast of Newfoundland as determined by the Government's very own Department of Fisheries. Will the Government say to the French in these negotiations that overfishing has to stop, otherwise there will be no deal?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, this is unbelievable. It was the hon. gentleman's Government that, in 1972, entered into a treaty with France giving France access to fish quotas in Canadian waters. Now the hon. gentleman comes to the House to complain about the fact that the French can fish in Canadian waters for certain quotas.

In addition, it was this Government that closed Canadian ports to French fishing vessels as a result of overfishing in disputed Zone 3PS, a move that has seriously affected the French and made them take a more reasonable position in these negotiations. None of that ever entered into the mind of the hon. gentleman who wrecked our prospects in the fishery during the years his Party was in power and did nothing to correct these conditions.

CANADIAN POSITION

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is directed to the same Minister. I do not think this is a matter for joking concern. I think we want to hear a clear-cut statement from the Minister. Will the Government make any more concessions to France as a result of the re-establishment of negotiations? Will the Government stand firm with its present position?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, one feels delighted when one receives small mercies.

The hon. gentleman's interest in this issue when he comes from Churchill, Manitoba, must, I suppose—

Mr. Blackburn (Brant): He is a Canadian.

Mr. Crosbie: I suppose some of their other Members cannot be in the House today. The position is as we have explained it—

Mr. Broadbent: You're a gem.

Mr. Crosbie: If I am a gem, the hon. gentleman is a cod. I have already explained that to him.

The position is that we have taken a firm stand on the matter of negotiations with the French on the two questions of the territorial boundaries and the fishing quotas off the East Coast. Nevertheless, there are serious problems that have to be resolved. They can only be resolved by negotiations.

We have first-class people in charge of negotiations, supervised by first-class people, if I might be that immodest, including the Prime Minister. We are hoping that in the next six or eight weeks, some way to resolve these issues will be found, a way that will protect the national interest of Canada and the interests of the fishermen of Atlantic Canada.

• (1425)

Mr. Murphy: I may be the Hon. Member for Churchill but I would like to thank the Minister for going up there in 1979 and helping make that possible. He will remember that in my first speech in the House I congratulated him for all the hard work he did on my behalf.

NORTHERN COD STOCK

Mr. Rod Murphy (Churchill): Mr. Speaker, will the Government keep northern cod off the table and maintain those jobs for Canadians?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the Government of Canada is engaged in a negotiating process with the Government of France in accordance with an agreement signed on January 24. Of course, surrounding that agreement is a treaty entered into by Canada in 1972 which gives France access to fish quotas in Canadian waters each year, *ad infinitum*.

Mr. Blackburn (Brant): What?

Mr. Crosbie: For infinity. There is no time limit in the treaty whatsoever. At the same time Canada and France need to settle the question of the territorial waters surrounding St. Pierre and Miquelon and what economic zone they are entitled to.

We are negotiating in accordance with statements which have already been made in the House. These negotiations are now to be expedited. The Prime Minister's firm stand on this matter has brought France back to the table and you can depend upon the fact we will continue to have a firm stand and reach a solution, if one is possible, that will be in the interests of Newfoundland and Canada.

CANADIAN POLICY

Mr. Rod Murphy (Churchill): Mr. Speaker, the Minister again refuses to give a straight answer. The question is: will he protect Canadian jobs? Will he ensure that France does not gain more rights and as a result we lose Canadian jobs?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, the hon. gentleman is ignoring the events of recent months. We have already taken action to protect Canadian jobs. We have protested French overfishing in the disputed waters of 3PS. We barred French fishing vessels from Canadian ports because of overfishing in the disputed zone. That action was never taken by a previous Government.

We have not done what the Leader of the NDP wanted us to do, order out the Armed Forces. He was going to chase the French vessels off the high seas. How he could do it with the defence policy of the NDP of course baffles everyone in the country.

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TAX REFORM

EFFECT ON RESEARCH AND DEVELOPMENT

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, my question is directed to the Minister of Finance. On June 18 in his tax reform speech he said: "The reformed system will strongly support two key priority areas for this Government: research and development and the labour-intensive economic sectors." However, the five high-tech business organizations which represent more than 700 companies and 210,000 employees doing more than 80 per cent of Canada's private sector research stated that the Minister's tax reform proposals will discourage the very research and development Canada needs.

I ask the Minister the same question I raised in Chicoutimi last week. Why are he and his Government determined to discourage research and development in Canada as a result of his tax reform proposals?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I stand by the statement I made on June 18. If the Hon. Member cares to review the particular proposal, I think he will see that Canada maintains one of the best, if not the best, tax regimes for research and development. As well, the Hon. Member is a member of the standing committee which is now hearing representations from various people. Those hearings are designed to hear people out, listen to their proposals and try to weigh those proposals within the context of the over-all approach to tax reform. At that time I would imagine all the proposals will come together and form the basis of the report to Parliament by that committee. At that point I would be

happy to respond in a very full way to these various representations.

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[*Translation*]

PHARMACEUTICAL INDUSTRY

RESEARCH AND DEVELOPMENT—TAX REFORM—GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, according to their associations which published the results of a survey, representatives of businesses indicated that after tax reform, 40 per cent of research and development spending will no longer be tax deductible, which will create a tremendous problem for these businesses in terms of research and development.

Does the Minister agree with the associations that published their opinions? We do not have to wait for the Committee on Finance and Economic Affairs. That is already taken care of. Does he agree with the associations representing research and development firms that the proposed tax reform will only discourage research and development, at a time when R&D is essential if Canada is to compete with other countries on the world market?

• (1430)

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think the Hon. Member is quite aware of the commitment made by the Government, led by the Prime Minister who, as the Hon. Member knows, is the Chairman of the National Advisory Board on Science and Technology. He is also aware of the proposal to reorganize the Department of Regional Industrial Expansion with the Department of Science and Technology to ensure that we have a very full response to the demands of a growing research and development and science and technology community in Canada.

You may wish to consider, Mr. Speaker, that the questions which the Hon. Member is posing to me are the subject of committee hearings which are taking place this very day and will continue for the next six weeks. I do not think it would be appropriate for me to comment in the House on every representation and brief put before that committee. That would be an attempt to influence the work of the committee.

I believe the Hon. Member is quite aware of the importance of that work and I believe it is more appropriate for me to wait until the committee has had an opportunity to respond to the full range of representations which will be made over the next six weeks.

DEPARTMENT OF REGIONAL INDUSTRIAL EXPANSION

OVEREXPENDITURES—PROVISIONS OF FINANCIAL ADMINISTRATION ACT

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, my question is directed to the Deputy Prime Minister. We have now seen a couple of studies and reviews by Price Waterhouse and an internal review by DRIE which said that there was an overexpenditure of some $80 million in DRIE in 1986-87.

I asked the Deputy Prime Minister this question last June before the reviews got under way. Does he agree that this overexpenditure is a breach of Section 25 of the Financial Administration Act which says:

> No contract or other arrangement providing for a payment shall be entered into with respect to any program . . . unless there is a sufficient unencumbered balance available out of the appropriation—

Does the Minister not agree that this is a breach of the Financial Administration Act since the Department overexpended by some $80 million?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Queen's Privy Council for Canada and President of the Treasury Board): Mr. Speaker, the answer to that question is no, there has not been a breach in my view.

REQUEST THAT FORMER MINISTER RESIGN FROM CABINET

Mr. Lorne Nystrom (Yorkton—Melville): Mr. Speaker, in his statement to the House last week the former Minister said that there was an overexpenditure of some $79.9 million or $80 million. Does the Deputy Prime Minister think that is grounds for the resignation of the Minister since one of the most important things we can do in this House is appropriate the money of taxpayers? Is this not a violation serious enough to result in the Minister not being a member of the federal Cabinet?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Queen's Privy Council for Canada and President of the Treasury Board): Mr. Speaker, the Hon. Member is dramatizing the situation by being very selective in his approach. The reports are very clear. The Minister of Industrial Expansion and Science and Technology outlined in a very comprehensive way, I thought, the steps that were being taken to correct this situation.

If one reads the report one finds that there are many conclusions which could be drawn. However, I think the most salient point is contained in one paragraph which says that there is no one single problem or factor which caused the 1986-87 cost over-run.

There was a problem with budgeting, forecasting, and financial reporting. All of those things have been identified and corrective measures have been taken to ensure that this does not happen again.

Oral Questions

AIR SAFETY

INSTALLATION OF NEW EQUIPMENT IN AIRCRAFT

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, my question is directed to the Minister of Transport. In a report released last Friday the Canadian Aviation Safety Board states that "the number of aircraft-to-aircraft conflicts reported in Canada is at a level serious enough to warrant serious safety concerns".

At the same time the Canadian Pilots Association has revealed that it is pushing hard for Canadian commercial and private aircraft to be equipped with sophisticated computer technology called the TCAS-3 and the MODE-C, both capable of detecting approaching aircraft, which would permit pilots to take early action to avoid mid-air collisions.

Has the Minister directed his Department to examine the feasibility of installing this new technology and, if not, will he do so with the shortest possible delay?

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, not only the Canadian Aviation Safety Board but the Department of Transport is always seriously concerned about safety in all aspects of transportation in Canada. I do not think there is anything new or startling in the report to which the hon. gentleman refers.

The Department of Transport has been examining the device to which the Hon. Member referred. It is keeping in touch with the research on it and with the U.S. authorities in connection with it. When it becomes accepted, proven, and viable we will certainly be interested in encouraging its use along with the United States. The matter is under study and is well known to us.

[*Translation*]

REPORT'S 28 RECOMMENDATIONS

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, in its report, the Canadian Aviation Safety Board also indicated that the number of near misses involving aircraft and ground vehicles has reached alarming levels. In order to minimize the risk on the ground, could the Minister give Canadians the assurance—since he says he is aware of all these problems—that he will act as soon as possible on the report's twenty-eight recommendations?

[*English*]

Hon. John C. Crosbie (Minister of Transport): Mr. Speaker, I think we should keep this in context. As the Director of Air Traffic Services for our Department has pointed out, we have the second highest number of registered aircraft in the world with 27,039. We have 59,395 licensed pilots and our air controllers look after five million square miles of air space.

With only about 150 general occurrences to study in a system of that size with only about 10 per cent of them deemed critical, I do not think anyone should be unduly alarmed. I think that puts it in context.

With reference to control of ground traffic at airports, we are now installing airport surface detection equipment, a vastly improved special type of radar which gives air traffic controllers a high resolution display of ground traffic at airports. They are being installed in Toronto, Vancouver, Dorval, Ottawa, Winnipeg and Calgary.

The system was commissioned in Vancouver on June 11 of this year and in Toronto on July 1. It will be commissioned at Dorval by the end of October, and so on. Therefore, steps are already being taken to deal with the problem of on-the-ground collision possibilities as well.

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TRADE

UNITED STATES TARIFF ON CANADIAN POTASH

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is directed to either the Deputy Prime Minister or the Minister for International Trade. It is with regard to the preliminary tariff imposed by the U.S. Trade Commission of up to 85.2 per cent on Canadian potash imported into that country.

Since the U.S. obtains 80 per cent of its supply of potash from Canada an embargo would increase the price of potash and underpin the weakness which has occurred in that resource. It would also contribute to reduced grain surpluses in the United States and help strengthen grain prices.

It is, therefore, very obvious that the Government's indecision on this issue has nothing to do with economics. It must be for political reasons. Can the Minister tell us what those political reasons are?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I categorically deny that there has been any government indecision on this trade action brought by the U.S. We have worked with the industry from the start of this dispute to review the system. It is a dispute between the U.S. industry and Canadian producers. We have offered every possible assistance. I already stated when this decision came down that our view has been that this action should never have been brought because the companies that brought the action against the Canadian producers account for less than 5 per cent of the U.S. production.

• (1440)

As the Hon. Member probably understands, the United States only produces about 10 per cent of its own potash requirements. To bring an action against their major supplier does not make economic sense. As the Member already pointed out, the people who will pay for this in the long run are the U.S. farm producers and U.S. consumers.

It is for this reason that we have taken the stand from the beginning of this action that it should never have been brought. It is inconsistent with trading rules to bring this kind of action. That is the stand we have been taking in Washington.

POTASH EXPORTS—SUGGESTED EMBARGO

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I am afraid it did not clarify the stand of the Government. Is it the Government's intention to cease the export of potash until the Americans are willing to discuss the issue? What is the stand with regard to an embargo as has been suggested by the Government of Saskatchewan, for instance?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I submit that that is not the stand that has been announced by the Government of Saskatchewan. The Government of Saskatchewan is considering this matter. We have been advised that it will make its announcement shortly. I certainly do not intend to pre-empt that announcement.

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APARTHEID

SOUTH AFRICA—THREAT OF TOTAL SANCTIONS

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, the Deputy Prime Minister knows that the Prime Minister of Canada stated in his speech at the United Nations in 1985 that Canada was prepared to implement "total sanctions", as he said, and sever absolutely diplomatic relations with South Africa unless the policy of apartheid was dismantled. We all know that the abolition of the oppressive system of apartheid certainly has not made much progress since the time the Prime Minister made his statement.

Does the Prime Minister intend now to fulfil his threat at the United Nations, given that two years have passed, or is the Prime Minister perhaps having second thoughts?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Secretary of State for External Affairs is in Quebec city with the French delegation. He advises me that he was in the House last week to answer that and will be in the House next week to answer that question. He has asked me to take it on notice.

FORTHCOMING FRANCOPHONE AND COMMONWEALTH CONFERENCES

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, we know that the conferences are at hand. My supplementary question is directed to the Deputy Prime Minister who, I trust, is speaking for the Government. He is well aware that the issue of South Africa will be very high on the agenda of the upcoming Francophone Conference and the Commonwealth Conference which Canada will host. Is the Prime Minister planning to set an example before or during these conferences by invoking effective and comprehensive sanctions against South Africa, and put some kind of substance to his previous statements which he made at the United Nations?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I take it the Hon. Member was unavoidably absent from the House on Friday. This issue was dealt with in some detail in response to the Hon. Member for Windsor—Walkerville who, in a very timely fashion, raised the very point the Hon. Member is making. I would refer the Hon. Member to page 8574 and page 8575 of *Hansard* of last week, wherein the Secretary of State for External Affairs clearly outlined the Canadian position which is consistent with the Prime Minister's statement, and also in recognition of the fact that there are changing circumstances in which Canada will respond in accordance with the principle that was enunciated by the Prime Minister.

* * *

CANADA POST CORPORATION

PARCEL AND REGISTERED MAIL SERVICES IN SCARBOROUGH

Mr. Bob Hicks (Scarborough East): Mr. Speaker, my question is directed to the Minister responsible for Canada Post. It involves the new policy of the Post Office which requires residents to travel to a distant sub-Post Office to pick up parcels and registered letters.

Have the Minister and Canada Post considered the hardships being placed on the thousands of senior citizens from my riding alone who must travel up to four miles, take at least two different buses, and trudge through snow, slush, hail, rain, wind, and sub-zero temperatures, risking a bad fall or other injuries, just to pick up a parcel?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, Canada Post informs me that the change in policy was to bring it closer to the customers so that if they are not home when a parcel or registered letter is delivered, they are able to call for the parcel or registered letter at sub-Post Offices, most of which are open in the evenings as opposed to the corporation-run Post Offices which close at 4.30.

There is a specific problem in Scarborough regarding one of these sub-Post Offices. I am told by the Post Office that it is looking at it and the Hon. Member's constituents will soon be able to pick up their parcels very close to their residences.

Oral Questions

INVESTMENT CANADA

SALE OF WEST KOOTENAY POWER AND LIGHT COMPANY TO UNITED STATES CORPORATION

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, my question is directed to the Deputy Prime Minister. The amendments to the Patent Act by the Tory Government tonight will result in higher drug prices to Canadians—

Some Hon. Members: No.

Mr. Mazankowski: That is false.

Mr. Skelly: The changes to the Foreign Investment Review Act which permitted the sale of West Kootenay Power and Light to the Americans will result in higher electrical prices for consumers in British Columbia.

Some Hon. Members: Question!

Mr. Skelly: Is the Minister not aware that American law would prohibit the sale of a public utility to Canada because it is not in the interest of Americans? Does the Government intend to change and improve the foreign investment review legislation so that it would prohibit such a sale that is not in the interest of Canadians?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, certainly not. It is as a result of this Government's foreign investment policy that we have had unprecedented investment in the country, unprecedented growth, and unprecedented job-creation. That is part and parcel of creating a positive climate so that the entrepreneur can go to work, create jobs, and make the economy hum.

Mr. Skelly: The difficulty outlined by the Minister is the difference between investment and sell-out.

GOVERNMENT POLICY

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, the Premier of British Columbia, Mr. Vander Zalm, has indicated that all the assets of the Government of British Columbia are for sale. If the Government sold the B.C. ferries to the Blackball Corporation of Seattle, would the Government approve it? If it sold B.C. Hydro to Consolidated Edison, would the Government approve it?

Mr. Speaker: The Hon. Member knows that most of the time one question is sufficient.

Mr. Skelly: May I summarize in a single question, Mr. Speaker—

Some Hon. Members: No.

Mr. Skelly: Is there no level below which the Government will not sink in the selling out of Canada? Will you indicate to the House that you are not prepared to sell out West Kootenay Power?

Mr. Speaker: The Hon. Member has given the Minister several choices.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Hon. Member is raising the ideological difference between his Party and the Social Credit Party in the Province of British Columbia. I thought that issue was resolved during the last provincial election. Clearly, the Socreds won that round.

* * *

CANADIAN JOBS STRATEGY

REQUEST FOR TRANSFER OF FUNDS TO BUILD HOUSES ON INDIAN RESERVES

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to the Hon. Minister of Employment and Immigration. As the Minister knows, several months ago his colleague, the Minister of Indian Affairs and Northern Development, made a formal and, I believe, very reasonable request to the Minister that there be a transfer of funds from the Canadian Jobs Strategy Program so that the Minister of Indian Affairs could use that money to create jobs on Indian reserves and, at the same time, build some houses.

That was an excellent proposal. The Minister received that request in writing and has had a lot of time to think about it. Is he prepared today to tell the House that he has reached a favourable and positive decision on that request?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, several months ago I received a request from my colleague, the Minister of Indian Affairs and Northern Development, about funding totalling $8 million that would be applied or transferred to the Canadian Job Strategy Program for the construction of housing on Indian reserves.

The present state of the Job Strategy budget, however, is not such that, at this stage, I can promise my colleague that I will be able to transfer the funds mentioned.

With my colleague for Indian Affairs and Northern Development, we are still looking at ways in which certain funds could be used.

I must repeat once again that this is very difficult, because the Job Strategy funds are fixed, and this particular request was not included originally; what we have here is a specific request applied in a specific way to a specific clientele. It is a very particular request, although it is being made under the Job Strategy Program.

• (1450)

[*English*]

MINISTER'S POSITION

Mr. Keith Penner (Cochrane—Superior): The Minister of Employment and Immigration knows that this approach worked extremely well under the former Canada Works Program. He will forgive me, I am sure, but it is puzzling to me why the Minister would not respond quickly to this request because the highest unemployment in the country is on Indian reserves. At the same time there is a housing crisis there. Why would he not put those two things together, act positively and fulfil his job as the Minister of Employment for this country?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I would like to tell my hon friend that I am very proud of the Canadian Jobs Strategy. I think there is no comparison with what we have known when the Liberals were in power. I think there is no comparison between the Canadian Jobs Strategy, and the hundreds of thousands of jobs we have created, and the failure which represented the former program for employment of your Government.

I agree with the Hon. Member in terms of the reality of employment on reserves. I think there is a problem there. I can tell the Hon. Member that my Department has put a lot of money into that sector. We have provided a lot of money for Indian people on the reserves. At the same time, we have to consider we have a lot of problems, and we are dealing quite effectively with those problems.

Once again, I would like to emphasize that the Department of Employment and Immigration has the best results of any we have seen in this country with any program of creating jobs and employment.

* * *

AGRICULTURE

DISCUSSION OF DEFICIENCY PAYMENT FOR 1987-88

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, my question is directed to the Deputy Prime Minister. We understand that the Minister of Agriculture had a profitable meeting in Winnipeg with the Canadian farm leaders to discuss next year's deficiency payment. It is reported that the Minister of Agriculture has accepted in principle a deficiency payment in the neighbourhood of $3 billion. Could the Deputy Prime Minister confirm this figure? And is the Deputy Prime Minister able to give us a date when an official announcement will be made regarding the 1987-88 deficiency payment?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I am fully aware of the question raised by my colleague. If we refer to what the Canadian Government has done in the agricultural sector over the past two years, I would suggest that if there is a sector where the Canadian Government has taken initiatives, has responded to the farm community and has always been present when agricultural producers asked the Canadian Government to look after their interests, it has to be the agricultural sector, and it was our Government which took action. In that respect, I think no one needs to worry.

Mr. Speaker, in connection with the statement made by my colleague, I would suggest that our problem right now has to do with agricultural surpluses and a price war, a war where both American and European administrations have decided to subsidize the agricultural sector, without any kind of restraints.

Mr. Speaker, our response as Canadians has been to refrain from waging a world-wide war of dollars, preferring instead to convince grain exporting countries—Europeans, Americans and others—that nobody can possibly win if the agricultural price war continues.

Mr. Speaker, what we did, what the Prime Minister did was to put agriculture in the agricultural sector program. Mr. Speaker, we will continue to be present in the agricultural sector, we are listening to agricultural producers—

[*English*]

Mr. Axworthy: Was that his maiden speech?

Mr. Broadbent: That will do until Christmas.

[*Translation*]

Mr. Speaker: Order, please. The Hon. Member may be right and I think the Minister's remarks are very interesting, but perhaps a shade too long.

[*English*]

Mr. Hovdebo: I am not sure I want to start another one like that, Mr. Speaker.

Some Hon. Members: Oh, oh!

Mr. Blackburn (Brant): Make it a true or false question.

Mr. Speaker: It is your choice.

SPECIAL CANADIAN GRAINS PROGRAM—APPLICATION TO IRRIGATION FARMERS

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, my supplementary question is also directed to the Deputy Prime Minister because it involves Alberta and Saskatchewan. Can the Deputy Prime Minister gives us an explanation of why the irrigation farmers of Saskatchewan are not eligible for Special Grains Program payments while those in Alberta are?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I know the Minister of Agriculture has been dealing with this particular issue. My understanding is that there are some who do qualify. However, others, because

of the technicalities in the program, did not qualify. The Minister is working with the advisory groups to address this particular issue and I thank the Hon. Member for bringing it to my attention.

* * *

CANADA POST CORPORATION

OMISSION OF QUEEN'S PORTRAIT FROM STAMPS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is directed to the Minister in charge of Canada Post. Some months ago when the 36 cent stamp was issued, many citizens were disappointed that the issue did not include a stamp bearing the Queen's portrait. That deficiency has still not been made up. On their behalf, I ask the Minister if he can assure the House that such a stamp will be issued and that it will be issued soon.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, yes, I can give the House that assurance. Apparently there have been some production problems with the supplier of those stamps. I was hoping they were working on a stamp with my picture on it but this is apparently not the case.

Some Hon. Members: Oh, oh!

Mr. Andre: I am told that on October 1 there should be 15 million such stamps available for Canadian consumers.

* * *

INDUSTRY

FIRESTONE PLANT IN HAMILTON—FATE OF GOVERNMENT GRANT

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the only problem with a stamp for that Minister is we would not know whether to put on back or front.

Some Hon. Members: Oh, oh!

Ms. Copps: My question is directed to the Deputy Prime Minister. I would like to ask him a very straight Question. Given that Firestone Canada has reneged on its commitment to 1,400 workers and to the Canadian community by refusing to guarantee the jobs of Firestone workers for 10 years, can the Minister tell me why his Government has negotiated an agreement with Firestone which will possibly permit it to keep all the money if the company is not sold, and if the company is sold it will permit Firestone to keep the interest on a $13.5 million grant paid by the Canadian taxpayers? Can he explain what kind of a deal that is?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, that question was answered in some detail. My understanding is there are funds which are put in escrow and that negotiations are still going on.

PAYMENT OF INTEREST ON FUNDS IN ESCROW

Ms. Sheila Copps (Hamilton East): Mr. Speaker, the Minister should be aware, and if he is not, the ex-Minister who botched the thing should have at least briefed him about the fact that the money that was put in escrow was to be set aside with the interest going to the workers if the plant was not sold. The rules of the game have now changed. Firestone has said if the company is not sold, Firestone America in Akron, Ohio, will get the interest, not the Canadian workers. I would like to know from the Deputy Prime Minister, given the botched handling of this issue by the previous Minister, will he personally ask the Prime Minister to take this issue in hand instead of leaving it to his underlings who botched it from the start?

Mr. Crosbie: It is a real son-of-a botch.

Ms. Copps: That's right.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the negotiations are still going on. The answer still remains the same.

Ms. Copps: What is the answer?

Mr. Mazankowski: I am not sure why the Government should change its position just because the Hon. Member suggests that is the appropriate course of action. If we had followed her course of action on many of the recommendations that she advanced, we would have been sinking to oblivion just like her Leader.

* * *

• (1500)

CANADA POST CORPORATION

RURAL POST OFFICES—CONSULTATION PROCESS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the Post Office. Is the Minister aware that in at least a dozen areas across the country local rural communities have received the 90-day notice of a change in postal service? The distinctive characteristic of these notices is that they do not contain an offer to maintain the existing post office. The only alternative is a much reduced commissioned postal service or a rural route service.

Will the Minister acknowledge these facts? Will he tell people whether he considers this to be genuine consultation

with communities when he goes there to close off the option of keeping their post offices open?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this policy of Canada Post has been discussed extensively for the last year. It was raised in committee of the House when the Hon. Member was present. He will know that the justification for it is that there are changes occurring across the country. Some communities are diminishing in size. In a great many places where the postmaster retires the community is no longer justified in maintaining an expensive operation for the smaller number of people who live there.

The Post Office is engaged in discussion. It is committed to giving the 90 days so that there can be discussion with the people affected and Members of Parliament to try to come up with a service that provides people with the same quality of service, and in many cases better, but not necessarily the same as it was. The world is changing. The Post Office is acknowledging that. Apparently, the NDP is not.

GOVERNMENT POLICY

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, will the Minister acknowledge that the change that is taking place is that the Government is treating the Post Office like a profit-making private sector enterprise rather than as a public service? Does he consider it a viable option when he goes to a community such as Wilmot, Ontario, and says: "You can have a post office on a commission with one-fifth the revenue of before"? Is that not an offer that is designed for failure rather than for good service?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member is exactly correct. In keeping with the commission of this House in 1981 we unanimously passed legislation turning Canada Post into a Crown corporation so that it might go out and operate as a Crown corporation like Air Canada and CNR. If it operates at a profit or on a break-even basis, I think that as representatives of the taxpayers we should be thankful.

The Hon. Member seems to be suggesting that it is somehow immoral for a Crown corporation to show profit. I do not understand that reasoning.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, as reported (with amendments) from a legislative committee; and Motion No. 9 (Mr. Heap, p. 8597).

Mr. Speaker: Before debate continues I want to advise Hon. Members that I have considered further the matters at report stage of Bill C-84. I want to add to the ruling I made this morning. I have now completed my examination of the remaining motions on the Notice Paper in amendment to Bill C-84 and am now prepared to rule as to their procedural acceptability.

Motion No. 8 is somewhat similar to a motion moved in committee, but I intend to give the Hon. Member the benefit of the doubt. It will be debated and voted on separately.

Motions Nos. 12 and 13 require the Minister to notify the office of the United Nations Commissioner for Refugees when a person claiming to be a Convention refugee is denied access to the procedures outlined in the Bill. They are attempting to add a new concept to the Bill as read a second time. Therefore I must rule that they are beyond the scope of the Bill. I would refer Hon. Members to Beauchesne's Fifth Edition, Citation 773(1) which reads in part: "An amendment is out of order if it is irrelevant to the bill, beyond its scope—". Thus both motions are out of order and will not be put to the House.

Motion No. 14 will be debated and voted on separately.

Motions Nos. 15, 16 and 17 are offered in amendment to Clause 9 of the Bill. Motions Nos. 15 and 17 were debated and negatived in committee and therefore will not be selected. Motion No. 16, which is deleting lines, will be debated and voted on separately.

Motions No. 19, 21, 22 and 23 will be debated and voted on separately.

To summarize, as I noted this morning, Motions Nos. 3, 6 and 10 have not been selected. Motions Nos. 15 and 17 also have not been selected. As I said, Motions Nos. 12 and 13 are out of order.

Therefore there will be separate debates and separate votes on Motions Nos. 8, 9, 14, 16, 19, 20, 21, 22 and 23.

I want to thank Hon. Members for co-operating with the Table in the discussions that made this ruling easier for the Chair.

Mr. Marchi: Mr. Speaker, I rise on a point of order. I would like to thank Your Honour for the ruling on the various motions. I would like to discuss, if I may, under a point of order, Your Honour's ruling on Motions Nos. 15 and 17 which suggest that a similar amendment was discussed and proposed at committee. The key element—

Mr. Speaker: I very much regret interrupting the Hon. Member because the Hon. Member has, as Hon. Members know, and as the public knows, worked long and hard on this particular matter. However, we have been trying to adhere to a practice, when there has been very extensive consultation between Table Officers and Members, that when it comes time for the Chair to make the ruling not to open up that ruling for further debate.

I just want to be sure that the Hon. Member is not getting himself into a position where he is urging the Chair to change the ruling. It may well be that what the Hon. Member has to say can be raised in debate. However, I would hear the Hon. Member further.

Mr. Marchi: Mr. Speaker, I certainly have the utmost respect for Your Honour and for the Chair. The Table Officers, however, and I did not discuss Motions Nos. 15 and 17.

With all due respect, what I was going to suggest is that a similar amendment was proposed by myself in committee. This particular amendment focuses on the key word "humanitarian" in an attempt to overcome Clause 95.1 and Clause 95.2 which clauses provided the most concern with respect to religious and non-religious groups. Therefore it was an attempt at report stage to try to insert the word "humanitarian" within the motion so as to exclude very clearly religious groups and non-religious groups that would be helping refugees out of humanitarianism and compassion, and certainly not to mislead the system or to propose fraudulent claims.

Mr. Speaker: I thank the Hon. Member for his intervention. While he was giving his remarks I was listening but I was also able to have some further consultation with the Clerk. Perhaps there was not quite as much consultation with the Hon. Member as I had thought, partly because these motions came in very late on Friday night, which is nobody's fault. I suggest that perhaps in the next little while the Hon. Member might meet with the Table Officers to discuss the matter further to see whether there might be some reason to adjust the ruling. All other rulings on all other motions stand.

Continuing debate with the Hon. Member for York West (Mr. Marchi).

Mr. Sergio Marchi (York West): Mr. Speaker, before lunch I was debating Motion No. 9 moved by my colleague from the New Democratic Party. This is an amendment that is very similar to my Motion No. 10. It concerns provisions for the security certificate that we would like to amend.

What we are suggesting is that if in fact the individual claimant is found to be some kind of a security threat or falls within an undesirable category within the Immigration Act, then by all means we are supportive of detaining that individual to ascertain his identification to see whether or not there is sufficient cause to merit that individual's further detention or deportation.

• (1510)

Our concerns articulated by my Motion No. 10, and by Motion No. 9 which we are presently debating, are that under the current legislation any individual who is deemed to have been the recipient of such a security certificate would not necessarily have the opportunity of entering into the refugee determination process. The provision as stated in Bill C-84 would restrict accessibility to the system and undermine the crucial universality component.

Many times a certificate may be granted based on information received from the country of origin. In the case of real refugees, often it is not unusual for the government of the country from which they are escaping to provide Canada, or another country receiving that claimant, with information that would suggest that that person is either an undesirable or poses a security threat. For instance, an individual in another country may be seen as an offender, for standing up for democracy. Obviously within our system of justice, and within the Canadian parameters, someone who stands up for democracy, as we do every single day, would not be considered a security threat or an undesirable. Many times information received from the country or the government of origin would actually substantiate the fact that the person's case is probably legitimate, that is, because of political or religious pressures that individual is escaping as a refugee under the definition of the United Nations Convention.

Our first concern is that by declaring this certificate, it would override or ignore the very information that can be utilized to determine and substantiate the individual's true refugee claim. However, if Canadian authorities find the claim to merit further consideration, then that individual should not be sent back to the country from which he or she is escaping because he or she may be in some particular trouble, may face certain persecution, torture, imprisonment, or probable death.

Another aspect that colours this particular clause is that if we deny accessibility to individuals to have their case properly determined within the refuge board or the refugee system where the issue is properly disposed of rather than making a predetermined determination by the Minister or his official, that is of great concern to our United Nations obligations under the Geneva Convention. In fact, a representative of the United Nations High Commission appeared before the legislative committee which was studying Bill C-84 and expressed considerable reservation concerning this particular clause which would guarantee that an individual would not be allowed to pursue the refugee process and would be deported and expelled from the country.

That runs contrary to the non-refoulement undertaking that we as a country have given under the United Nations Convention. Therefore, it was not without passing concern from the United Nations High Commission that these representations were made at the committee, and in correspondence exchanged between the High Commissioner for Refugees and the Government of Canada. I believe there has been considerable concern expressed internationally that, if Canada enacts this particular legislation with this particular clause as it stands, it would be undermining the non-refoulement undertaking.

Since Canada has been at the leadership level in terms of providing and offering leadership for the salvaging of the plight facing refugees, the concern is that other countries may legislate similar clauses. If that happened on a frequent basis

one can see the danger of the United Nations Geneva Convention coming apart, and the very foundation being rocked. In the correspondence from the High Commissioner for Refugees to the Government of Canada there was a specific paragraph that suggested and reminded Canada that this could trigger an exodus by other countries.

It is with that spirit that we spoke to it in committee, and witnesses participated, to ensure that if the person is a security threat, or if there is need for detainment, then by all means a certificate or the powers should be available. However, this should not exclude the individual from receiving a hearing in order to properly determine if the concerns are founded and, if they are founded, what repercussions that person would face if he or she was returned to the country from which he or she was fleeing.

Our amendments suggest that the current legislation which allows an individual to participate in the refugee determination system be retained and, therefore, protect our international obligations and our obligations under the accessibility and universality of the system.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The question is on Motion No. 9 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Yes.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The Acting Speaker (Mr. Paproski): We will now move to Motion No. 8.

Mr. Dan Heap (Spadina) moved:

Motion No. 8

Immigration Act, 1976

That Bill C-84 be amended in Clause 4 by striking out lines 29 to 31 at page 3 and substituting the following therefor:

"officer or an adjudicator shall make an order to detain or release the person named in the"

He said: Mr. Speaker, this is a relatively simple point in Clause 4. Clause 4 represents an amending of the Act in connection with detention of a person:

> —where the Minister and the Solicitor General are of the opinion, based on security or criminal intelligence reports received and considered by them, that a person, other than a Canadian citizen or permanent resident, is a person described in paragraphs 19(1)(d), (e), (f) or (g), or 27(2)(c), they may sign and file a certificate to that effect with an immigration officer, a senior immigration officer or an adjudicator.

This is not the security certificate previously referred to in an earlier section. Perhaps this could be called a detention certificate. In proposed Subsection 41(2), which is the one I am dealing with, it states:

> (2) Where a certificate is signed and filed in accordance with subsection (1), an inquiry under this Act concerning the person in respect of whom the certificate is filed shall not be commenced, or if commenced shall be adjourned, until the determination referred to in paragraph (4)(d) has been made and a senior immigration officer or an adjudicator shall, notwithstanding section 23 or 104, detain or make an order to detain the person named in the certificate until the making of the determination.

This concerns the making of a certificate which suggests that a certain person who is seeking entry is perhaps a criminal or a threat to the security of Canada.

• (1520)

What the second paragraph does, which I seek to amend, is to make it compulsory that that person be detained. An adjudicator has the power to make a decision. He is a quasi judge. An adjudicator normally is allowed to make the decision to detain or not to detain. The wording in this clause is that a senior immigration officer or an adjudicator shall notwithstanding detain, which means removing the power of the adjudicator to do what essentially an adjudicator does. I do not think it has been shown that that is necessary, Mr. Speaker. What we have been told is that people may require a longer time to investigate, but we have not been shown that inexperienced adjudicators have failed to detain people on their own judgment when given an indication by the Minister that that is something which they ought to do.

I think it is an unfortunate tendency to take away from a lower official, that is, lower than the Minister, the power he has been exercising according to law and that as far as I know he has exercised satisfactorily for the Government. I have not heard complaints that adjudicators have been irresponsibly turning people loose whom the Minister wanted detained longer. However, I have heard complaints that adjudicators have not turned people loose when some people thought they should. I even heard of one situation where it was reliably reported that the Minister thought the adjudicator should turn some people loose but still did not. It seems to me that if the adjudicator has erred, the adjudicator has erred on the side of caution, that is, detaining a person to make sure that the matter was cleared up so far as necessary.

I believe that in this case it is unreasonable to assume that the adjudicator would act irresponsibly when presented with a Minister's certificate. Granted, the adjudicator does not have all the information behind the certificate, but I believe that adjudicators have shown themselves responsible in this matter of security.

Therefore, I proposed the motion to delete lines 29, 30 and 31 replacing them so that the clause would read:

—a senior immigration officer or an adjudicator shall make an order to detain or release the person named in the certificate—

I believe that would respect the existing law in that it would allow the adjudicator to perform his or her function, he, being the man or woman on the spot who is in possession of the essential facts, including the Minister's certificate. It would allow that person to do the job that he or she should do without being overruled and turned into a mere rubber stamp by the Act, as is the case the way the Act is now worded.

I would ask Members of the House to vote for this motion to sustain, to keep intact, the responsibility of the adjudicator in this matter.

Mr. Sergio Marchi (York West): Mr. Speaker, I am pleased to address Motion No. 8. The motion is very similar to one I presented at the legislative committee which was, as all amendments were, turned down.

The reason I presented the motion then and the reason I speak in favour of it now is that we heard very moving testimony about the need for a check and balance. The arguments received at committee and the arguments that I put forward were not for detainment of individuals in respect of whom government officials had no identification, or that particularly valuable information was received on a claimant. That was not the concern. We are not saying that a person should not be detained. Existing legislation provides full opportunity for an individual to be detained for 48 hours without going to an adjudicator. Subsequent to that the Minister, the Crown or officials can go to an adjudicator and request detainment of an additional seven days. The question is, who makes the decision and how is it made.

A presentation by the Canadian Civil Liberties Association articulated very thoughtfully about the need to have the adjudicator make the decision based on evidence that he or she receives from the Government. In other words, the information provided to the adjudicator would be analysed and considered rather than giving total power, *carte blanche* if you will, to the Minister of the day. That would be seen as excessive power or unilateral power allowing the Minister to detain an individual without having to go to an adjudicator. That is why many witnesses, and certainly the leading one on this clause, the Canadian Civil Liberties Association, argued for the need of a politically disinterested decision-maker rather than a politically motivated or politically interested individual. It was not meant to be a slight against the Minister or a Minister's position, but obviously it was referring to the realities of a Minister or to the realities of politicians.

You and I, Mr. Speaker, and everyone else in this Chamber receive various representations. We push and pull situations on a number of issues. Quite often from what we hear, feel and see we make a decision. The argument here is to offer protection in the system so that the Minister's powers would not be abused and misused. Again, it is not a slight against the current Minister. We are talking here about Ministers, certainly long after the present Minister and after you and I are gone, Mr. Speaker.

The request was for the adjudicator to have the flexibility and discretion of saying, "The information I receive from the Government justifies its concern and therefore, justifies further detainment". Or, perhaps based on information the adjudicator receives from the Government or other sources he will say, "Hold on, the preconceived notions are unfounded because I found *a*, *b*, *c* and *d*" which would then be offered to the Government. The Government would then have a further opportunity of rebutting the case or saying, "You are correct, Mr. Adjudicator". This offers a check and balance.

The current legislation offers those checks and balances. That point was accepted by Canadians at large that, yes, we have the powers to detain, but detain in a way to ensure that people's rights are protected and that powers are not abused and misused.

I believe the motion I put forward at committee and the very similar motion that we are debating here this afternoon is a very reasonable one, with which most Canadians would agree, given the sense of justice within this country.

I urge the House to adopt the motion so that we retain the discretion of the adjudicator, who would be in a position of being politically disinterested, borrowing a phrase from the Canadian Civil Liberties Association. If we move on this it would ensure that our Charter of Rights and Freedoms, for which we have fought so hard, will not be challenged and it will also preclude any court challenges in the future on this particular clause. A number of legal experts suggested that this would be one of the clauses that would bring a Charter challenge under Section 8. I do not, and I am sure that neither you, Mr. Speaker, nor any other Member of this House, would want this legislation to become policy of the Government, get tied up in the courts, paralyzing our policies. If that happens six months, 12 months or 18 months down the line, Canadians will not have patience or trust in the Government any more. They want the Government and Parliament to do it right this time.

• (1530)

We were called back for an emergency and I would not want to leave this Chamber without the provisions of the Bill being legally accepted. If they are not, the refugee system and particularly the Government will pay a bigger price once these challenges begin to take shape in the courts. Therefore, it is with that spirit in mind that I hope the Government will move to retain the discretion of the adjudicator and allow him or her

to make the decision based on information provided by the Government.

Mr. Friesen: Mr. Speaker, the Hon. Member for Spadina (Mr. Heap) began by saying that this is a simple point. In terms of an amendment it may be very simple, but its effect would be very complicating both in terms of the administration of the system and the security of Canadians.

I would reiterate what I said before lunch on the previous amendment. We are dealing with what is broadly called the inadmissible class of people, those who have records of criminality, organized criminal activity, espionage or subversion against democratic Governments, subversion by force of any Government, or acts of violence or subversion by force of any Government. Those are the kinds of people about whom we are talking.

The difference between the position of government Members and that of Members of the Opposition is on whether we should release or detain these individuals under certain circumstances. The Hon. Member for Spadina read certain clauses of the Bill as it is now before the House. Clause 41(1) indicates that the Minister may sign and file a certificate to that effect. He is not obligated to do so and may do so depending upon the circumstances of the case. It may be that he is presented with old information. However, if he chooses to sign and file a certificate, then Clause 41(2) comes into effect and provides the following:

> Where a certificate is signed and filed in accordance with subsection (1), an inquiry under this Act concerning the person in respect of whom the certificate is filed shall not be commenced, or if commenced shall be adjourned,—

That is the simple point. If there has been evidence to convince the Minister and the Solicitor General (Mr. Kelleher) to file a certificate, then there are not many options left. The primary obligation is to protect the security of Canada and Canadians.

I would remind Hon. Members of what I said in committee the other day when I referred to the Bill of 1976. A distinction was made between whether coming to Canada is a privilege or a right. Most Canadians believe that it is a privilege to be in Canada. The amendments we are now debating make it look almost as though it were a right for inadmissible classes of people to maintain freedom of movement in Canada.

I would like to underscore the fact that the primary obligation of the Government, and in fact of all of us, is to protect the security of the country and of individual Canadians. The fact is that this amendment would make the detention of security risks difficult if not impossible. As well, the information on which the Ministers base their decision to file a certificate is not information that can be released to the adjudicator, so it is not surprising that in times past, adjudicators have released individuals who should not have been released and did so with all good intent. In the past, the Government has been unable to obtain an order for detention from an adjudicator in security cases because the adjudicator was not aware of the risks involved.

Turning back to the Hon. Member's point, it is very simple. Do we detain or set at liberty those who the Minister and the Solicitor General are convinced are security risks? The Government must opt for the security of Canada and of individual Canadians.

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The question is on Motion No. 8 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Mr. Dan Heap (Spadina) moved:

Motion No. 14.

> That Bill C-84 be amended by deleting Clause 8.

He said: Next to the clause that would make it an offence to help a refugee come to Canada and even to an immigration office without the usual passport, this clause about turning away ships has caused the greatest concern in Canada and with the United Nations High Commission for Refugees. Clause 8 provides that the Minister may turn a ship away that is within the internal waters of Canada, the territorial sea of Canada or 12 nautical miles of the outer limit of the territorial sea of Canada if he believes that that ship is bringing any person into Canada in contravention of this Act or the regulations. In that case, the Minister may, after having due regard to the safety of the vehicle and its passengers and to the convention, direct the vehicle to leave or not to enter the internal waters of Canada or the territorial sea of Canada, as the case may be.

The Bill provides that the Minister may turn a ship away and it also specifies that any such direction may be enforced

by such force as is reasonable in the circumstances. Originally, there was much more concern over this clause, but it was amended in committee by a government motion. The words that are underlined in the version we have before us, "and to the convention," were added to the Bill. On the following page, Clause 8(3) gives some definitions including a definition of the convention meaning the United Nations convention relating to the status of refugees.

I welcome that amendment. I am very pleased that it was moved by a government Member and that government Members as well as opposition Members adopted it. It goes some distance toward dealing with the most difficult part of the problem.

The problem with this clause is that we are told that if a ship is bringing any person into Canada, the Minister may turn it away, but if a ship had 100 passengers and the Minister believed one of them was being brought to Canada in contravention of the Act, he is authorized to turn the ship away. What happens to the other passengers who might all be quite legitimate? There is only one ship and it cannot be chopped into pieces to divide the ones the Minister considers legitimate from the ones he considers illegitimate.

An Hon. Member: Throw them overboard.

Mr. Heap: Someone on the government side has said: "Throw them overboard". Unfortunately, that is not a joke. That sort of thing has happened perhaps not in the Atlantic but it has happened in the Pacific, particularly to the boat people from Vietnam. According to all we have heard from the UN, those people tried, usually in small boats, to get to countries like Malaysia or the Philippines and some of them were thrown overboard.

• (1540)

That is something the UN is very much concerned about on two levels. First, a rule like this, if it does not fully protect people who might be refugee claimants, or might even be legitimate refugee claimants, leaves in doubt what will happen to them when the ship is turned away. A simple expression of the Minister's good intentions is not good enough for a law because the people enforcing the law cannot be expected to have the good intentions of the person who may today be the Minister.

Second, Canada has very sternly and verbally attacked nations in the southwest Pacific who turned away ships with refugee claimants. The executive of the UN High Commission for Refugees adopted the principle that such ships ought not to be turned away. Therefore, for Canada to begin that practice would not only be very risky to the passengers of those ships, it would be a step backwards from the international leadership Canada has so far exercised, not just through our representatives to the UN but through the Secretary of State for External Affairs (Mr. Clark).

In 1979, the then Minister, the Hon. Member for Kingston and the Islands (Miss MacDonald), took specific steps to offer resettlement to some of the people picked up by such ships so as to dissuade the captains from, as the Hon. Member across suggested and which he thought was a joke, throwing people overboard. The amendment to which I referred moves in a very good direction. However, I feel it is not strong enough. The phrase "having due regard" leaves so much to the subjective discretion of the Minister that I am afraid, since the Minister cannot be everywhere all day long or even at one time, that acting through his officials the "due regard" might be much too pale and a ship with perhaps *bona fide* refugee claimants may be turned away to the harm of those on board. That is not to mention the great disadvantage to legitimate passengers who might have paid their passage and who might have their passports and visas to enter Canada.

In committee we urged that instead of this rule it be amended so that the ship would be escorted into a Canadian port. If the captain was guilty of trying to arrange for the contravention of Canadian law, he would be charged and prosecuted, if necessary with bigger penalties. If there were passengers contravening the law, they could be dealt with accordingly. If there were refugee claimants, they could be dealt with according to the law. The safety of the passengers would have been assured and the deterrence of future captains would be assured. For that matter, if that captain were in prison for several years and his ship were confiscated, that certainly would be a deterrent to that particular captain and that particular ship. Simply turning them away on the high seas may be just telling them to try somewhere else tomorrow when it is dark or foggy or something like that. It is not a sufficient deterrent. However, the amendment was unfortunately lost and we have the Act as printed.

Because of the risk both to passengers who might be returned to a country in which they would be in danger through careless application of the phrase "having due regard", and because of the uncertain example it sets for countries, particularly in the southwest Pacific, I believe we should delete this clause. If the Government wishes at another date to bring forward a further clause that would deal with it in the way many of us and the public and the UNHCR asked, I would of course actively support it. In the meantime, I hope the House will accept my motion which would delete Clause 8.

Mr. Sergio Marchi (York West): Mr. Speaker, after Clause 9, Clause 8 was perhaps the most controversial clause in the Bill. If you look at what the Government has been saying for the last month or so with respect to curbing abuse and going after the smugglers, then Clause 8 is a huge contradiction. As the Hon. Member for Spadina (Mr. Heap) suggested, we moved an amendment which would correct the situation. That was defeated, and so we have to rely on the strength of Motion No. 14.

There are essentially three very specific errors in Clause 8. First, obviously, you are not offering due process to any

claimants on a boat that may be turned back. We have had a policy in this country that individuals who request refugee status be granted an interview with immigration officials. They then go before the appropriate committee and the immigration appeal board in order to explain their circumstances. If you pass a law which says that the Government can, if it desires, turn a boat away, obviously you do not want to listen to and ascertain the circumstances of the passengers on that boat. You are making a predetermination based on who knows what.

Such an initiative would be a very dangerous precedent for this country. No other country in the world, save the U.S., has a provision along these lines. The U.S. has never seen fit to utilize its special powers. Therefore, I suggest that the Government be very, very leery of approving such a regressive clause. By doing so it would be unable to uphold the commitment which lies at the foundation of the UN Convention on Refugees, to which we were a signatory back in the 1950s. If that breaks, it will break the resolve of the international community to try to come to grips with an international problem and phenomenon which requires, therefore, quite logically, an international solution.

• (1550)

The second aspect is that this Bill is supposed to deter. It is to deter those who try to abuse our system, the smugglers who drop individuals off on our coasts, the consultants who continue to make huge and immoral profits from trafficking in human beings. No Canadian disagrees with that. Anyone who disagrees with it would be implying that there be no order in the process. If there is no order, there is no fairness, and if there is no fairness, it is the legitimate refugee who will ultimately pay a very dear price.

This clause will not deter smugglers. This clause will allow the Minister, through a Coast Guard vessel, to turn a smuggler's boat around and send it wherever he wishes to go. If you are a captain leaving a port in Europe knowing that the worst you will face is having your boat turned around, what do you have to lose? You have collected the money from your so-called clients and it is in the bank. You chances are fifty-fifty. You may be able to drop your clients off and get away with it. At the very worst, the Government will turn the boat around and you will dump your passengers in some other place. However, your money is secure.

On the other hand, if the law says very precisely that if you are found in contravention of our laws by trying to dump people on our shores in the middle of the night, your boat will be boarded, escorted into the nearest port and seized, and you will be charged and perhaps fined or imprisoned, you will think again. We moved an amendment at the legislative committee which was turned down by the same government Members who keep talking about deterrence.

Which plan will deter smugglers the most, Mr. Speaker, the plan to turn the boat around or the plan to seize the boat and imprison the captain? I suggest that most Canadians would favour the latter, that it would be the greatest deterrent. If we capture the boat and imprison the smuggler, I am sure other smugglers in Europe will get the message that their buddy is in a Canadian jail and has lost his boat. I do not think other smugglers would set sail. We in the Opposition are saying that not only do we want to guarantee the safety of the passengers and give them due process, but that we want to ensure that the smuggler is detained.

Committee members on the government side said that some captains are not at the heart of the situation, that they are just employees, and the real smuggler is on the beach in Acapulco. Perhaps they are right. However, the way to stop the operator who is on the beach in Acapulco is not simply to turn his boat around. The crew and captain must be detained and they will probably testify. That testimony can be used against the real operator. We will, therefore, not be dealing in ignorance but will have testimony and information.

In my humble submission, Your Honour, the proper way to act is to escort the boat in every time. The Government still has not told us in what circumstances it would escort a boat in as opposed to turning it away. If the Government wants to deter, it must put its money where its political message is. It must fine, imprison, and seize boats rather than turning boats around. What kind of deterrence is that?

What kind of system are we putting in place in which a claimant who arrives on a boat is turned around and denied processing and then arrives again two days later through an airport and is processed? A passenger coming through Pearson International Airport in Toronto will not be stopped by the Government but will be processed and accepted while a claimant coming in by sea will not. That is the problem.

Claimants arriving by boat, plane, bus, car or train are all the same. We cannot allow the Government to suggest that the method by which you come to Canada will determine whether you are going to be processed. That is absurd. Of the 15,000 claimants in the backlog 14,700 arrived by means other than boat. Only 300 arrived by boat.

Through this legislation the Government is suggesting that boats can be turned around while buses cannot. What if a smuggler brings people in clandestinely on a bus? It is still wrong, but there is no legislation to stop it. It is still wrong to charter an aircraft and load it up with fraudulent refugee claimants, but it is not covered in this legislation.

We are suggesting that we need a sense of balance. The Government has thus far not shown justification for turning back a boat but not any other vehicle. That is improper and illogical. It creates two sets of refugees, the ones who arrive by boat and the ones who arrive by other means. We cannot allow the mode of transportation to dictate whether or not an individual will receive a hearing.

That is an improper precedent and will not act as a deterrent despite the suggestions of Members that this Bill will deter. The only people it will deter are real refugees. The only people

who will be put in prison or fined will be church representatives aiding refugees. That is the irony of this legislation. It could be very easily amended in order to protect legitimate refugees while discouraging those who wish to circumvent and undermine our regulations.

Mr. Jim Hawkes (Calgary West): Mr. Speaker, it is clear that under other legislation the Minister has the power at any time to order a vessel into port and implement fines, seizure of the vessel, and so on. This gives the Minister another power to turn a boat around.

• (1600)

That may or may not happen in my lifetime. The committee has included provisions that are meant to protect convention refugees and to consider health and safety.

We often forget that there are unscrupulous people throughout the world who prey upon people who are in unfortunate circumstances. Those of us who have had the fortune to see the Atlantic, the Pacific and other oceans throughout the world have some respect for the power of the ocean. Unscrupulous people may charge from $10,000 to $25,000 for transportation, forged passports and many other schemes. When we are dealing with desperate people, it is likely that sooner or later an unscrupulous sea captain will fill an unseaworthy boat with people who pay a lot of money and that boat will be lost at sea in a storm. This Bill suggests that it may not be a good idea to allow oneself to get into such a situation in order to come to Canada's shores because there are regular ways to come to this country. We have embassies throughout the world and we treat refugees and refugee claimants decently. They do not have to spend $10,000 to $25,000 and run the risk of the high seas.

I do not anticipate that this clause of the Bill would ever be used to turn away people who have a legitimate claim to refugee status, but it may stop a lot of unfortunate people from getting on to a vessel that would not see them arrive safely on our shores. Therefore, I would urge Members to keep this power so that we can send a message that people should come the safe way to Canada rather than the unsafe way.

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, it seems that this clause is a reaction of the Government to the fact that in the last year boats dropped 155 people on the shores of Newfoundland and 174 on the shores of Nova Scotia.

The wording of the clause does not make much sense. It states that if the Minister or his delegate believes that a ship within 12 miles beyond Canadian waters is bringing any person into Canada in violation of the Act, they may order the ship to refrain from entering the area within 12 miles of Canada.

The clause is objectionable because it can apply to any person, not necessarily a boatload, as it was in this particular case, nor any portion of that boatload.

While Members may suggest that this provision may never be used, the fact that it exists means that it can be used to turn a boat back. That may cause the very result which the Member has suggested the clause is meant to prevent, which is to allow a boat that is unseaworthy back out into the ocean and a possible disastrous situation. Consequently, I suggest that the clause should be removed entirely and the clause be left as it is.

The United Nations High Commission for Refugees is concerned that this type of clause may result in turning away real refugees who may have a very good reason for coming to Canada. However, since that person may happen to be a passenger on a boat which the Minister or his delegate decide should not be allowed into our waters, that person could be sent back to a possibly disastrous situation.

I have spent considerable time in other countries. We must recognize that there is a fine line between democratic countries which have Governments like ours and those which give rise to legitimate refugees. A clause such as this might put in danger refugees from such countries not only of disappearing at sea, but of being sent back to their country to face either imprisonment or death.

Furthermore, this clause is not likely to deter the smuggling which has accounted for a large portion of the refugee claimants who are coming to Canada. It will not stop the captains of these boats from seeking ways to enter Canadian waters.

Rather than simply partially amending this clause, it would be better to eliminate it entirely. That is the position we have taken on this particular amendment.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, the Member for Prince Albert (Mr. Hovdebo) says that this amendment is a reaction. Of course it is a reaction to what happened last summer and this summer. If we had not reacted, we would have been faulted by the Canadian people for not taking into account what was happening on the shores of our land. Of course it is a reaction, but it is not an over-reaction.

Let me begin by thanking the Member for Spadina (Mr. Heap) for not raising the question of refoulement, because I think he knows that that is not the purpose of this clause.

The Member for Prince Albert mentioned that the implementation of this clause could lead to a possibly disastrous situation. I point out to him that the Bill states: "The Minister may, after having due regard to the safety of the vehicle and its passengers" and to the convention. All safety is looked after before a decision is made, and it is still the option of the Minister and the Department to seize the ship and prosecute the captain.

I want to point out the two conventions which are important in this connection. One is Article 33 of the UN Convention for Refugees which reads:

> 1. No Contracting State shall expel or return a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion.
>
> 2. The benefit of the present provision may not, however, be claimed by a refugee whom there are reasonable grounds for regarding as a danger to the security of the country in which he is, or who, having been convicted by a final judgment of a particularly serious crime, constitutes a danger to the community of that country.

• (1610)

I will read from the Law of the Sea Convention to which Canada is a signatory. Article 19 under the heading of "Meaning of Innocent Passage" states:

> 1. Passage is innocent so long as it is not prejudicial to the peace, good order or security of the coastal State. Such passage shall take place in conformity with this Convention and with other rules of international law.
>
> 2. Passage of a foreign ship shall be considered to be prejudicial to the peace, good order or security of the coastal State if in the territorial sea it engages in any of the following activities:
>
> (g) the loading or unloading of any commodity, currency or person contrary to the customs, fiscal, immigration or sanitary laws and regulations of the coastal State;

Finally, Article 25, under "Rights of protection of the coastal State" states:

> 1. The coastal State may take the necessary steps in its territorial sea to prevent passage which is not innocent

I leave Members with that convention, which is designed to protect the very people about whom Members everywhere in this House are concerned. At the same time it is designed to respect the sovereignty of the state, that is, Canada.

We are entitled to control our immigration and our refugee determination and, again, the uppermost question is, are these people in need of protection? That is the premise upon which the whole scheme stands. The clause, as tabled by the Government, protects those people on the high seas, particularly from the unscrupulous who would defraud them of $10,000, $15,000 or $20,000 and still not be able to guarantee them safe passage to Canada.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, it is clear from the exchange this afternoon on this particular clause that the Government really has failed to demonstrate that these people in need protection will be protected. The Parliamentary Secretary just mentioned the fact that people in need of protection will be given protection but without indicating how. Turning around a boat before allowing it to land and allowing our immigration officials to examine one by one the applicant refugees, without those applicants receiving the appropriate attention, will not extend to the visitors or applicant refugees the protection to which the Parliamentary Secretary refers.

The Parliamentary Secretary knows that in order to extend this kind of protection, and subscribe and implement our commitments to the UN Convention for Refugees, we will have to allow the potential refugee to make his application in Canada. This is what this piece of legislation does not contemplate. This is why the UN High Commissioner for Refugees wrote the letter to the Minister of Immigration some weeks ago expressing that profound preoccupation and raising, in diplomatic language, the hope that this Bill would be changed in order to be in line and conform with the commitments Canada has made over the years through various international conventions.

We were given a promise by the Minister in committee, if I remember correctly, about an oral hearing that would be given to people arriving here by boat under this particular legislation, or Bill C-55. The Parliamentary Secretary must tell us during this debate how this will take place. Will officers of the Department of Immigration be allowed to board the boat while it is still on the high seas? Will they be boarding the boat when it enters Canadian territorial waters, or will this boat be turned around and no oral hearing will take place at all? This matter has not been clarified at all.

Actually, this is an attempt to sweep it under the rug as if somehow people should interpret the law better than the Parliamentary Secretary is capable of doing. That is not good enough. We have subscribed to several articles under the UN Convention over the years. We have been urged by the High Commissioner to stick to our commitments and to respect them, and this piece of legislation departs from those commitments.

The Parliamentary Secretary made a reference to the fact that this Bill is a reaction to what happened in the summer of 1986. Over 14 months have gone by since that happened and we are still puzzled by the poor quality of the Bill. As the Hon. Member for York West (Mr. Marchi) indicated earlier, we have here a proposal, soon to become law, which will endeavour to determine whether or not people who arrive on our shores by boat are legitimate refugees, but will not give the same treatment to people who will be arriving by means other than by ship. We in the Opposition are puzzled by this different way of application. I would invite the Parliamentary Secretary to clarify this point.

Why is it that this Bill fails to apply to those who may be arriving by air? It seems to fail to apply to those who would arrive by land, by train or by bus. It applies only to people who arrive by water.

If these powers are contemplated in another piece of legislation, if the Minister has powers to proceed with the screening of potential applicants who arrive by means other than by water, then we would like to hear that from the Parliamentary Secretary. This is a very important aspect. It was addressed at second reading and it was addressed very thoroughly in committee by the Hon. Member for York West (Mr. Marchi), but it is still unclear as we approach third reading. Therefore, the Parliamentary Secretary would do us a service by, first, clarifying the question of powers which give the Minister the opportunity to screen people regardless of the vehicle by which they choose to enter Canada, and, second, in which way are we complying with the UN Convention

whereby we do recognize the right of potential refugees to seek asylum as they touch upon Canadian territory?

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The question is on Motion No. 14 standing in the name of the Hon. Member for Spadina (Mr. Heap).

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 114(11) the recorded division on the proposed motion stands deferred.

At the request of the Hon. Member for York East, the Chair has taken a further look at Motions Nos. 15 and 17. Similar motions were moved in committee but the two motions, which were negatived in committee, did not use the word "humanitarian". The Chair is thus inclined to allow both motions to be moved and debated with one debate and one vote disposing of both. The Chair wishes to explain that the short lead time between the return of the Bill and the start of the report stage caused a bit of a rush. Hopefully, the House will understand this further clarification of statements made this morning and earlier this afternoon.

• (1620)

Mr. Sergio Marchi (York West) moved:

Motion No. 15

That Bill C-84 be amended in Clause 9 by striking out lines 25 to 32 at page 8 and substituting the following therefor:

"95.1 Every person who knowingly, and for other than a humanitarian or commercial purpose, smuggles, organizes, induces, aids or abets or attempts to smuggle, organize, induce, aid or abet a person to make a manifestly unfounded or fraudulent refugee claim is guilty of an offence and is liable".

Motion No. 17

That Bill C-84 be amended in Clause 9 by striking out lines 1 to 9 at page 9 and substituting the following therefor:

"95.2 Every person who knowingly, and for other than a humanitarian or commercial purpose, smuggles, organizes, induces, aids or abets or attempts to smuggle, organize, induce, aid or abet a group of ten or more persons to make a manifestly unfounded or fraudulent refugee claim is guilty of an".

He said: Mr. Speaker, I wish to thank Your Honour and the Table Officers for allowing me to make my representations. As Your Honour has quite rightfully pointed out, there was not enough time between Friday night and today to discuss the difference between my amendment in committee and my Motions Nos. 15 and 17.

Essentially, Clause 9 was probably the one that epitomized the concern of Canadians the most, namely, that it would allow under the law an individual Canadian, a priest, a nun or any other individual layman, to be fined or imprisoned for aiding a refugee applicant who does not possess identification documents or a Canadian visa. Mr. Speaker, you can well imagine the uproar from Canadians, in particular civil liberty groups, the Canadian Bar Association, churches, non-profit organizations and Amnesty International as a result of placing the onus on these individuals to pay the price rather than on the smugglers and consultants about whom everyone has agreed something must be done.

The Minister has said, "Do not worry. We will never put in prison or fine a priest or a nun who helps legitimate refugees". I am not concerned with the meaning or the intention of the Minister since Ministers come and go. Even you and I, Mr. Speaker, will go one day, much to the regret of the House of Commons. This is why during bad governments in particular it is important to have good legislation, legislation which will protect the citizens of Canada.

This piece of legislation, perhaps interpreted by the present Minister or by someone else, can be interpreted according to the letter of the law and would therefore make liable any individual Canadian, including thousands and thousands of church groups, although this wording is not limited to religious institutions. Many social and humanitarian organizations have been at the forefront of helping those less well off than you and me, Mr. Speaker.

Who do Hon. Members think were the first to advocate food banks, particularly in the basements of churches in the Province of British Columbia? These food banks came to the aid of those who did not have food on their tables. Can Hon. Members think of any more regressive or humiliating thing than to have to line up for one's food? It was the churches and it is still the churches which have filled the vacuum in 1987 with the plenty which surrounds us, and the line-ups are getting longer.

The churches and other organizations have come to the aid of those looking for a home. To date, Governments have not said anything particularly negative about the role played by churches and non-profit organizations. However, all of a sudden the same institutions which help refugees will now be made liable to imprisonment or to fines. I challenge the Government to produce one Canadian who would be in favour

of that law. I am not suggesting that the churches or non-profit organizations be put above the law. No one, including government Ministers and the present Prime Minister (Mr. Mulroney), is above the law. But when there is a law that makes liable individual groups and Canadians who legitimately and out of humanitarianism come to the aid of a person fleeing persecution, then what type of country are we trying to become under this Conservative administration?

Is the Government proud to follow the lead of the United States of America? In that country members of the clergy have to hide refugees away from law enforcement officials. Is that the direction which this Government wishes to take? Unless the Government changes Section 95.1, not only will it be following the course taken by the United States of America, it will in fact supersede that country.

It is for that reason that at the committee stage and at second reading we tried to move members of the Government and the Minister away from this wording in order not to allow a blanket-type of legislation which will potentially incriminate everyone yet catch only a few. That is not the way to draft laws. When laws are drafted we have a purpose, an objective. In this case the objective is abusers of the law. Let us clearly define who are the abusers. Once we have done that, let us target our laws appropriately and effectively in order to get those people.

Why put in the same category a manipulator who charges $15,000 a head, dumps people in the oceans and leaves them to pick up another load to bring somewhere else, and a parish priest of a church in my riding who continues to help people in need whether or not they have identification documentation? The action of my parish priest is different from that of the smuggler who makes half a million dollars on every load. Why, under the law, are the priest and the smuggler potentially one and the same? It is my intention to differentiate between the two.

This is not to say that the Liberal Party or the New Democratic Party or the Chairman of the standing committee are in favour of abuse because they rise to speak about this issue. This issue has become like the constitutional accord, every time we try to make an amendment, we are seen as anti-Quebec. That approach cannot be taken. That is why I am moving the amendment today to include the word "humanitarian". This is an attempt to amend the law in this way by stating:

> Every person who knowingly, and for other than a humanitarian or commercial purpose, smuggles, organizes, induces, aids or abets—

This is a specific word that would set clear in legislation the intention of which the Minister speaks, which intention suggests that churches, organizations and individuals who are helping refugees legitimately are not the target and cannot be the target under this legislation. In response in committee the Minister said: "We cannot use words that cannot be defined by the law, words that would allow smugglers or others to profit through the loopholes". I am not saying that "humanitarian" is the only word to use. However, by using that word it is our intention that we be very specific in this law.

I would like to advise the Parliamentary Secretary that the words "charity", "non-profit" and "humanitarian" have been used in 38 different statutes of this Government.

• (1630)

With all due respect, Mr. Speaker, I am not in the mood to listen to the response from the Parliamentary Secretary when he asked what it means when the Hon. Member for York West suggests a humanitarian. It is general, broad, and it does not appear anywhere else. I am sure that when checking the federal statutes and the Immigration Act there are legal definitions of the word "humanitarian", otherwise that word would not appear 38 different times in our federal statutes. I am sure that there is a definition of a church and a non-profit organization.

My point is that the Minister, the Parliamentary Secretary, or indeed the government Members cannot use the excuse that legally they could not find the phrases to define those very people whom we are trying to exclude from this regressive law, but in fact the words presently are in our federal statutes. If there is a political will to state clearly in intentions and also in law that the target of the Bill will not be and cannot be those groups and Canadians who are presently serving their fellow man, in this case, refugees, then it can be implemented

I ask the Parliamentary Secretary why there was no legal word or phrase that would set forth the intention that the Government does not want to throw in jail or fine a priest, or an individual Canadian who is helping refugees, but that under the law those intentions are real? In other legislation in other areas of policy in the Government or in the federal domain drafters have been able to come up with those terms and define them. Given the precedent, and the fact that "humanitarian" is used 38 times in our federal statutes, why was it not possible to find this word or another word with the same meaning to put in this legislation in order to match intentions with the law? Intentions are only as good as the paper on which they are written. It is the courts and the decision-makers that will ultimately interpret and follow the law. According to proposed Sections 95.1 and 95.2 it makes liable any individual, church, or otherwise, who legitimately will be aiding refugees without documentation.

Thank you for your patience, Mr. Speaker.

Mr. Orlikow: I must admit that I came in late. I wonder if I heard the Hon. Member—

The Acting Speaker (Mr. Paproski): I hope that the Hon. Member is not rising on a question or a comment. There are no questions or comments allowed under Standing Order 114.

Mr. Heap: With unanimous consent.

The Acting Speaker (Mr. Paproski): Is there unanimous consent to allow the Hon. Member for Winnipeg North to ask a question?

Some Hon. Members: Agreed.

The Acting Speaker (Mr. Paproski): The Hon. Member for Winnipeg North.

Mr. Orlikow: I heard the Hon. Member defining the word "humanitarian" in his amendment. I did not hear him explain the three words following the word "humanitarian" which are "or commercial purpose". I wonder if the Hon. Member could explain that.

The Acting Speaker (Mr. Paproski): Is there unanimous consent to allow the Hon. Member for York West to answer the question?

Some Hon. Members: Agreed.

Mr. Marchi: If the Hon. Member will check with the Table Officers, he will find that this was a typing error which was not part of the motion. It has been struck by the Table. The three words "or commercial purpose" should not be in that motion.

The Acting Speaker (Mr. Paproski): The Hon. Member for Spadina on debate.

Mr. Dan Heap (Spadina): I rise to support the motion of my hon. friend from York West. I would have preferred to handle the same problem in a somewhat different way. I will discuss that at a later time.

It has been proposed that we should exempt from this law people who act for a humanitarian purpose. As the Hon. Member stated, the word "humanitarian" is one that is in legal usage. Governments, courts, and the public have found it possible to use this word with a known meaning in legal matters. Therefore, it is a possible way in which to resolve what many people see as an unclarity, a possible mix-up, or a drafting error in the law.

When we started debate on the Bill, I was very much of the mind that there was a drafting error. One of the chief drafters, the director of the legal section of the task force, gave me a briefing on this. He explained that Sections 95.1 and 95.2 hinge on the difference between the word "into" and the word "to". He spent approximately half an hour explaining to me that to bring a person "to" Canada is legal, to bring a person "into" Canada is illegal, always was, and should be.

Later the Minister told me he was wrong. I am not sure about the quality of a law that is drafted by someone who soberly and conscientiously told me one thing, and after hearing the Minister, had to admit that what he told me was not true in regard to the meaning of a crucial clause in the law.

It seems to me very ironic that this Government, no less than the previous Government, and possibly more, has actively sought partnership with churches, unions, and all types of non-governmental organizations in the work of bringing refugees to Canada and helping them to settle here.

When the Hon. Member for Kingston and the Islands (Miss MacDonald) was Minister of Employment and Immigration, she told me that it was an important part of her plan to win that type of co-operation. In fact, at that time the host program began and it has continued. Churches and other such groups have joined with the Government in helping to settle refugees. Often they joined with the Government by helping very substantially to settle the refugees sponsored by the Government. Perhaps there is some confusion about how many the Government sponsored and how many the church sponsored, but one has to look at the whole picture and not pick certain figures out of context. It has been acknowledged by government officials that they have helped a great deal in providing information. The church has a good network and it is represented in places where the Government is not represented, and it is also represented in most places where the Government does have overseas posts. Therefore, information that the church has brought about countries has been greatly used by the Refugee Status Advisory Committee and by the Immigration Commission in trying to identify the type of problems that may generate refugees and attempting to clarify who are the refugees and what is needed in response to a real refugee who has been through some very terrible experiences.

All this information was actively sought by the Government, and I am glad that it was. The churches responded very positively, as did other groups. Many of those groups were *ad hoc* groups, for example, the Nanaimo Immigrant Aid Society and the Immigrant Aid Society in many other towns and cities. Without that assistance, the Government would have been greatly hampered in meeting its own goals in this matter.

In fact, this year the Government announced it was necessary to impose very harsh restrictions on the entry of refugee claimants into Canada over the American border. It announced those restrictions on Friday morning and on Sunday afternoon there was a great rally in the City of Fort Erie of over 300 local townspeople who were led by their clergy. For about half an afternoon in the park they held what they called a celebration of refugees. They told me that in the past two years they had billeted 500 refugees in the Town of Fort Erie. It started one evening a couple of years ago when one of our immigration officers on the bridge met a Salvadoran family, did the necessary paperwork and procedure and then asked, "Where are you going tonight?" They didn't know. The officer told them to wait. He phoned around and found them a place to stay with a friend, which by the way is the kind of thing the churches have been doing spontaneously. A committee was formed within a few days and that network billeted 500 people in a small city in two years. Southern Quebec at the same time sent a truckload of food and blankets to refugees who had been sent back to Plattsburg, New York, who had been stopped from coming into Canada. That competes with an action between Windsor and Detroit for

being the first time, at least in modern days, that refugee aid was sent to the United States of America.

• (1640)

There are all kinds of ways that people in the maritime provinces, the central provinces and the prairie provinces, even Alberta, are doing. I say that because I know the Hon. Member for Calgary South (Mrs. Sparrow) is very much aware of the refugee activities and refugee support activities in Alberta. Although there are fewer there than in Ontario for reasons that the Member could explain better than I, Albertans are making refugees very welcome.

It is ironic that the Government should undertake now to pass a law that refers to every person who knowingly organizes, induces, aids or abets or attempts to smuggle, organize, induce aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa or passport, because thousands of people have helped thousands of people do that very thing. People have helped those coming to Canada by assisting them to the nearest immigration office believing that they were acting lawfully. Nobody in this Government, including the present Minister, ever whispered to them that they were not acting lawfully. They read the Act, they listened to the officials and the Minister. They did what was lawful and they were praised for it, at least by the preceding Minister, if not by the present one.

It is ironic that we should now have a law saying that everyone who does that is guilty of an offence and is liable, et cetera. It is not nearly good enough to say, "You are nice people and we would never prosecute you", as was made very clear by a representative of the Inter-Church Committee on Refugees, a layperson who has worked on refugee affairs for about 20 years. These people are not asking to be protected from prosecution. They are saying, "Do not make us guilty of an offence for doing what you encouraged us to do for these many years". I really thought at first that there was a misunderstanding. We tried, as we heard from an earlier speaker, to get this clause amended in committee. I remember very clearly the Parliamentary Secretary saying that he did not think words could be found any better than the ones that were in the law.

That leads me to the conclusion that there was no misunderstanding but a fundamental moral change in the law to prevent, or at least to discourage or intimidate, Canadians or anybody else from helping refugees coming into Canada unless they are privileged to have visas. It is not to help them evade the law. Even to help them meet the law will now be made an offence. It must be the first time that the Government has sought to pass a law to make it an offence to help somebody keep the law. I am very sorry but that seems to be the Government's decision. I hope there is still time for Members opposite to reconsider their position and adopt the motion that we have before us.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we have stated on several occasions today that this Bill contains too many discretionary powers. We have regretted that and pointed at passages and clauses where too much power is given to an individual Minister. We do not like it.

I can tell you that nothing is more repugnant, Mr. Speaker, than this Clause 9 and nothing is more upsetting than the content of this measure which prompted the Hon. Member for York West (Mr. Marchi) to put forward his amendment, which I fully support.

In essence, the Government is taking a line whereby it wishes to give an oral assurance to groups, volunteer organizations and churches not to prosecute them, while at the same time putting into law a measure that will prosecute them the very moment the promise is forgotten. I ask you, Mr. Speaker, how naive and incompetent can one be in making the kind of statement which the Minister made in committee? You cannot do things that way. You cannot expect to give this kind of reassurance unless it is embodied in the law. It is irresponsible to expect society to function on the basis of verbal assurances by the Minister of the day. What will happen with the Minister of tomorrow, a logical question which the Hon. Member for York West already raised? You do not make laws that way.

What is repugnant about this measure, which is very upsetting, is the fact that you would treat as criminals through a blanket clause in this Bill a number of people who have been and will continue—I repeat, will continue—to be involved in matters relating to the refugee movement in Canada. Why am I saying that, Mr. Speaker? Because we have it on record in statements by two representatives of the Inter-Church Committee for Refugees. I am sure the Parliamentary Secretary knows very well what was said. Nancy Pocock said:

> If my Government tells me it is a crime to help these people,

Namely, refugees.

> —I will have to say I am obeying a higher law and I am going to continue to help them when they need me.

This is quite a statement from a person who has high moral standards and motivation flowing from a life dedicated to this kind of work. Another member of the Inter-Church Committee for Refugees, George Cram, said:

> I do not want to be guilty of committing an offence for doing humanitarian work.

True. What civilized society would do that? It is so un-Canadian. It is absolutely revolting that this kind of legislation would be allowed. It is upsetting and embarrassing. As the Hon. Member for York West said earlier, you can make a distinction between activities that are oriented by profit-making and activities that are non-profit making. Any law writer can make that distinction, but it takes political will to do it. The Member for York West indicated the number of times where the word "humanitarian" has been used in federal statutes. It is over 30. The number is over 30. There is no

excuse for the Government to tell us that it cannot be done. It can be done, but the political will is not there.

To add insult to injury, we have a Minister who has the nerve to say, "Don't worry, you guys over there, the Inter-Church Committee, we will not prosecute you. We will keep our word". How serious is that? How can you make laws that way? Not even a banana republic would do that. It is either on the books or it is not, and it is on the books, unfortunately.

• (1650)

The matter was raised at second reading stage a number of times by the Hon. Member for York West and by other Hon. Members including myself. This clause is a shame and it must be given attention by the Government if it has any respect for volunteer organizations and all those involved in this kind of work.

I know that the Parliamentary Secretary has a special sensitivity for the movement outside the country in which refugees are involved, and I know that he will take the matter up with the Minister. The Bill cannot be allowed to go ahead like this.

As we all know, there is an enormous difference between those who get involved for the purpose of profit-making and those who are involved for humanitarian considerations only. Everyone in this room knows that there is a big difference. The distinction can be made and it is clear. The terminology does exist if one wants to choose from it. It must find its way into this piece of legislation.

Clause 9 is a repugnant clause for which there is no room in the Bill in light of the traditions we have developed in Canada. It is not consistent with our international reputation. There is no way that this clause should be allowed by those back-benchers over there to stand on the books. It ought to be changed and ways to do it must be found.

I fully support the amendment of the Hon. Member for York West. Blanket incrimination rather than targeting those whose motives are venal is not fair and is not right. The distinction must be made.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, the Hon. Member for York West (Mr. Marchi) said that it is up to the Government to find the word to be used. Now the Hon. Member for Davenport (Mr. Caccia) asks why the Government does not find the word. It is their amendment. Why did they not find the word? They can get themselves the latest edition of *Roget's Thesaurus* and use any synonym they want.

I have no objection at all to their using any word they want in their amendment. If it meets the narrow definitions of the Criminal Code, that is fine. However, I can say that the word "humanitarian" will not do it.

I agree that that word is used elsewhere in the statutes and even in the immigration law. However, it is not used in definite regulations. It is of course used in the context of broad Canadian goals.

I would ask the Hon. Member for Davenport, as I asked the Hon. Member for York West in committee, to define "humanitarian" in a world context. Both Hon. Members know that every radical group in the world thinks its goals and objectives are humanitarian.

Mr. Blackburn (Brant): Pinochet never uses it.

Mr. Friesen: Of course, he is saving his country from communism. Check with Abu Nidal or the Ayatollah. The Ayatollah has saved his country from that great Satan, the United States. What a favour he has done for the Iranian people! That, in his world context, is being a humanitarian.

As I did in committee, I will bring it a little closer to home. Within the last two weeks, there was a case in British Columbia of a young lady riding a motorcycle who had an accident. Her leg was severed and she was taken to the hospital. The humanitarian staff at the hospital wanted to save her life. However, the treatment required a blood transfusion and she was a Jehovah's Witness. Try as they might to be humanitarian in their scale of values, her scale of values did not allow them to give her a transfusion, and she died.

How are we to define "humanitarian"? We cannot use a loose, subjective word like that and expect the law to carry weight and to be effective.

Hon. Members have spoken about the threat to churches. I have been interested in refugees for a long time and I have been active in my church for a long time. I have never once felt threatened by the law because of my interest in refugees.

Mr. Blackburn (Brant): Of course not, this law wasn't passed then.

Mr. Caccia: That's right, big deal.

Mr. Friesen: That's right, big deal. Let me offer the House the statistics. There is no need for any organization to come to the border with so-called refugees who are undocumented. To come to the U.S.-Canada border without documents is unnecessary. They can go to any Canadian Consulate in the United States to obtain documentation. They can go to refugee detention centres on the U.S.-Mexico border and be documented. Any church or humanitarian organization that so chooses can go to the United States and sponsor refugees to give them a more certain future than it would be doing it the way they describe they want to do it.

Central American landings seem to be the focus of attention of all the groups that have criticized this legislation. In 1986, the Government sponsored 299 Central American landings in Canada from Central America. Private groups sponsored 14. From the United States, the Government sponsored 1,018, and private groups sponsored 76. From others abroad, the Government sponsored 2,465, and private groups sponsored 149.

Up to June of 1987, the Government sponsored 101 Central American landings in Canada, and private groups sponsored 17. From the U.S., the Government sponsored 680 and private groups, 19.

If Hon. Members want to help Central American refugees, the simplest thing they could do is to go to the United States and sponsor all the refugees they want. If they do it in the United States, the refugees come to Canada with work permits and they are secure as soon as they are in Canada.

There are thousands of refugees in the United States. I ask Hon. Members opposite who speak on behalf of these organizations why they only brought 76 refugees from the United States in 1986 when the Government brought in 1,018. Why did they not bring in more? There are unlimited opportunities to sponsor refugees if they want to. Why in the first six months of 1987 did they bring in from the United States only 19 refugees when the Government brought in 680? If they are so interested in helping refugees, why have they not done so?

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Mr. Marchi: Mr. Speaker, could I ask for the unanimous consent of the House to ask a question of the Parliamentary Secretary?

The Acting Speaker (Mr. Paproski): Is there unanimous consent for the Hon. Member for York West (Mr. Marchi) to put a question to the Parliamentary Secretary?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): There is no unanimous consent. Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): The question is on Motions Nos. 15 and 17 standing in the name of the Hon. Member for York West (Mr. Marchi). Is it the pleasure of the House to adopt the motions?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour will please yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Pursuant to Standing Order 114(11), the recorded division on the proposed motions stands deferred.

[*Translation*]

It being 5 o'clock, the House will now proceed with Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

NUCLEAR ARMAMENTS

ADVISABILITY OF DECLARING CANADA A NUCLEAR ARMS FREE ZONE

Mr. Neil Young (Beaches) moved:

That, in the opinion of this House, the government should consider the advisability of declaring Canada a nuclear arms free zone by prohibiting the deployment, testing, construction and transportation of nuclear weapons and associated equipment through and within Canada, the export of goods and materials for use in the construction and deployment of nuclear arms and further, the government should encourage cities, provinces and states throughout the world to undertake similar action.

He said: Mr. Speaker, the establishment of nuclear weapons free zones in areas around the world has increased enormously over the last several years. Nuclear weapons free zones exist by international treaty in four global regions: The sea bed, Antarctica, outer space, and Latin America. International recognition is presently being sought as well for the nuclear weapons free zone established in the South Pacific during 1985. At least 17 nations have declared themselves nuclear weapons free zones, including Japan, Sweden, Austria and New Zealand. A number of other countries which are members of NATO have also done so. In addition, there are currently proposals for regional zones in the Balkan states, the Middle East, Southeast Asia, Africa, the Indian Ocean and parts of Europe.

Here in Canada as of June of this year the number of nuclear weapons free zones has grown to 169. In addition to cities such as Vancouver, Calgary, Edmonton, Regina, Toronto, Montreal, Bathurst, Lunenburg and St. John's, scores of local Governments have passed motions declaring their own communities to be nuclear weapons free. The Provinces of Ontario and Manitoba, as well as the Northwest Territories, have done the same. Just over 59 per cent of the Canadian population now lives within nuclear weapons free zones.

Almost from its beginning the UN has urged its members to create these zones in order to build an international climate that would bring about a comprehensive arms limitation agreement. In fact, in 1978 the final report of the UN special session on disarmament declared: "The establishment of nuclear weapons free zones on the basis of arrangements arrived at among states in the region concerned constitutes an

important disarmament initiative. The process of establishing such zones should be encouraged with the ultimate objective of achieving a world free of nuclear weapons".

In the past, Canadian Governments have traditionally supported the thrust of this policy. At two special sessions of the UN General Assembly on Disarmament, one in 1978 and the other in 1982, Canada supported the final declarations which encouraged the establishment of nuclear weapons free zones. It would appear from all that activity that Canada should have taken the lead and shown by example what it is indeed encouraging other nations to do. Instead, we have managed to confuse our position by acts of both the present and previous Governments.

This is the third time this particular motion has been debated, once on May 29, 1984, and once on October 10, 1985. As well, two similar Private Members' Bills were debated, one put forward by the Hon. Member for Regina West (Mr. Benjamin) on March 18, 1985, and the other put forward by the previous Member for The Battlefords—Meadow Lake, Mr. Doug Anguish, on March 30, 1985.

In reviewing those debates, the central argument used by opponents of this proposal is that if Canada were to adopt it, her obligations to her allies would be seen to be diminished. In particular, it would isolate Canada from her allies in NATO and NORAD. As I understand the policy of the present Government, it is that it does not support the declaration of a nuclear weapons free status for Canada because Canada does not possess nuclear weapons. Since such weapons are not stationed in Canada we are essentially a nuclear weapons free zone. However, since we are members of NATO, which is a defence alliance which deploys a nuclear deterrent, we would be inconsistent with our membership in NATO if we were to adopt this motion.

I fully expect to hear that same kind of argument being advanced numerous times in the course of this debate. However, my Party believes, as do I, that on the evidence the argument does not stand up. Nuclear arms are not even mentioned in the North Atlantic Treaty. Therefore, Canada is not obliged to support what has developed as a NATO policy. As well, the treaty makes it clear that it is up to member states to decide the size and nature of their commitment within NATO. Presumably that is the reason given by Canada for its recent decision to withdraw its contingent of troops from Norway. It is also why Canada took the position at the 1957 Paris heads of government meeting that whether or not Canada would commit itself to having nuclear weapons was a decision only Canada could and should make. As we all know, the record will show that we decided not to do that.

I would like to think that we made that decision because to do otherwise would have meant that we would be lending our support to the build-up of nuclear arms and contributing to the increase in world tensions and the threat of nuclear war. In my view, the position Canada took was both visionary and in keeping with the respect we have internationally as a peace-loving nation. I think we continue to enjoy that respect, but I also believe the principles we adopted then are not as clear today. In point of fact, while continuing the policy not to store or deploy nuclear weapons on Canadian soil, we also provide support for the development, testing and training in the use of nuclear weapons. We place no restrictions on Canadian industrial involvement either in the production of U.S. nuclear and nuclear capable delivery systems or, indeed, their components. Even though we have policy restrictions with respect to the export of fissionable material, there is clear evidence that this material is finding its way into arms production in France, South Korea and in the U.S. In addition to that, U.S. and British warships which are nuclear-capable, and some suspected of being actually armed with nuclear weapons, are allowed to visit Canadian ports.

It is also the policy of nuclear nations within NATO to "neither confirm nor deny" the presence of weapons on their vessels. They also apply this policy to aircraft. Yet while we as Canadians reject this policy for aircraft over Canadian territory, we seem to find it acceptable for naval vessels in our waters. I have never heard a satisfactory answer from either Government as to why this contradiction in our policy exists. However, it does.

I can provide numerous other examples where Canada's policies are a departure from her stated principles, but I will leave that to other speakers who will be rising in the course of this debate. It is sufficient to say that these few examples I have given illustrate the numerous inconsistencies in our stated principles as opposed to our developed policies.

• (1710)

Another central argument which has been made against Canada dissociating itself entirely from this nuclear policy development is that it would threaten Canadian jobs. That is also an argument that was used in the initial stages of the debate on whether Canada should or should not be involved in the U.S. Strategic Defence Initiative or, as it is more commonly known, Star Wars. That argument was made even after many studies showed that military spending is one of the least effective ways to create employment.

One of those many studies conducted by the U.S. Labour Department showed that for every $1 billion spent on military procurement 28,000 jobs could be created. The same $1 billion would create 32,000 jobs if it were used to upgrade transportation systems, 57,000 jobs if it were spent on consumption of goods and services, and 71,000 jobs if it were spent on education.

Apart from any other consideration, I think it is irresponsible to talk about the need to create jobs through nuclear arms production when we know full well what the results of their use would be to mankind. However, it does bring me to another related point which I think brings into sharp focus the insanity of the global arms build-up and the developed world's wrong-headed setting of priorities. I am referring to the

recognition that has been given to the maxim that we cannot achieve world peace if we cannot also achieve economic and social justice on the global scale.

The United Nations has estimated that some 130 million children in our world are denied access to any form of education and that 800 million adults are considered illiterate. One-half of the Third World countries have no safe drinking water supplies, yet the technology is available to provide it within 10 years. We could do the same to prevent the hunger that is killing hundreds of thousands every year.

The World Health Organization tells us that 10 children die each minute as a result of contracting measles, diphtheria and tuberculosis and that only 10 per cent of the Third World's population is even immunized against disease. We also know that air and water pollution is responsible for increased illness and death from diseases such as asthma, cancer and heart disease.

Yet, we continue to spend billions of dollars on weapons that are capable of destroying every living thing on our planet. In my opinion and that, I am sure, of most reasonable Canadians that is the ultimate in insanity.

Hundreds of thousands of Canadians have lent their support to the notion behind the motion which is before the House by signing petitions that call for the House of Commons to adopt the statements I have included in this motion. They recognize, as I do, that declaring Canada a nuclear weapons free zone will not change the world overnight. International tensions and relationships are too complex, unfortunately, for that to happen. However, I argue that by adopting this motion Canada would be affirming to the international community its position that our stated principles of the fact are to become our policies of today.

Under the rules of the House this motion will receive five hours of consideration during the time set aside for Private Members' Business. The motion is also a votable item and I ask Members on all sides of the House to give serious consideration to the debate and to the motion and to consider supporting it.

In conclusion I would like to quote from a working paper entitled "Making Canada a Nuclear Weapon-free Zone" that was made available by Project Ploughshares. In my view it sums up the argument very well. The document says:

> The point of any state becoming a NWFZ—

—a nuclear weapon-free zone, Mr. Speaker—

> —(or joining an international NWFZ) is not to seek immunity from nuclear war. Once war breaks out, all bets are off and any country, whether nuclear weapon-free or not, will be vulnerable to direct attack—the relevant circumstance being whether or not the nuclear combatants will consider it to their advantage to attack or not to attack—and all suffer the post-war devastation and nuclear winter.
>
> Treaties count for little in war, and they certainly count for nothing in the sharing of the effects of war. Similarly, while a Canadian NWFZ would eliminate any willing Canadian role in nuclear warfighting, this also is not the point of a NWFZ—after the war few Canadians could either be around or inclined to celebrate the virtues of non-involvement in global self-immolation.
>
> A NWFZ is not an attempt to make one immune to the effects of war, rather it is an attempt to influence national and international behaviour before war breaks out, thus helping to reduce the likelihood of war. A NWFZ is a peacetime measure to restrict the spread of nuclear weapons, to withdraw political and technical support for the nuclear arms race, and to build trust between nations and regions of the globe.

As I said earlier, Mr. Speaker, I think that is a sentiment which has been expressed by the vast majority of Canadians, both individually through petitions to the House of Commons and through the actions of representatives at local and provincial government levels. This is the first time in the last several years that the House of Commons has had an opportunity to express its view on this very important matter. I look forward to the coming debate.

Hon. Allan B. McKinnon (Victoria): Mr. Speaker, I would like to thank the Hon. Member for Beaches (Mr. Young) for putting this motion before the House. I believe that it is too seldom that we take a look at one of the most important aspects of our civilization, in the words of Tolstoy, war and peace.

We have been asked to consider today the advisability of declaring Canada a nuclear arms free zone and to encourage cities, provinces and states throughout the world to undertake similar action. In a perfect world the need to consider such a proposal would not present itself. Unfortunately, we well know that the world in which we live is far from perfect. Given the nature of modern submarine and missile technologies it is not fanciful to see a direct potential threat to Canadian security and sovereignty.

We must, therefore, take a realistic and pragmatic approach to conditions. The Hon. Member who just spoke is filled with good intentions and I admire them. However, we must be practical and deal with reality. To do otherwise would be more than foolish, it would be dangerous for Canada.

In the face of the known threat, of which nuclear arms are a major component, Canada has joined with other countries which share similar values and interests in the North Atlantic Treaty Organization, an alliance founded in a concept of collective defence. The primary role of the alliance is to safeguard the security of member nations by deterring aggression. This deterrence capability, which is weighted and balanced against the forces of the Warsaw Pact, relies ultimately on nuclear weapons. Although the alliance has pledged never to resort to force except in response to attack, it remains united in its determination to deter any aggression against its members. The Hon. Member who has just spoken wishes to do away with the deterrence. Our Government continues to believe that it is through participation in these collective defence arrangements, rather than retreating into the uncertain security of a nuclear weapons free zone, that we can make our most effective contribution to preserving peace and security for ourselves and others.

• (1720)

I would not want Members of the House, however, to believe that Canada is dragging its heels in promoting peace. Far from it. While we have not considered such zones to be a satisfactory alternative to the ratification of the non-proliferation treaty, this Government does believe that, in the absence of universal adherence to the non-proliferation treaty, the creation of such zones can make a contribution to the objective of preventing the proliferation of nuclear weapons.

In order to be effective, such zones must: first, apply to a well defined geographic area; second, have support from the principal military powers of the region; third, not give military advantage to any state or group of states; fourth, contain adequate treaty assurances and means to verify that all countries abide by the commitments involved; fifth, not permit the countries of the area to have an independent nuclear explosive capability; and finally, enhance regional security and international stability.

Some Hon. Members may believe such criteria to be excessively rigorous, but we believe it is only through strict application of such criteria that nuclear weapons free zones will be effective. Canada has voted in favour of United Nations resolutions calling for such zones in Africa, the Middle East, and South Asia. We have also backed measures which would consolidate the establishment of a nuclear weapons free zone in Latin America, in accordance with the Treaty of Tlateloko. Canada also supports the South Pacific nuclear free zone which came into effect under the Treaty of Rarotonga in December, 1986.

There are some areas of the world, however, where efforts to create nuclear weapons free zones have not succeeded. It would be useful to look at some of these in order to clarify Canada's position.

The idea of a Nordic nuclear weapons free zone has been under discussion for almost 30 years. The primary impediment to its establishment is that such a zone is not considered viable without the inclusion of the Baltic region and parts of the western U.S.S.R. in the geographically designated areas. The U.S.S.R. has provided no indication that it would accept the inclusion of its territory owing to the military significance of the Kola Peninsula, which is the location of the densest concentration of nuclear weapons in the world.

The creation of a Balkan nuclear free zone appears even more remote despite expressions of interest of all the Balkan States on various occasions. The major obstacle is that the removal of American nuclear weapons from the area would create a destabilizing regional imbalance since nuclear weapons on neighbouring Soviet territory would remain untouched. The various inter-regional conflicts and multilateral differences, particularly the fact that the region includes two NATO and two Warsaw Pact members and other non-aligned nations, further complicate this issue.

In Southeast Asia, an increased Soviet naval presence and an expansionist Vietnam have prompted interest among the six Asian countries—Brunei, Indonesia, Malaysia, the Philippines, Singapore and Thailand—in the establishment of a zone of peace, freedom and neutrality in their region. An important element of this concept would be the declaration of Southeast Asia as a nuclear weapons free zone. However, differences of view among the ASEAN states and practical problems of implementation have relegated the realization of the measure to the distant future.

I have tried to show, then, that there are many factors which affect a region's ability to declare a nuclear weapons free zone. It is obviously even more difficult to make such a declaration effective and meaningful. In each case, specific and concrete strategic realities must be taken into account. It would be foolhardy and dangerous for Canada to pass such a resolution. Declaring Canada a nuclear weapons free zone would involve a serious abdication of our alliance responsibilities and might even require withdrawal from NATO. Such a proposal would clearly not have the support of our allies and would in all likelihood give military advantage to the Soviets, thus reducing regional security and international stability.

In conclusion, I wish to reiterate to the House that Canada does support the declaration of nuclear weapons free zones if regional conditions permit. Such a declaration is not appropriate for Canada. A more productive approach is to encourage serious arms control and disarmament measures within established negotiating agencies such as the mutual and balanced force reduction talks in Geneva. It is only through serious negotiations involving the nuclear weapon states that meaningful advances in arms control can take place.

Fortunately, the superpowers are, of late, negotiating seriously to find a mutually satisfactory way to reduce their nuclear arms. Countries such as Canada can and are doing much to encourage the superpowers to continue their efforts. In my opinion, the present situation is more hopeful than it has been in the last two decades. Progress is being made toward balance and verifiable reduction of nuclear weapons.

I am more optimistic today about nuclear disarmament than I have been since the U.S.S.R. started the new generation of nuclear weapons with its introduction of the SS-20, which destabilized the relative balance that existed in 1977.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, in addressing this both provocative and important resolution, I am reminded of this summer when I had the opportunity to read a very long and fascinating book entitled *The Making of the Atom Bomb*. It was a study of how scientists from five or six different countries in the 1920s and 1930s arrived at the awesome discovery that we could unleash the force of the atom.

In light of the prevailing mood in Europe and the emergence of Nazi Germany at that time, many of those scientists decided that the force of atomic energy should be examined

with a view to making weapons, without really beginning to understand exactly what incredible power for destruction they were beginning to unleash.

That realization began to dawn in the 1940s, that this was not just another geometric expansion of dynamite, but something of unspeakable potent destruction that was unknown in the annals of humankind. Those scientists, including Niels Bohr, Fermi, Oppenheimer, and others who worked on those projects made a proposal to the politicians, specifically President Roosevelt and Prime Minister Churchill, that the possession of that weapon was a two-edged sword whose political application, if used correctly, could actually bring about an understanding among all nations that war of major proportions was impossible.

Some Hon. Members will recall the fierceness of the fire bombings of Cologne and other cities that our Armed Forces were able to wreak upon them at that time. We were able to understand that in our time we were able essentially to unleash the genie from the bottle.

The recommendation was that this weapon was so immense in its destructive power that it might just bring about a tone of sanity and perhaps form the basis for stopping wars since no one would be a winner any more. Unfortunately, the politicians did not listen to the creators of the atom bomb. In 1945-46 they decided that since our side had the advantage, we would attempt to use it to attain strategic advantage. They were warned that the Soviets would soon catch up because the power of the atom is not confined to any nationality, it is a universal knowledge. It was just a matter of time before someone from another country figured out how to make the bomb.

• (1730)

This resolution brought to mind that small history because it made me realize just how much of an eyelash away we came to actually controlling nuclear weapons and how much we lost it then. I am not saying we have more wisdom than our predecessors. Certainly we do not. However, I do mean to say that politicians, policy makers, have been faced with a number of crucial questions along the way about the application of nuclear weapons, and that we have made a lot of mistakes, beginning with the first one.

I think 1945 was when the new history began. Everything up to that was a prelude. The first explosion in New Mexico was the beginning of a new history. Since that time we have been trying to find various ways and means of putting the stop back into the bottle. We have not been too successful. When we think of it, Mr. Speaker, how many successful nuclear weapons agreements have there been since 1945? There was the Nuclear Test Ban Treaty in 1963 which limited test bans in the atmosphere. There were SALT negotiations to which the United States did not become a signatory but adhered to informally up until last year. There was the Non-proliferation Treaty of which Canada was the major architect. It tried to control the application of nuclear weapons to other countries. That is about it. That about summarizes 43 years of trying to come to grips with this incredible, destructive power.

So much of it is involved in the cold war rhetoric. Somehow nuclear weapons have become intermixed with the competition between East and West, the Soviets and Americans, NATO and the Warsaw Pact, and all the other competitions. We tend at times to believe that there is something plausible about a nuclear weapon. I mean, there are military people and some politicians on our side and certainly on the side of the Soviets, who believe that we could actually use nuclear weapons in wartime and get away with it. They actually say we can have a nuclear war fighting capacity. There are those people in the world and they are not locked up in insane asylums. There are in many cases people occupying very important positions in very important countries, who talk about using nuclear weapons in wartime. They say that if there are only 50 million or 60 million people killed in North America, that is an acceptable level of damage.

We have the same thinking on the Soviet side. Its military people are saying: "If we have to fight one, we will. We survived the Second World War and we can survive a Third World War". When we read these things we think, oh, my God, what are these people saying? In heaven's name, what are they talking about when they say it is okay to have 60 million or 70 million casualties in the first day, to say nothing of the impact on the environment and the atmosphere and the fact that it will totally destroy our social and economic cultural way of life? We cannot reconstruct what we have built up over the past 3000 or 4000 years after a nuclear war.

Surely, the real issue is how to get rid of the fighting. If we can never get rid of the knowledge, how can we finally find a way of putting down such implacable guidelines and controls? As I tried to point out, part of the question is not the techniques but the psychology. Part of it is the understanding. It is people like us in this Chamber and people in other political decision-making Chambers who have that power. We can listen to the scientists. We have listened to them in the past and we have not responded to their recommendations. It will be people like you and I, Mr. Speaker, reflecting ordinary Canadians who will be making those decisions.

Is it so wrong to think in terms of a nuclear weapons free zone? Many Canadians have latched on to that concept, not necessarily because they see it as the perfect answer, but it has a symbolic value, if nothing else. It is one way of ordinary Canadians expressing their gut reaction to us as politicians, as policy makers, which is to get rid of those things. They say: "Do not put myself and my kids in jeopardy". That is why we have resolutions in Ontario, Manitoba, the Territories and various towns and cities. It is one way for people to express themselves. I think we have to listen to that expression. We can be critical of the specifics. However, let us recognize what it represents. It is a heartfelt underlying current of opinion in this country, as it is in other countries around the world, that

perhaps the time has come to stop the insanity. Perhaps the time has come to try to recapture what we lost in 1945.

I have to admit to some surprise. When I introduced a motion of this kind at the policy convention of our Party last November, I did not expect it to pass. It was going to be one of those controversial resolutions. However, over 75 per cent of our delegates voted for it. Many said afterwards that they were not sure exactly what a nuclear free zone meant in terms of specifics, but they did know that it perhaps was one further extension of what this country has tried to say over the years, that is, that perhaps we are in some peculiar and unique way one of those countries that can stand up and provide a difference to this thing.

I know I do not have much time and I wish I had another hour or two to explain this because it is a topic about which I feel strongly. Perhaps the most important nuclear weapons free zone that Canada should be arguing for right now is in the area of our Arctic, the northern territories. One of the really serious problems is that Canada can no longer treat nuclear weapons free zones as an academic exercise. It is not something that is happening in the South Pacific, in Antarctica or Latin America. We now face in our own northern territories the emergence of an arms race. We face the emergence of our own undersea submarines. In a sense I wish the resolution could be amended to say: "If there is one thing on which Canada should be united it is that we do not want an arms race on our territory underneath our own Arctic waters". We should be using every ounce of our diplomacy and persuasion to try to convince other countries who border on those Arctic waters to demilitarize and denuclearize, not to allow it to become an area of combat between Soviet and American submarines, not to allow the Forward Maritime Strategy to become the predominant philosophy.

This is an area where we can make not only a symbolic statement but a real statement because it affects us directly as Canadians. We should be negotiating with the Norwegians, the Russians, the Icelanders and the Americans rather than building up the arms race, rather than adding to the submarines, rather than putting missiles in those submarines. Let us declare our North nuclear free. Let us demilitarize. That is what I would like to see coming out of this kind of resolution, something not just symbolic in intent, as important as that may be, but something very real and tangible, and that is absolutely crucial.

Mr. Bud Bradley (Parliamentary Secretary to Minister of National Defence): Mr. Speaker, I am pleased to be permitted the opportunity to comment on the motion of the New Democratic Party which would see Canada declaring itself a nuclear weapons free zone. I was disappointed, I must say, though, to hear the Liberal spokesman of his Party going again half-way and only wishing to declare half of Canada a nuclear free zone.

• (1740)

This type of motion has been debated on three previous occasions during Private Members' Business and once during an Opposition Day. The motion before us proposes a course of action for Canada which is unrealistic and hypocritical. The same could be said for the recently announced New Democratic Party's posture on defence.

No NATO members have declared themselves to be nuclear weapon free zones, and there are no NATO countries that prohibit visits by allied ships that may be carrying nuclear weapons.

Mr. Young: What about New Zealand?

Mr. Bradley: Some NATO countries have, either as a matter of government policy or by parliamentary resolution, decided that nuclear weapons should not, for the present, be stationed on their soil. Canada is among these countries which include Denmark, Iceland, Norway and Spain. However, these nations continue to share fully in the risks and responsibilities of Alliance collective security.

Alliance members, Canada included, have acknowledged publicly the critical requirement to maintain the continuance of nuclear and conventional deterrents as a pre-requisite to undiminished security at lower levels of armament.

Declaring Canada a nuclear weapons free zone would, first, be without precedent in NATO, as no other Alliance member has taken this course. Its consequences in terms of Alliance relationships cannot be predicted with certainty. Second, it would be incompatible with Canada's continued membership in NATO and NORAD, and, in particular, with participation in the NATO Nuclear Planning Group, which affords Canada the opportunity to consult on nuclear policy, including arms control affecting nuclear weapons.

This policy reflects the NDP's vision of a little Canada divorced from that larger community of states with which we share our traditions and basic political and social values.

Mr. Young: Deal with the issue!

Mr. Bradley: It suggests a ludicrous course of action which would be not only extremely costly for Canada to implement in terms of providing our own defence, but would result in a loss of credibility in the international community, reducing, not enhancing, Canada's ability on the world stage to encourage peace and stability.

Mr. Young: You should talk to your Prime Minister.

Mr. Bradley: For example, for Canada to take over the responsibility of the air defence alone would cost over $5 billion. I would ask: Where are the savings that the NDP proposes?

As a useful and effective international player Canada would lose the following benefits of membership by withdrawing

from NATO: the privilege of discussing with our allies the evolution of East-West relations and making our voice heard—

Mr. Young: Talk about the motion, why don't you?

Mr. Bradley: Mr. Speaker, I was more than willing to sit very quietly and listen closely to my hon. friend.

Mr. Young: But I spoke to the motion.

Mr. Bradley: I would accept that he could make the same commitment to me and allow me to make my presentation.

Mr. Young: At least I spoke to the motion.

Mr. Bradley: We would lose the advantage of an existing consultative process in times of international crisis. We would lose the benefit of being a member of NATO taking part in arms control negotiations as exemplified by the Conference on Security and Co-operation in Europe, and the mutual and balanced force reductions. We would lose as a member of the NATO Nuclear Planning Group a voice in the planning process, as well as access to information shared within the Alliance.

In closing, I would argue that there is no way that Canada, deprived of the multilateral means now available through the Alliance structure, could achieve as much on the international stage if we were to follow the lead of the NDP. As our White Paper recently put it so eloquently:

> Canada has never been neutral. We have always sought our security in a larger family of like-minded nations.

In light of our position in the world, the values and traditions which have been defended steadfastly by previous generations of Canadians, and our political and economic interest, neutrality would be hypocrisy.

Our security would continue to depend on the deterrents provided by our former allies, but we would have opted out of any contribution to and, equally significantly, any say in the management of that deterrent. As I mentioned earlier, there is a possibility that acceptance of this motion could lead to the loss of that hope and faith we have in our collective securities.

We could turn our backs on the obligation to work for a stable world order. Technology and geography would not, however, allow us to escape the consequences should that order collapse.

[*Translation*]

Mr. Richard Grisé (Chambly): Mr. Speaker, the motion by the Hon. Member for Beaches (Mr. Young) before the House today concerns a fundamental issue that is of more than passing interest to all Canadians, and that is the control of nuclear deterrence, Canada's defence and security, and peace. Mr. Speaker, I feel particularly privileged to speak to this motion today because, as you know, the headquarters of Canada's mobile force is located at CFB Saint-Hubert in the riding of Chambly which I have the honour to represent. Mr. Speaker, I want to take this opportunity to mention the excellent work being done by all members of Canada's mobile force.

Mr. Speaker, Canada has no nuclear arms, and right away, I want to give Canadians the assurance that we do not intend to acquire any. Canada is a signatory to treaties guaranteeing non-proliferation and prohibiting nuclear testing. Furthermore, unlike most of its NATO allies, it neither stores nor deploys nuclear arms on its territory. Technically speaking, in peacetime Canada is, to use the terms of the motion, a nuclear arms free zone.

However, through its geographic location, it must live with the threat of a nuclear holocaust that in a conflict between the superpowers would not recognize neutrality and would spare no one.

There are only two ways to defuse such a threat: by maintaining a credible force to deter any potential aggressor and by negotiation.

Mr. Speaker, Canadians know, and I want to take this opportunity to talk about Canadians, and I mean Canadians in every sense of the word, not the way the New Democrats and the Liberals use the term when they talk about the ordinary Canadian. Mr. Speaker, according to the dictionary, ordinary means: not special; common; everyday; or average. And that is what the Liberals and Socialists call the people of this country. Mr. Speaker, the Conservative Party has never called the Canadian people common or everyday. Canadians are a proud people, and the Conservative Government is proud of the Canadian people. We Conservatives would never speak in such negative and insulting terms of the people of this country.

• (1750)

[*English*]

There are no ordinary Canadians in this country.

[*Translation*]

Mr. Speaker, our present system of mutual deterrence is effective and stable. Through the most acute crises, it has given us over forty years of peace, and the Government believes this should continue. In this perspective, the Canadian Government's priority is not to create nuclear arms free zones but to maintain a peace zone. Earlier, I heard the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy) mention a Third World War. Is there anyone in this House or in this Government who wants a Third World War on this planet? The Conservative Government would never dream of bringing a Third World War to this planet, to this country or to this continent.

This being a joint venture—we rely on our allies and they rely on us to deter a potential enemy—we are in favour of developing and maintaining nuclear forces which have every chance of surviving, as required if we are to set up an effective and credible deterrent system.

Mr. Speaker, this is why Canada contributes and must contribute to strategic deterrent forces even though it does not have nor deploy nuclear armaments.

Our role and mission in this connection are clear and securely anchored in our geography and in our history.

We must do our share to defend the North American air space, and this we accomplish through our defence effort and our membership in NORAD.

Mr. Speaker, I sit on the Standing Committee on National Defence and in that capacity I was able to tour NORAD bases and centres, not only in Canada but also at Colorado Springs in the United States, and I can attest to the importance of these military bases in North America and on Canadian soil. American support is essential if we are to continue to defend our large territory. Without the help of our American friends we would hardly be in a position to put up adequate defences. This would cost far more than we as a government and as a nation can afford to spend to guarantee our safety and that of our population.

We must protect NATO strategic forces by denying access to our air space, land and territorial waters to potential attackers. Mr. Speaker, this happens to be the thrust of the Government's defence program.

Finally, should the need ever arise, our allies must have ready access to our territory and our facilities.

We meet these obligations and carry out these collective security duties with due respect for our sovereignty and our integrity. In peacetime we contribute to the training and improvement of deterrent forces; in time of crisis Canada might authorize strategic force vectors to fly over its air space and use its defence facilities.

It is essential and in keeping with our policy and our commitments that our air space and firing ranges continue to be used for training and improving unarmed vectors, that our armed forces train side by side with NATO troops, and that deterrent force ships drop anchor in our ports.

This cannot be viewed as a threat against our country, it is part and parcel of its security and peace commitment.

Mr. Rossi: Who wrote that?

Mr. Grisé: Mr. Speaker, we are talking about a project concerning the security of this country, yet the Hon. Member for Bourassa (Mr. Rossi) would rather make untimely remarks. He is not even interested in debating the thrust of this motion on the security of the whole Canadian population. And we are always . . . Such are the Quebec Liberal Members. That is what is left of them. We still have a few of the 74 nobodies of the 1980 administration, and they indulge in heckling while we are debating one of the most serious issues, namely the security of all Canadians.

It has a commitment to peace that is reflected in sustained efforts to negotiate arms control and disarmament. This negotiating process is unprecedented, both by its duration and its intensity, and it contributes toward maintaining a dialogue between East and West. Our presence at the negotiating table, the opportunity we are given to influence the proceedings and their outcome are also the result of our membership in NATO. Our defence efforts and the fact that we share in a common defence effort have made Canada a valid and credible partner who can and does take initiatives.

Mr. Speaker, I do not think that leaving NATO or weakening its deterrent force would be the best way to contribute to world peace and security.

However odious resorting to nuclear arms to secure our defence may seem, their presence is essential to provide a balance to the Soviet nuclear arsenal. To withdraw would mean breaking our commitments. It would also mean undermining an equilibrium that is essential to maintaining peace.

In concluding, that is why I believe that the concept of having a nuclear arms free zone, though well meant, is a perilous one because it ignores the realities we must face and would reduce our capability to defend ourselves and, especially, to negotiate. That is certainly not our policy and it is not what this Government intends to do.

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, I am privileged to speak after the Hon. Member for Chambly (Mr. Grisé) who spoke to the motion put before the House today by the Hon. Member for Beaches (Mr. Young). We are debating a motion that is not an easy one, because it is very important for the future of this country and the whole world.

First of all, I would like to say that Canada's policy and practice is already in many respects attuned to the particular conditions of this motion, since Canada does not have any nuclear arms.

In normal times, that is, during peacetime, no nuclear arms are deployed or tested or built in Canada, nor are they transported in this country. Similarly, no activities involving nuclear arms take place on Canadian territory or under our country's jurisdiction without the specific consent of the Government of Canada.

I may also remind the House that Canada differs from many of its NATO allies in that it does not have nuclear arms on its territory. As for Canadian exports, our country's policy is firm in this respect. All exports of nuclear materials, equipment or technology must be used for peaceful purposes. They may not be used to trigger an explosion. The strict application of this policy is guaranteed through bilateral agreements with the co-operation of the International Atomic Energy Agency.

[*English*]

Last Monday at the United Nations, Canada's role was exemplified by the Secretary of State for External Affairs (Mr. Clark). He was asked by the Secretary General of the

United Nations to be the first speaker at the historic Conference on Disarmament and Development. That was a recognition of Canada's continued leadership in seeing that the world pursues an intelligent course of nuclear disarmament and channels those moneys into developmental issues, which will solidify the problems and priorities and strengthen the Third World developments.

The Acting Speaker (Mr. Paproski): The Hon. Member will have seven minutes left in his debate next time this motion comes up on Private Members' Business. The hour provided for the consideration of Private Members' Business has now expired.

Pursuant to Standing Order 36(2) the order is dropped to the bottom of the list of the order of precedence on the Order Paper.

GOVERNMENT ORDERS

[*English*]

PATENT ACT

MEASURE TO AMEND—CONSIDERATION OF SENATE AMENDMENTS

The House resumed from Friday, August 28, consideration of the motion of Mr. Andre:

That a Message be sent to the Senate to acquaint their Honours that this House agrees with amendment 10(a) made by the Senate to Bill C-22, an Act to amend the Patent Act and provide for certain matters in relation thereto, but disagrees with all other amendments except amendments 1(c) and 8, because this House believes that amendments 1(a) and (b), 2(a) and (b), 3, 4(a) and (b), 5(a) and (b), 6, 7(a) and (b), 9 and 10(b) and (c) are in contradiction to the principles of the Bill which will increase intellectual property protection, increase research and development in Canada, create new high-technology jobs, improve the health care of Canadians, and protect consumers from higher drug prices. More specifically:

Amendments 1(a) and (b) delete the definitions of "Board" and "patentee". These definitions are necessary to support the powers of the Patented Medicine Prices Review Board, which is required to protect consumers.

Amendments 2(a) and (b) reduce Canada's export potential and fine chemical manufacturing.

Amendments 3, 4(a) and (b), reduce the periods of market exclusivity, thus eliminating the incentive for increased research and development in Canada.

Amendment 5(a) reduces the period of market exclusivity and export potential, thus reducing economic benefits for Canada.

Amendment 5(b) deletes the Patented Medicine Prices Review Board, which is required to protect consumers, and this amendment also removes the protection for Canadian-invented medicines and thus the incentives for increased research and development in Canada.

Amendments 6, 7(a) and (b), 10(b) and (c) arise out of amendments 1(a) and (b), 2, 3, 4(a) and (b), 5(a) and (b), and are therefore inappropriate.

Amendment 9 arises out of Senate amendment 8, but is not consistent with the House amendment to Senate amendment 8, as set out below.

And, that:

Senate amendment 1(c) be amended to read as follows: "(c) Strike out lines 35 to 42 and add the following:

Patent Act

(2) For the purpose of sections 41.11 to 41.16, the notice of compliance that is first issued for either the original and distinct chemical composition of a medicine or the obvious chemical equivalent of the medicine shall be deemed to be the first notice of compliance issued in respect of that medicine."

Senate amendment 8 be amended to read as follows: "insert the heading "Transitional" and the following as clause 31:

31.(1) The Minister of Consumer and Corporate Affairs shall pay to each province for each of the fiscal years commencing in the period April 1, 1987 to March 31, 1991, for the purpose of research and development relating to medicine, an amount equal to the product obtained by multiplying

(a) the quotient obtained by dividing

(i) $25 million by

(ii) the total population of all provinces for the fiscal year in respect of which the payment is made, by

(b) the population of the province for the fiscal year in respect of which the payment is made.

(2) Payment of any amount under this section shall be made out of the Consolidated Revenue Fund at such times and in such manner as the Governor in Council may, by regulation, prescribe.

(3) For the purposes of this section, the population of a province for a fiscal year shall be the population of that province on the first day of June of that year as determined and published by the Chief Statistician of Canada."

and the amendment of Mr. Lewis (p. 8555).

The Acting Speaker (Mr. Paproski): It being six o'clock, pursuant to Standing Order 13(5) the House will now proceed to the taking of the deferred division on the motion of Mr. Lewis for the previous question in relation to the motion of the Minister of Consumer and Corporate Affairs concerning the amendments made by the Senate to Bill C-22, an Act to amend the Patent Act and to provide for certain matters in relation thereto.

Mr. Lewis moved:

That the question be now put.

Call in the Members.

The House divided on the motion (Mr. Lewis) which was agreed to on the following division:

• (1800)

(*Division No. 228*)

YEAS

Members

Andre	Charest	Crosbie
Attewell	Chartrand	(St. John's West)
Bertrand	Clark	Dantzer
Blais	(Brandon—Souris)	Daubney
Blais-Grenier	Clifford	Dick
Blenkarn	Clinch	Domm
Bouchard	Coates	Dorin
Bradley	Collins	Duguay
Brightwell	Cook	Epp
Caldwell	Cooper	(Provencher)
Carney	Cossitt	Fennell
Champagne	Côté	Ferland
(Champlain)	(Lac-Saint-Jean)	Fontaine

Forrestall
Fraleigh
Fretz
Friesen
Gass
Gervais
Girard
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Hawkes
Hees
Hicks
Horner
James
Jardine
Johnson
(Bonavista—Trinity—Conception)
Joncas
Kempling
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Mantha
Martin
Mazankowski
McCrossan
McCuish
McDougall
(St. Paul's)
McKenzie
McLean
Moore
Murta
Nicholson
(Niagara Falls)
Nickerson
Nowlan
O'Neil
Oostrom
Pennock
Peterson
Price
Redway
Reid
Reimer
Roman
Schellenberg
(Nanaimo—Alberni)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Stackhouse
Stevens
Tardif
(Charlesbourg)
Taylor
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Turner
(Ottawa—Carleton)
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Wenman
White
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)—103

NAYS

Members

Allmand
Althouse
Axworthy
Blackburn
(Brant)
Blaikie
Caccia
de Corneille
Dingwall
Fulton
Garneau
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Heap
Jewett
Kaplan
Keeper
Lapierre
Marchi
McCurdy
McLaughlin
Mitchell
Murphy
Nicholson
(Trinity)
Nystrom
Orlikow
Penner
Riis
Robichaud
Rompkey
Rossi
Skelly
Young—33

• (1830)

The Acting Speaker (Mr. Paproski): I declare the motion carried.

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mr. Paproski): All those in favour will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mr. Paproski): All those in favour will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mr. Paproski): In my opinion the yeas have it.

And more than five Members having risen:

The Acting Speaker (Mr. Paproski): Shall I dispense with the ringing of the bells?

Some Hon. Members: Agreed.

Mr. Riis: Mr. Speaker, I think you would find an inclination in the House to apply the vote on the last motion to the present one.

The Acting Speaker (Mr. Paproski): Is it so agreed.

Some Hon. Members: Agreed.

The House divided on the motion (Mr. Andre) which was agreed to on the following division:

(*Division No. 229*)

YEAS

Members

Andre
Attewell
Bertrand
Blais
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Caldwell
Carney
Champagne
(Champlain)
Charest
Chartrand
Clark
(Brandon—Souris)
Clifford
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Côté
(Lac-Saint-Jean)
Crosbie
(St. John's West)
Dantzer
Daubney
Dick
Domm
Dorin
Duguay
Epp
(Provencher)
Fennell
Ferland
Fontaine
Forrestall
Fraleigh
Fretz
Friesen
Gass
Gervais
Girard
Gray
(Bonaventure—Îles-de-la-Madeleine)
Greenaway
Grisé
Hawkes
Hees
Hicks
Horner
James
Jardine
Johnson
(Bonavista—Trinity—Conception)
Joncas
Kempling
Ladouceur
Lanthier
Lawrence
Layton
Lesick
Lewis
Mantha
Martin
Mazankowski
McCrossan
McCuish
McDougall
(St. Paul's)
McKenzie
McLean
Moore
Murta
Nicholson
(Niagara Falls)
Nickerson
Nowlan
O'Neil
Oostrom
Pennock
Peterson
Price
Redway
Reid
Reimer
Roman
Schellenberg
(Nanaimo—Alberni)
Scott
(Victoria—Haliburton)
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Stackhouse
Stevens
Tardif
(Charlesbourg)
Taylor
Thacker
Tremblay
(Québec-Est)
Tremblay
(Lotbinière)
Turner
(Ottawa—Carleton)
Van De Walle
Vankoughnet
Vézina
Vincent
Warner
Wenman
White
Wilson
(Swift Current—Maple Creek)
Wilson
(Etobicoke Centre)—103

NAYS

Members

Allmand	Fulton	Kaplan
Althouse	Garneau	Keeper
Axworthy	Gray (Windsor West)	Lapierre
Blackburn (Brant)	Grondin	Marchi
Blaikie	Guilbault (Saint-Jacques)	McCurdy
Caccia	Heap	McLaughlin
de Corneille	Jewett	Mitchell
Dingwall	Nicholson (Trinity)	Murphy
Nystrom	Riis	Young—33
Orlikow	Robichaud	
Penner	Rompkey	
	Rossi	
	Skelly	

The Acting Speaker (Mr. Paproski): I declare the motion carried.

The Acting Speaker (Mr. Paproski): It being 6.37 o'clock p.m. this House stands adjourned until tomorrow at 11 a.m. pursuant to Standing Order 3(1).

The House adjourned at 6.37 p.m.

HOUSE OF COMMONS

Tuesday, September 1, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Mr. Doug Lewis (Parliamentary Secretary to Deputy Prime Minister and President of the Privy Council): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to petitions Nos. 332-2964 and 332-2974.

[*English*]

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I have some petitions signed by residents of British Columbia dealing with the refugee situation.

They point out that a standing committee of Parliament proposed a new procedure for refugees which, if adopted, would fairly and effectively solve problems of backlogs and unsubstantiated claims. Those alternatives have widespread support among all Parties in Parliament as well as the various churches, bar associations, and other groups knowledgeable about refugee issues.

• (1110)

They therefore call upon the House to withdraw Bill C-55 and substitute legislation which embodies the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my honour and privilege to present a petition on behalf of a number of British Columbians who have indicated an interest in the progress of Bill C-55 and have raised some concern.

They suggest that the House of Commons consider the recommendations of the standing committee of Parliament which has proposed a new procedure for the processing of refugees which, if adopted, would fairly and effectively solve the problem of backlogs and unsubstantiated claims.

They have indicated that this particular motion has the support, not only of all Parties in Parliament which sat on that committee, but also the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress, and other groups that are familiar with the refugee issue.

They call upon the Government of Canada to consider the committee's recommendations.

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and privilege to present a petition which has been approved in form by the Clerk of Petitions.

It is signed by a number of people from Halifax and Windsor who object to Bill C-55 on the grounds that it will result in many, perhaps most, real refugees who reach our borders being turned away without their claims being heard on the merits of their cases partly because there is no proper appeal on point of fact which is the question of credibility for most of these refugees.

Therefore, the petitioners request that the Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact. In duty bound your petitioners ever pray.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, question No. 106 will be answered today.

[*Text*]

IMPORTS OF PLATINUM, MAGNESIUM AND CHROME FROM SOUTH AFRICA

Question No. 106—**Mr. Stewart:**

1. At present is (*a*) platinum (*b*) magnesium (*c*) chrome imported into Canada from South Africa and, if so (i) in what quantities (ii) by what companies?

2. Are any sanctions imposed on these minerals at the present time or are they contemplated?

Right Hon. Joe Clark (Secretary of State for External Affairs): 1. In 1986, according to Statistics Canada, $5.9 million of chrome (of which $4.7 million was ferrochrome), and $5.4 million worth of platinum was imported into Canada from South Africa. No South African magnesium was imported into Canada. Under the relevant provisions of the Customs Act and because of the proprietary nature of the information involved it is not possible to divulge the names of the companies concerned.

2. At the present time no sanctions exist or are proposed against imports of South African chrome, platinum or magnesium.

[*English*]

Mr. Speaker: The question enumerated by the Hon. Minister has been answered.

* * *

QUESTION PASSED AS ORDER FOR RETURN

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, if question No. 159 could be made an Order for Return, the return would be tabled immediately.

Mr. Speaker: Is that agreed?

Some Hon. Members: Agreed.

[*Text*]

DEPARTMENT OF ENERGY, MINES AND RESOURCES—GRANTS TO METROPOLITAN TORONTO AREA

Question No. 159—**Mr. Redway:**

Since September 4, 1984, did the Department of Energy, Mines and Resources make grants and/or loans to persons or corporations, non-governmental organizations and governments within Metropolitan Toronto and, if so, in each case, in what amount and for what purpose?

Return tabled.

[*English*]

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

Mr. Speaker: Is that agreed?

Some Hon. Members: Agreed.

* * *

POINT OF ORDER

COMPLIANCE WITH S. O. 13(2)—EXTENSION OF BELLS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I rise on a very short point of order on which I would like to seek some guidance from the Chair. It is with regard to the situation which arose late in the day yesterday. Members of the House had been informed earlier in the day that there would be a vote called at six o'clock as per the Standing Orders. The Standing Orders provide for a 15-minute bell in that case.

I would like to make the point that Members of Parliament work not only in the House of Commons giving presentations and voting at the appropriate time, but also carry on their responsibilities and duties in standing, special and joint committees as well as carrying out their regular responsibilities as Members of Parliament. In order to do that effectively it is important that Members have the opportunity to schedule their day's events.

This is not an earth-shattering situation and I do not want to suggest that it is. However, we have Standing Orders so that we can understand what we are doing here. The reform committee which studied this matter for a considerable length of time made its recommendations in order to facilitate the business of the House of Commons so that Members of the House would have a clear understanding of what was transpiring at any time.

I draw this to your attention, Mr. Speaker, because you were conducting business elsewhere at the pertinent time last night. I thought it would be appropriate for you to make a comment at the appropriate time. Members were assembled at the appropriate time for the vote and five minutes passed and then 10 minutes and then 15 minutes. It is understandable that Members of Parliament became concerned. After the vote a number of people asked me, as House Leader of the New Democrats, why we waited for so long.

As I say, Mr. Speaker, this is not the most important event in Canada today, but if we are going to facilitate the business of the House and take it seriously, it is important that rules, regulations, conventions and traditions be followed unless there is good reason to depart from them after discussion and concurrence of the Parties involved. I draw that to your attention, Mr. Speaker, to reflect the view of my Party that there was concern that the business and planning of a number of Members in my caucus, and I suspect in all caucuses, was disrupted yesterday. At the appropriate time I would appreciate a comment from the Chair on this matter.

Hon. Bob Kaplan (York Centre): Mr. Speaker, I rise on the same point of order. There is more than a question of orderly business involved in this matter; it becomes, at a certain point, a matter of discipline. If there is a 15-minute bell it means that Parties should be able to produce their respective votes at the end of the 15 minutes. When a longer period of time is allotted, in this case to the Government because the Government Whip, as I understand it, was not present, it perhaps means that the Government is not ready for the vote at the end of the 15 minutes. As it was a 15-minute bell, the question should have been put without the Government being ready for it. Otherwise, what would be the point of insisting that the bell be limited to 15 minutes and that the vote take place thereafter?

Therefore, it is more than a matter of orderly business. If the Government is to be allowed additional time at the end of 15 minutes through the device of not having the Whip available, then similar consideration might be asked for in the future by the Official Opposition. If that is the way in which the situation devolves, what happens to the rule that calls for the vote to be put after 15 minutes?

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, on the same point of order. Actually, I tried to raise this point of order yesterday afternoon, after the bells had rung for more than fifteen minutes. However, I was unable to do so because we were in a vacuum. The bells were ringing and no one could speak in the House.

The point I want to make is that in Standing Order 13(2) which is very clear, we read the following:

> (2) When, under the provisions of any Standing Order or other Order of this House, the Speaker has interrupted any proceeding for the purpose of putting forthwith the question on any business then before the House, the bells to call in the Members shall be sounded for not more than fifteen minutes.

The first question that comes to mind is why the bells had not stopped, since they were supposed to stop. The Standing Orders are clear. I may remind Hon. Members that before the Standing Orders were amended, the bells could go on ringing for an indefinite period. There were times when opposition parties took advantage of this fact and prolonged the ringing of the bells to make a certain point, and this has occasionally created a chaotic political situation in this country.

When our Party negotiated with the Government to amend the Standing Orders of the House, we agreed to a time limit on the ringing of the bells, fully realizing that this would put certain constraints on an opposition party that would no longer have the means of using the bells to get its point across. Since we as the Opposition Party agreed to discipline ourselves and to change the Standing Orders, thus losing a mechanism, in fact a weapon, it could otherwise have used in the House, I think it is only fair that the Government should observe the Standing Orders, since they apply to both the Government and the Opposition.

I realize that according to our parliamentary tradition, the bell stops ringing when the Whips enter side by side and walk onto the floor of the House.

However, the Standing Order I read earlier is quite clear: The bells shall ring for not more than fifteen minutes.

I think that, eventually, the Chair should make a statement in the House—at least that is what I would suggest—to clarify the interpretation of this Standing Order so that all Members know what the situation is. That is what I would urge you to do, Mr. Speaker.

• (1120)

[*English*]

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I appreciate my colleague raising this point because I think it is fair to say that this is one of the rules of the House which works both ways at various times. I am aware, without being able to state exactly on what dates it happened, that there have been accommodations given by the Government to the opposition Parties with respect to Members who were having difficulty arriving for a vote, when perhaps for the Government's purpose we would have appreciated a 15-minute bell in order to go to caucus. However, we allowed for a half hour bell so that planes could arrive and so on.

I think it is fair to say that this is a rule that has not been abused by either the opposition Parties or the Government in the past. I also submit that it was not abused last evening.

There were many Members who showed up for the vote. It would be partisan of me to comment that there was a noticeable absence of opposition Members from Montreal, so I will not do that.

Mr. Guilbault (Saint-Jacques): Order.

Mr. Lewis: Everyone knows the interest that Bill C-22 had in the Montreal area. I compliment my friend—

Mr. Speaker: The Hon. Minister, of course, has alluded to what he was not going to do. Having chosen the words he did immediately after having alluded to that, he did not have to allude to what he was not going to do. The Hon. Minister will, of course, keep that in mind.

Mr. Lewis: Thank you for dispelling any illusions that you are not following my allusions.

Having said that, I take the point that the opposition Members have made. However, it is not a rule that has been abused to the best of my knowledge. There will be occasions when this happens in the future and accommodations are asked for by all Parties of the House. That happened yesterday evening. I take the comments of my colleagues to heart and hope that in the future when this happens we can settle it among the Members of the House without lengthy discussions on the floor.

[*Translation*]

Mr. Carlo Rossi (Bourassa): Mr. Speaker, I agree with what the Minister said about waiting for two or three minutes. However, I totally disagree with his allusions that some Liberal Members from Montreal may have stayed away from the House.

At least I will have the decency to refrain from telling him the real reason—that the minutes—

An Hon. Member: You know the reason?

Mr. Rossi: —yes, I was waiting to walk onto the floor of the House as Whip. I know the real reason, but I shall not blame the Conservatives and I shall not challenge them to tell us how many Conservatives were missing, because percentagewise, there were a lot more missing on your side than on ours.

Mr. Speaker, that is not the point. The point is that the two or three minutes, as the Minister said . . . True, that could happen in all three parties.

I would like to submit something that may simplify the procedure and prevent the recurrence of last night's incident. It is true that, according to our procedure, the bells do not stop ringing until the Whips walk onto the floor of the House. In an emergency, it is of course possible . . . However, I think that if at a given time, the Speaker of the House says—and it is his responsibility . . . : It is now 6.18 p.m., and we were supposed to vote at 6.15 p.m.. The bells stop ringing at the Speaker's request, and Members may rise and be recognized by the Speaker, after the bells have stopped ringing. But as long as the bells keep ringing, everything is at a standstill, and no one can speak. So it might be better to say: The bells will ring for fifteen minutes, thirty minutes or thirty-two or thirty-three minutes, and then the Speaker can order the bells to stop ringing, the Whips can walk onto the floor of the House and everybody, I would imagine, would be happy. All we need is probably just a slight change in procedure.

[*English*]

Mr. Riis: Mr. Speaker, I simply want to add a short comment in response to the Hon. Minister's intervention. It concerns the fact that this is one of the Standing Orders that has not been abused, as he has indicated. From time to time there is accommodation made. I think it is important that we recognize that for this particular vote to which we are referring in the deliberations this morning, Members and Party Whips had three days notice. It was not as though the motion and the vote came as a surprise. When that does happen, often we end up voting very quickly and accommodations are made back and forth, as I hope they will be from now on.

Considering the advance notice that all Parties had, and the advance recognition that there would be a vote at six o'clock and the bells would ring until 6.15, I simply thought it was appropriate that we follow the rules of the House of Commons under those conditions.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, as the Member for Kamloops-Shuswap (Mr. Riis) has mentioned, there was three days notice given for this vote. The Opposition has been fighting this legislation for months now, yet, there were only 33 out to vote. I hope it may occur to him that perhaps we were trying to accommodate the Opposition to help them vote on a Bill to which they were opposed so much.

Mr. Speaker: I hesitate to interrupt the Hon. Parliamentary Secretary—

Mr. Fulton: One hundred of your guys were missing.

Mr. Speaker: The Hon. Parliamentary Secretary has been in the House a long time and, as all Hon. Members know, has made a very significant contribution to the matters that come before this House. However, while I very much regret that this happened last night, what is before me is a case where the bells went on for a considerable length of time. I would ask the Parliamentary Secretary to address himself to that particular issue and I know all Hon. Members would want to refrain from breaching the rule, which we have for a good reason, that we do not comment on the absence or otherwise of colleagues in the House. The Hon Parliamentary Secretary.

Mr. Friesen: Mr. Speaker, I certainly do not want to violate the rules of the House. It was my understanding that it was improper to refer to the absence of any particular Member, about which I have been very careful. I was simply making a comment in general about the general absence of opposition Members when they had a chance to vote.

[*Translation*]

Mr. Rossi: Mr. Speaker, on the same point of order. I cannot stand the allusions being made by the Parliamentary Secretary and the Minister. If they want to know the truth, let them ask the Government Whip why he was not in the House. He knows why, and I know why, and I will say so. I know the reason.

Mr. Speaker: Order. I fully understand what the Hon. Member for Bourassa (Mr. Rossi) is saying. I also know why he is saying it. But I think that we probably do not need a lot of comments about the absence of Members, whether they belong to the Government or the Official Opposition or to the New Democratic Party.

[*English*]

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I have a brief comment which has nothing to do with the presence or absence of particular Members, Members in general, or anything else of that nature.

• (1130)

With respect to the issue of a designated 15 minute or 30 minute bell, what happened last night was very dangerous, even given the fact that in the past there has been accommodation in the order of minutes between Parties, which is a kind of mutual courtesy. I hope that will continue. However, what happened last night went beyond that. I was glad that it came to an end and we finally had the vote before the person, whoever it was we were waiting for, arrived.

The fact is that if that were to happen more than once; if the House was to be put in a position where we could not have the vote until the Whips came in and the Whips were not coming in until a particular person were to arrive, we would be very soon back in the position we were when the bells rang for 16 days, or at least the possibility would be created.

The Special Committee on Reform of the House of Commons of the House went to a great deal of trouble to eliminate that possibility. One of the ways in which we were to eliminate that possibility was by having a 15 minute bell when the bell would ring for 15 minutes and then there would be a vote, and if there was a 30 minute bell, the bells would ring for 30 minutes and then there would be a vote.

This point of order is not over nothing; it is about something which could be very dangerous. I say that to Members because they know it. I could see it on their faces last night. They knew what was happening. This should not happen again. It is as simple as that.

Mr. Speaker: The matter that has been raised this morning was brought to my attention earlier today and I very deeply regret that it happened. I will consider carefully what Hon. Members from all three Parties have said. I do want to reiterate that there is a tradition in this place that sometimes the Chair is guided by the disposition of the Whips. That is a tradition which we may well not want to abolish completely.

However, the extension of the bells last night was lengthy. I think the Hon. Member for Bourassa (Mr. Rossi) probably, if he had been less inclined to be the gentleman he is, might have indicated at least part of the reason for that extension. I think Hon. Members perhaps know that part of the reason for that extension was a courtesy extended in the best traditions of this place to those from one Party to another.

The point that has been raised I take seriously and I will come back with some comments which I hope will be of some guidance to the House, without at the same time being so severe that Whips among themselves will be constrained from exercising upon occasion some appropriate common sense.

What happened last night was regrettable, and I am very sorry it happened. I will do everything I can to ensure that it does not happen again. I will come back with some measured comments which I hope will be accepted by all Members of the House. I thank all Members for intervening this morning. Their comments were helpful to the Chair.

* * *

CRIMINAL CODE

MEASURE TO AMEND

On the Order: Private Members' Business:

Second reading and reference to a legislative committee of Bill C-258, an Act to amend the Criminal Code (War crimes and crimes against Humanity)—Mr. Kaplan.

Hon. Bob Kaplan (York Centre): Mr. Speaker, I have before the House an amendment to the Criminal Code, Bill C-258, dealing with war crimes. I moved the Bill in the hope that whether or not it was passed, it would encourage the Government to bring in its own Bill. The Government has done so. The Bill has received three readings and has been sent to the Senate.

In light of that, I would like to seek the unanimous consent of the House to withdraw my Bill.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the Government took independent action as a result of the Deschênes Commission and brought forward the report. The legislation which was brought forward by the Government flowed directly from the Deschênes Commission report. We passed it last weekend. We are satisfied that we have taken action finally, after a long, long time, and, therefore, we are prepared to give our consent that the Bill be withdrawn.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, we are certainly prepared to concur with the request.

I would also like to use the occasion to recognize the contribution made by the Hon. Member, in co-operation with other Members of the House, namely, the Hon. Member for Burnaby (Mr. Robinson), for many, many years, in terms of focusing attention on this issue, and the Government, as the Minister has indicated, has acted.

I think that shows that when Members of the House of Commons are persistent and steadfast in their commitment to seeing certain legislation introduced, in the end it works well. Again, Mr. Speaker, we certainly lend our consent to the request.

Mr. Speaker: I thank the Hon. Member for Kamloops—Shuswap (Mr. Riis) for his comments and I must say I agree with them.

Order discharged and Bill withdrawn.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Monday, August 31, consideration of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, as reported (with amendments) from a legislative committee.

Mr. Dan Heap (Spadina) moved:

Motion No. 16

That Bill C-84 be amended in Clause 9 by striking out lines 25 to 40 at page 8 and lines 1 to 14 at page 9.

He said: Mr. Speaker, this clause of Bill C-84 has aroused more comment than perhaps all the other clauses of the Bill put together, among many people, not just those directly engaged in refugee work but editorialists and others.

What this clause does in the present law is make criminals out of thousands of people if they continue to do what they have been doing for years with no suggestion from anyone that they were doing wrong.

Clause 9, Section 95.1 states:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offence—

It goes on to indicate the punishment upon conviction of up to $10,000 fine, or on summary conviction a fine of up to $2,000, or imprisonment for as much as five years on indictment or six months, or both.

Section 95.2 describes the offence in the case of a person who brings in more than 10 people in the way they are described and the punishment in the form of fines and imprisonment are appropriately much larger. That is to say they are appropriately larger if they are appropriate at all.

What we have here is the creation of a new offence, the offence of bringing a person to a Canadian border point and saying that the person, in many cases, does not have a visa or travel document of any sort but is claiming to be a refugee, that he was brought there in order to tell the immigration authorities, as the Minister has told us should be done, and have them decide whether in fact he or she should receive any protection from Canada as a refugee. That does not mean that he will be admitted as an immigrant, only that he will receive protection as a refugee.

• (1140)

This has been done in the past. The law has been quite clear to Ministers, officials and thousands and thousands of Canadians. What is an offence is an attempt to evade immigration authorities. The existing law states in Section 95(a):

> 95. Every person who
>
> (a) comes into Canada at any place other than a port of entry and fails to report to an immigration officer for examination as required by subsection 12(1)—
>
> is guilty of an offence and is liable—

In other words, if he evades the point of entry, if he evades the examining officer, then he is guilty of an offence. This was clearly done in certain recent cases that were much publicized, cases of people landing by ship and not coming to a regular port where they might have met an immigration officer.

The Bill also states that anyone who knowingly induces, aids or abets or attempts to induce, aid or abet any person to contravene any provision of this Act or the regulations is guilty of an offence. That is clear. If a person enters in an evasive way, and if someone else helps that person to do so then that second person who gave the help is guilty of an offence. That is found in Section 95 of the Act, subsections (a) and (m). Section 95.1 states that any person who:

> knowingly contravenes any existing term or condition subject to which he was granted admission or contravenes any term or condition added—

In other words, a person who knowingly feigns refugee status when he knows that to be not the case would be in contravention of the Act and any person who counselled him to do that would also be in contravention of the Act. It may be that some people are now about to be tried in court this month in Toronto for charges of that sort. But the existing offences under the present Act all depend upon whether there is an attempt to evade the regulations, to evade examination, to get in without being examined by an immigration officer who would have the responsibility of saying, "come in" or "stay out".

The new offence that is described here would be an offence without any attempt to evade, without any attempt to deceive, without any attempt to put forward a false refugee claim. Very simply, if a person brings an undocumented non-Canadian to a Canadian port of entry and to the immigration office there then that will now be a serious offence punishable by a fine of several thousands of dollars or several years in prison.

Many members of the public and many Members of Parliament at first thought that there was an error in the drafting of this Bill. When my Leader first spoke to the Bill he suggested there was an error in its drafting. There were attempts made by members of the public and by members of the Opposition in committee, with the assistance of many delegations which appeared before the committee, to correct such an error if in fact it was an error. The motion I moved in an attempt to provide for the creation of an offence that would not attack people who are innocent of any attempt to evade was as follows:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet a group of ten or more persons to make a manifestly unfounded or fraudulent claim—

Likewise:

> —to enter in a manner that avoids normal entry procedures is guilty of an offence and is liable.

That amendment and all proposed amendments were turned down by the government members of the committee. In fact, at the end of the debate, or toward the end of the debate on that clause, the Parliamentary Secretary said that he believed it would be impossible to find any words better than the words that were there. In other words, we were mistaken in assuming that the Government had made an error in drafting. In fact, the Government intends to make criminals out of thousands of Canadians if they continue doing what they have been doing in good faith.

The people at Fort Erie who have welcomed refugees are aiding refugees. People who give refugees true information about the Canadian law are aiding refugees. They are aiding people to come into Canada. Many of them will come in without proper documents. That is to say, not sneaking in but coming to an immigration office. Therefore it is clear that the Government wishes to intimidate Canadians in order to persuade them to stop helping refugees to come to Canada, unless those refugees have a passport.

Last night the Parliamentary Secretary stated that it is not necessary to help them in that way because they can get a visa at the consulates in the United States. That is false for a great many of the people who are in genuine need as refugees because we have a quota. There are only so many hundreds of visas to be issued to such people in a year in the consulates in the United States, and also because they examine them not primarily as refugees but as immigrants. If they do not match up to our economic requirements for immigrants, then they are turned down for a visa, notwithstanding that they may be in great need as refugees.

I am forced to the conclusion that the Government has decided firmly and clearly to make a major change in Canada's refugee policy, but not to announce it as such. It had made a major change in which it will say, "No more inland claims will be accepted unless those people have come on a visitor's visa", which very few will be able to get. Usually only well-to-do people, diplomats or celebrities are able to get them, unless they happen to be transiting through Gander from some country in Eastern Europe, in which case of course their case will be handled quietly, not through any refugee determination procedure but simply on a so-called humanitarian basis at the time of arrival, meaning it will be completely closed to the public, totally subject to political pressure of the current government, whichever government might be in power.

I think it is unfortunate that the Government has chosen to make such a basic change in our refugee policy, a basic denial of our obligations to the United Nations, without any announcement. That is the only conclusion I can come to from the Government's considered refusal to accept any kind of clarification or amendment to Clause 9 of the Bill.

Therefore my motion is that we delete Clause 9 as being quite offensive, both to thousands of Canadians and to our international obligations.

Mr. Sergio Marchi (York West): Mr. Speaker, I am pleased to support Motion No. 16 put forward by the Hon. Member for Spadina (Mr. Heap). Yesterday I moved an amendment to change the wording of the proposed Sections 95.1 and 95.2 of the Bill. I did so because I think everyone recognizes that proposed Sections 95.1 and 95.2 could have and should have been amended. I do not believe there is a Member of Parliament or a Canadian who would concur with the powers granted to the Government under those sections.

The Hon. Member who spoke before me was correct when he said that despite the objections of the Ministers and the Parliamentary Secretary this clearly creates a new offence. The offence would be operative around the word "documentation" and the word "visa" and somehow any Canadian, any priest, any individual assisting, aiding or abetting an individual refugee claimant who does not have a proper visa in his or her back pocket is liable to a fine and to imprisonment. If it is a group over 10, that fine can be up to $500,000, and up to 10 years in prison.

• (1150)

It is 1987 and we live in what we would like to believe is a progressive country, which it is, because its progressive element is rooted in the people, and perhaps not in the Government. But imagine enacting a piece of legislation that would in law, place an individual who acts out of humanitarianism for fellow human beings in attempting to assist the refugee claimant in the same category as the sleazy smugglers and consultants whom everyone wants to put out of business.

Before the committee studying Bill C-84 prior to report stage, the churches and other organizations clearly stated that they have never counselled fraudulent applications, that they have never counselled evading the law of Canada, and they have never suggested that any claimant rip up his or her documentation before arriving in Canada.

Those organizations went on the record in support of amending proposed Sections 95.1 and 95.2. I tried to do this and was unsuccessful in committee, and in the House yesterday. Those organizations would be in favour of making it an offence to evade the law, and counsel fraudulent claimants, whether or not they have documents.

During the Portuguese scam people came in with their documents, and their claims were largely unfounded. Making those actions liable to a fine or to imprisonment would receive the approval and the blessing of the church organizations and the non-church organizations. There is no disagreement with the witnesses who came before the committee and suggested that action. Obviously, those organizations would object strenuously and passionately if those proposed Sections 95.1 and 95.2 were allowed to stand.

We have had a song and dance from the two Ministers of immigration—the Cheech and Chong show—when they suggested that the churches do not worry. They also suggested to individual Canadians that they should not worry; we will not put you in prison, or fine someone who assists refugees. Canadians are asking, if that is the intention, why at the same time is legislation being enacted that would allow the Government to do the very things that it is suggesting it will never do? Why create a law that will imprison or fine people that it does not want fined or imprisoned? It is hypocritical. It is attempting to straddle two sides, and that simply cannot be done. If the Government is serious in its intentions, it should be reflected in the legislation.

It is the ultimate responsibility of Members of Parliament to create laws, and ensure that the taxpayers' dollars are wisely spent. Those two elements are fundamental. We have to draft laws that protect Canadians, our country, and our civil liberties. Those laws must ensure that regardless of who is the Minister tomorrow or next week, or who is the Government tomorrow or next week, there is a law that cannot be undermined, abused, or misused.

This is a clear and flagrant abuse in drafting legislation. It is irresponsible for a legislative assembly, particularly the

national institution of Parliament, in 1987 to draft legislation that would allow and permit a fine against an individual, a priest, a nun, who is assisting a refugee claimant who has no documentation. It is not a signal or legislation that we should be proud of. I do not know of any progressive country in the western world that has in its legislation such a repugnant and regressive element. Surely, if we are to draft legislation to target those who are the culprits, those who circumvent our laws, let us not have legislation that is so wide and encompassing that it throws a blanket around everyone and treats them as potential criminals. That is not the manner in which legislation is drafted. It has an objective, a target, and we must provide the legal tools and wording to enable us to zero in on the real abusers and not make criminals out of those who wish to help their fellow man.

This is not only the position of the Opposition. George Cram, of the Inter-Church Committee for Refugees stated:

> I do not want to be guilty of committing an offence for doing humanitarian work. I do not want to feel inside myself that what I am doing is illegal, and I do not want to be liable for prosecution. The offence is what you are creating, not the prosecution.

Another member of the Inter-Church Committee for Refugees, Nancy Pocock, a woman who has dedicated most of her life to assisting refugees, and not assisting refugees to circumvent the law, stated:

> If my government tells me it is a crime to help these people, I will have to say I am obeying a higher law and I am going to continue to help them when they need me.

In what was very moving testimony, at committee, Rabbi Gunther Plaut stated, referring to the committee and Parliament:

> You can render the Canadian people and the refugee community of the world and causes of humanity in general a true service if you manage to eliminate from this Bill clauses that treat such people worse than the worst of criminals.

There was a second reading of this Bill during which these concerns were outlined. There was a legislative committee that heard from Canadians, and the Government had a chance to listen. Thus far in report stage the Government has declined to accept any amendments, wording changes, or inclusions of the words humanitarian, church, non-profit, charity, volunteer, which would state clearly that beyond intentions, which are not worth the paper on which they are written if we have this legislation, we are not after individual Canadians who complement the work of the Government's elected officials by doing a job that would ultimately cost the Canadian Government and taxpayers millions of dollars. This is volunteer work, work that is done by people who are moved from the gut and the heart. The Government is moved by neither its gut or heart to make those actions liable under the law to a fine or imprisonment.

I again call upon the Government, at report stage, now at the eleventh hour, to heed these concerns, listen to the concerns of Canadians who are saying to the Government to go after the culprits, the smugglers, and the consultants who are charging $15,000 a head, but do not place them in the same sleazy category that is occupied by those smugglers.

That is the challenge and the purpose of this amendment. I look forward to having a more progressive and enlightened response from the Government, rather than pretending to ignore legitimate, substantial, and real pleas.

Hon. Chas. L. Caccia (Davenport): The motion of the Hon. Member for Spadina (Mr. Heap) deserves the full support of every Member in the House, as explained by those who preceded me in this debate.

Yesterday during a similar debate in the House on a motion by the Hon. Member for York West (Mr. Marchi), the Parliamentary Secretary to the Minister of Employment and Immigration (Mr. Friesen) said something that was revealing and important. As reported at page 8626 of *Hansard*, he said:

> I have never once felt threatened by the law because of my interest in refugees.

That is because under the present legislation, no one is threatened by the law for his or her interest in refugees.

• (1200)

Under the auspices of the Government and steered by the Parliamentary Secretary for the second day, because both Ministers of Immigration are absent, the Bill before us includes a clause which the Hon. Member for Spadina wants to delete, and quite rightly so, as it is a clause that will threaten anyone who gets involved in refugee work. That is why we are very upset about this matter and have raised it at second reading stage, in committee and here today at report stage.

Yesterday in Ottawa there was a group of Canadians including the Committee of Canadians Representing Human Rights Activists, the Anglican Bishop Edward Scott, the President of the Canadian Council of Churches and representatives from the Canadian Labour Congress, the Canadian Conference of Catholic Bishops, the Canadian Ethno-Cultural Council, the Canadian Jewish Congress, the National Action Committee on the Status of Women and a number of lawyers described as experts in immigration, refugee law or the Charter of Rights. They actually went much further than we are going in this debate today in that they urged the Government to scrap its callous new refugee legislation. One of the reasons they proposed this yesterday is this particular clause, the clause the Hon. Member for Spadina wants to have removed for the reasons just given by the Hon. Member for York West.

A number of Canadians have commented on this legislation, particularly on this clause. I would like to draw to the attention of the House the words of George Cram of the Inter-Church Committee for Refugees. He said that he does not want to be guilty of committing an offence for doing humanitarian work. Clause 9 of the Bill amends Sections 95.1 and 95.2 to make individuals or members of organizations,

volunteer organizations or church organizations that help refugees, guilty of an offence for becoming involved in legitimate work with refugees. That is the clause to which we object.

Once this legislation is passed, the Hon. Parliamentary Secretary for the Minister of Immigration will not be able to claim that he can feel safe and secure under the new Canadian law when he becomes involved with refugee work. He cannot claim that, no matter how much he rejects that notion, because if he does he is not reading what is printed in the Bill we are passing today.

Clause 9 of the Bill reads:

> 95.2 Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a group of 10 or more persons . . . is guilty of an offence—

Even if only one person is involved, such a person becomes guilty of a criminal offence. Is that what the Government wants to do? If the answer is no, then this clause must go, as we urged on second reading and as the Hon. Member for York West and the Hon. Member for Spadina urged in committee.

There is no place for this kind of clause in sound legislation that would take into account the legitimate work of Canadians who are involved in human rights and legitimate refugee work. There is no way that this ought to be allowed.

As others have already said, this clause will become the object of contestation in the courts and of constitutional action. Before we know it this legislation, which was intended by the Government to be the solution to an urgent problem, will become entangled in the higher courts. What an incompetent way of dealing with the problem facing us.

What is so astonishing is that having been warned, the Government is not taking into account all the submissions which have come not just from the Opposition but from groups that are legitimately active in the field of helping refugees.

The motion of the Hon. Member for Spadina is one that commands attention—not only attention but support. We hope that when it comes to a recorded vote government Members will support the motion. I hope they will not be silent and allow to pass into law Clause 9, a clause which runs counter to all our traditions and commitments and the recognition of decent work done by Canadians in the field of refugees. There is no place under the sun for this clause in good Canadian statutes.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I have to say at the outset that of all the motions before us, this is probably the most astounding one. All during the debate we heard opposition Members say that everyone is subject to the law. I should say all opposition Members with the exception of the Leader of the New Democratic Party who said in his speech that according to his reading of this provision, the church people are subject to the penalties under the law and that is totally unacceptable to the members of his Party. He said that as though church leaders do not have to obey the law. I find that unacceptable. The members of his Party later modified their Leader's position.

Opposition Members have said that we must stop the abusers and shysters, but at the same time have introduced a motion which withdraws from the Bill all of the provisions that are designed to stop the abusers and shysters. Frankly, I fail to see the logic of that kind of a mind-set.

On the one hand, we have heard a chorus of opposition Members and witnesses saying we must stop the abusers, and we provided a provision in the Bill that would stop the abusers. Then, on the other hand, the Hon. Member for Spadina has said that he thinks we should withdraw that clause. I do not know how we could carry on a refugee determination system with no provisions to protect genuine refugees.

All of us here are over 21 and we are all entitled to different points of view. However, we do have a responsibility to be accurate and to base our views on accurate information. I mentioned last night that church workers working on behalf of refugees have no reason to fear this legislation. They are not the target group.

I will repeat what I said last night in order to give myself the opportunity of correcting what the Hon. Member for Spadina said this morning. Church leaders who want to work with refugees have no reason to fear this legislation because their major concerns are with the flow of refugees from Central America. That flow comes principally through the United States of America. Last night I asked why any of them could not go to a Canadian consulate anywhere in the United States, whether New York, Detroit, or Seattle and apply for refugee status? There is no reason that they cannot do that. The Hon. Member for Spadina (Mr. Heap) says they cannot do that because there is a quota system. That is absolutely false.

• (1210)

Mr. Heap: True, there is. I have been told by the officers.

Mr. Friesen: It is false. There is no quota on sponsoring refugees. The Member cannot hide behind that. It is unlimited. I cannot understand why the churches would not simply advise claimants to go to a consulate in the United States and say, "We want to sponsor this person to come to Canada." That would be better for the claimant. He can do all of his paper processing there. He can come directly to Canada and qualify for a work permit as soon as he arrives and begin the process of integrating, if that is what he intends to do, into Canadian society. The churches are not using the sponsorship program very well.

I will repeat the numbers that I read yesterday. Of Central American landings in 1986 from the United States, the Government sponsored 1,018 refugees from refugee camps in the U.S. The churches, the humanitarian groups, individuals in total sponsored only 76.

Mr. Caccia: So what? What is the point?

Mr. Friesen: If they were really interested in sponsoring refugees, that is the way to do it.

Mr. Caccia: Judge the quality not the numbers.

Mr. Friesen: The Hon. Member for Davenport (Mr. Caccia) says, "judge the quality".

Mr. Caccia: Yes, of course.

Mr. Friesen: First, I am mystified as to what he means by that. Second, the quality is in the integration in Canadian society. If they would get their work done in the United States in a Canadian consulate or a detention centre refugee camp—

Mr. Caccia: If they are in Nicaragua, what would you do?

Mr. Friesen: —on the U.S.-Mexican border, they would come already providing themselves with a fuller way of life in Canada.

Up to June, 1987, the church groups together with private individuals and other humanitarian organizations from the United States sponsored 19. Where is their great concern?

Mr. Marchi: What about the boat people?

Mr. Friesen: Is there is something romantic about ferrying people to a border point in Canada? Does it add something to the glow of humanitarianism to see if this can be done clandestinely? Is it the air of excitement? If they are thinking of refugees, they would sponsor them the same way the Government sponsors them.

Mr. Heap: Mr. Speaker, I rise on a point of order. I am certain that the Hon. Parliamentary Secretary would not wish deliberately to misrepresent the church leaders he is talking about. Rhetorically he asked, is it because they wished to ferry people to border points clandestinely. I am sure that the Parliamentary Secretary does not seriously wish to charge them either with doing that clandestinely or with having supported the idea of doing it clandestinely in their representations to our committee. I hope the Parliamentary Secretary would clarify the point and indicate that he is not suggesting that church leaders or humanitarian groups have either ferried people clandestinely or have advocated doing it clandestinely.

Mr. Deputy Speaker: The Chair takes that more as a matter of a question to the Parliamentary Secretary. It is a matter of debate and not a point of order.

Mr. Friesen: Nevertheless, Mr. Speaker, for the benefit of the Hon. Member for Spadina I would want to make it clear that I am not charging the church leaders. I am simply asking them, is there an air of excitement about ferrying people to border points other than through the process of sponsorship? If the humanitarian groups really are looking for the best possible way of helping refugees, it seems to me they would want to do the work outside the country as much as they can and bring them into Canada already fully prepared to take part in the Canadian way of life and be able to work.

As I said, I find it shocking that the Member who has constantly said that we need to get rid of the profiteers now would introduce a motion that would take away the provisions in the Bill that would help us to get rid of the profiteers.

Mr. Jim Fulton (Skeena): Mr. Speaker, I would like to spend a moment covering some of the ground somewhat hastily dirtied by the Parliamentary Secretary a few moments ago. A little bit of history is in order here, particularly in relation to Clause 95.4, at which all Members of this House should take a close look.

This clause was originally suggested by the Hon. Member for Spadina (Mr. Heap), which was then moved by the Government and placed into the Bill. He is suggesting as Members on this side of the House are suggesting, that proposed Sections 95.1 and 95.2 be removed, for good reason. Those two sections go after church groups and others.

We hear the Minister of Employment and Immigration (Mr. Bouchard) and some Members on that side saying, "Well, those church groups don't need to worry because we will not prosecute them", but Government Members, and the Minister in particular, are saying there will be selective prosecution. As someone who used to work in the courts on probation and parole, I know about selective prosecution. I know that Members like the Hon. Member for Surrey—White Rock—North Delta (Mr. Friesen) would like selective prosecution whereby if you do not like a particular church group or a particular group of refugees then you go after that group and by using the full force of proposed Section 95.1 and 95.2 you go after them. But if it happens to be a group you might like in your constituency or that might be politically appealing to you, then it is the wink-wink, nudge-nudge—you know what I mean, Mr. Speaker. It is not the way Canadians like laws to be written, or the way we like to see them used within the courts.

The Parliamentary Secretary and others on that side of the House often ask whether we really want these refugees who come without papers anyway. It displays the kind of ignorance that is symptomatic of that Member in particular and other Members on that side. Some of the bona fide refugees that come from Central and South America, sister countries, are in fact closer to my constituency in my province of British Columbia—if you think particularly of Central America—than is Nova Scotia or other parts of our own country. There are growing relationships between many families, certainly many western provinces, in agriculture, fisheries and the many things in which we have expertise with those countries.

Many people understand why refugees who are persecuted, politically in their own land, do not just sort of drop by the local police station and ask for their papers before heading up to Canada or the United States. They do not just sort of drop by to pick up a driver's licence, a visa or a passport or anything

else because the death squads and others terrorizing civilian populations in much of Central and South America do not view very kindly those who are active politically and are attempting to get papers to get out of the country.

Let us take a look at what is being proposed. Let us look at proposed Section 95.4 and see what it says. I quote from the Bill:

• (1220)

> Every person who knowingly counsels, induces, aids or abets, or who knowingly attempts to counsel, induce, aid or abet, any other person to make any false or misleading statement in connection with a claim by that other person to be a Convention refugee is guilty of an offence and is liable
>
> (a) on conviction on indictment, to a fine not exceeding ten thousand dollars or to imprisonment for a term not exceeding five years, or to both; or
>
> (b) on summary conviction, to a fine not exceeding two thousand dollars or to imprisonment for a term not exceeding six months, or to both.

That is the standard wording you find with respect to indictable or summary convictions in most of the Criminal Code of Canada.

I think most Members would note that *The Ottawa Citizen* today ran an article by Iain Hunter pointing out what Anglican Archbishop Edward Scott, President of the Canadian Council of Churches, has to say about the orchestration of the emergency involving the 174 people who landed in Nova Scotia. There was the orchestration of another boat supposedly coming along. The Government knew all along that the first boat was coming but orchestrated it to get emergency recall of Parliament, not just to deal with Bill C-84 and Bill C-55, but to deal with Bill C-22, the drug Bill, and the rail back-to-work legislation. Now we find today all kinds of other legislation.

The Parliamentary Secretary this morning, quite contrary to the rules of the House, as is often his way, commented on the presence or absence of Members of the House. That is the kind of scurrilous activity we see the Hon. Member involved in all the time. He says, "How was I to know about the rules?"

We are talking about a law which potentially affects refugees whose lives are in danger. It is one thing for the Hon. Member to say they can just drop in on an embassy in Detroit or somewhere else in the U.S., and that there are no quotas. My colleague from Spadina has spoken to officers who work in various consulates in the U.S. and has confirmed that there are quotas in operation. We know what is happening in the U.S. where sections similar to 95.1 and 95.2 have been introduced. We know what has gone on. There have been direct belligerent prosecutions of church groups who have been attempting to assist those whose lives are very much in danger as they try to escape from the terrorist activities of certain groups in Central and South America in particular, but in other areas of the world as well.

Let us look at what proposed Section 95.1 states, keeping in mind what I put on the record with respect to proposed Section 95.4. It states:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offence and is liable—

Such a person is liable in the same way as proposed Section 95.4(a) and (b). Who is this directed at? Let us think about the evidence given by the Government concerning the number of refugees who came to Canada last year without proper documents, some 6,000. None were found to have any serious criminal record or to have difficulties in Canada. None were found to be terrorists or potential terrorists. This clause is directed specifically at those groups who have been assisting refugees from Central and South America.

The Parliamentary Secretary and others over there laugh and say the church groups do not need to worry. They do need to worry; but it is the law. Government Members say they will only selectively prosecute. We will only prosecute if they decide they do not like you or they get a call from the CIA or the FBI, or for some other reason. It is illogical and bad law. The intellectually dishonest presentation involved has also become the trademark of Members like the Parliamentary Secretary. That is why British Columbians do not like Members like that who involve themselves in this kind of scurrilous intellectual dishonesty day after day in this House, painting false pictures. The Hon. Member knows they are false.

Mr. Deputy Speaker: Could I ask the Hon. Member not to get personal, please. Debate.

Mr. Friesen: That is hard to do.

Mr. Fulton: It is hard when one has to deal with the kind of absolutely false information put on the record day after day by that particular Member.

Mr. Deputy Speaker: The time for the Hon. Member's speech has terminated.

Is the House ready for the question?

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 16. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

The next motion is No. 19.

Mr. Dan Heap (Spadina) moved:

Motion No. 19

That Bill C-84 be amended in Clause 12 by striking out line 26 at page 20 and substituting the following therefor:

"specified in the certificate, or release the person. Such addition—".

He said: Mr. Speaker, this motion provides for detention of people who arrive without clear identification or who are suspected by the Minister of being inadmissible for other reasons. The opening part of this new clause reads as follows:

Where, with respect to a person seeking to come into Canada,

(a) the person is unable to satisfy an immigration officer with respect to that person's identity, or

(b) in the opinion of the Deputy Minister or a person designated by the Deputy Minister, there is reason to suspect that the person may be a member of an inadmissible class described in paragraph 19(1)(e), (f) or (g),

an immigration officer shall detain the person—

Then it goes on in 104.1(2):

Where, with respect to a person detained under subsection (1), the Minister certifies in writing

(a) that

(i) the person's identity has not been established, or

(ii) the Minister has reason to suspect that the person may be a member of an inadmissible class described in paragraph 19(1)(e), (f) or (g), and

(b) that an additional period of detention is required to investigate the matter referred to in subparagraph (a)(i) or (ii),

the person shall be brought before an adjudicator who shall continue the person's detention for the additional period specified in the certificate, which additional period may not exceed twenty-one days from the day on which the person was brought before the adjudicator.

In my motion I am asking that we remove line 26 and substitute the words "or release the person". In other words, it would read:

the person shall be brought before an adjudicator who shall continue the person's detention for the additional period specified in the certificate, or release the person.

My point is that an adjudicator is appointed by the Government to be a judge with respect to immigration admissibility. The person is also to be a judge of the necessity of detention after any two-day period which can first be ordered by a senior immigration officer. The adjudicator is selected and trained to exercise his judgment as to whether it is necessary to detain a person for a further period. This clause removes that ability and makes him a rubber stamp. He becomes a clerk who simply says you have to stay here for another 21 days. It means there is no possibility of finding out why the person is being detained except that the Minister says that he suspects that the person may be a member of an inadmissible class as described in Clause 19(1)(e), (f) or (g). He suspects that he may be.

• (1230)

It is a principle in our country that a person should not be detained without due process. The principle is that if he is to be detained he is to be told the reason and is to have the right of counsel to defend him. Partly on the basis of that principle the law in our country is that if the Minister thinks he should be detained longer, the person being detained should have the right to have that detention reviewed by an adjudicator. Taking away the adjudicator's responsibility to say "keep him in longer" or "turn him loose" on the word of the Minister or someone designated by the Minister takes away that person's right to due process.

The Parliamentary Secretary will get up and read a list of possible criminals, terrorists or others like that in order to suggest that because these people are criminals, terrorists and what not, it is obvious that they should not be turned loose. He talks with mock horror of having them walking our streets. It is a typical Conservative trick to assume that a person is guilty unless he gets a chance to prove himself innocent. Because the Minister has said that he suspects he may be a member of one of those groups, he becomes a member of one of those groups and is guilty of either doing something dreadful or planning to do something dreadful and, therefore, we must lock him up.

That is convenient from an administrative point of view. It means that governments do not have to answer for what they do in cases like that. It is, however, contrary to the intent of our laws and the intent of our Charter of Rights and Freedoms. Even though this person is not a Canadian our Charter, according to the Supreme Court, applies to everyone who is within Canada. It does not extend all rights to everyone who is in Canada. It does not give them the right to vote or to work, but it does give them the right to due process according to the Supreme Court.

I believe that the amendment which I have moved would save the time and cost of a series of Charter challenges on the basis of this line in this clause. It would perhaps save having the whole proposed Section found invalid by the Supreme Court and the necessity of then having to go back to the drawing table and introduce new legislation.

It is not a question of whether the Government should have the power to detain a person to learn his or her identity. It is simply a question of whether the Government should be able to do that for an unusually and extraordinarily long time without making known any of the reasoning for it. If the Government does not trust the adjudicators it should hire better adjudicators or train them better. The Parliamentary Secretary has not given us examples of adjudicators wrongly releasing persons as he has suggested they have done.

The RCMP representatives who appeared before the committee last week told us that of the 6,000 undocumented people who came in last year none of them, to their knowledge,

was engaged in any of these activities. Of course, the Parliamentary Secretary will probably get up and say that if we had been able to keep them in jail for a month or a year we could have found something against them. That is the kind of argument that is used to deny due process and to deny the principle of innocence until proven guilty.

It has about as much logic as the man in Etobicoke who set a strange circle of white stones around his house. When people asked what the stones were for he said they were to keep elephants away. When they said that there were no elephants in Etobicoke he said that that was because of his stones. The Minister's representative is going to prove that because the person is suspected it is, therefore, necessary to lock him up. This is contrary to the kind of law which Canadians want in this country.

Therefore, I am asking Members of the House to support my motion to change one line of this clause in order to allow the adjudicator to keep the responsibility given to him under our present legislation, namely, to decide, after listening to what the Government tells him and to anyone else who has the right to speak on that point, whether to continue detention or to release the person.

Mr. Sergio Marchi (York West): Mr. Speaker, I rise to support Motion No. 19 moved by the Member for Spadina (Mr. Heap). It will be very interesting to see the reaction of the Government because Motion No. 20, moved by myself, which will be debated next, proposes deletion of the entire clause if the Government does not wish to amend it.

The law as presently written is sensible. It has been supported by previous Parliamentarians. The Members of Parliament in Government, when in Opposition, supported it. The Government now has the power to detain and deport people. The Government has the power to do that which this legislation allows it to do.

It is false to suggest that the Government needs new, greater and unchecked powers to deal with what it considers to be an emergency. To borrow a phrase from a Member of Parliament who spoke earlier, that borders on intellectual dishonesty because it implies that there are currently no statutes or powers to defend our country against those who wish to abuse it.

How naive and misleading can the Government be? That is to suggest that everyone else is either naive or ignorant. It suggests that Canada has not had the mechanisms and powers to protect its shores from those who are undesirable, unwanted, unwelcomed and wish to pose a threat to the nation. There is not one Canadian, not one Member of Parliament, not one priest, nun or layman helping refugees who wants us to accept individuals who will pose a threat to this country.

I think the Government should stop its marketing scheme of implying that it is only the Government that is trying to protect our country from so-called undesirables. That is a false message based on a false premise.

The current legislation allows for automatic detainment for 48 hours. Any individual who comes to our shores without documents and who the Government believes may be a problem can automatically be detained for up to 48 hours with no questions asked. That is acceptable to my Party. I assume it is acceptable to many Members of this House. If the Government cannot substantiate the identity of such person, why he or she is here, then with any evidence it may have received from any authority within 48 hours, it has the opportunity to go before an adjudicator and request a further seven-day detainment period. The adjudicator will then decide, on the evidence from the Government, whether the request for further detainment is legitimate or groundless. I believe that is very reasonable.

• (1240)

If the Government still wants to detain a person after the seven-day period, it goes back to the adjudicator; the same thing happens in additional seven-day periods. Those are existing powers that would allow the Government, without great difficulty, to detain people who it believes beyond suspicion, and with actual documentation, should be kept in detention.

While I do not purport to be an expert or claim to have a monopoly on what Canadians believe, my reading of Canadians would suggest that they believe we have reasonable powers now to detain people if necessary and that an adjudicator is the key element in this process, because the adjudicator will decide on the merits of a further detainment based on the information presented by the Government.

The adjudicator can question government officials whether they believe the information is flimsy or whether they should offer more proof. The Government has the opportunity to do so and even has the opportunity to suggest that the information might be so secret that the adjudicator might not be able to be informed in the presence of the claimant or the claimant's counsel. The adjudicator can obviously decide in favour of the Government in the interest of the defence of our sovereignty and well-being. I suggest that this is a reasonable process that is in keeping with our sense of justice.

The Government wants to abolish the 48 hours and be able to automatically detain people for seven days. It may be argued that more time is required in getting the identification of an individual who comes from a country thousands of miles away, but the Government also proposes that after the seven-day period in which it does not have to secure permission it may also detain a person for an additional 21 days.

The key element in this proposal is that the adjudicator would simply rubber-stamp the request because the law says he shall permit the detainment for a further 21 days. The Bill does not state that he may permit a further 21 days in detention, which would offer the adjudicator the flexibility and discretion to weigh the evidence and protect the rights of the individual in our country. The use of the word "shall" means

that there is no discretion or flexibility left to the adjudicator. The adjudicator must simply rubber-stamp a government request to detain a person for another 21-day period. That is Draconian and excessive. I think it is essentially not Canadian when one considers that the Charter of Rights protects the rights of individuals not to be detained on unreasonable grounds or for suspicion.

It goes beyond that. We are not merely talking about refugees who deserve rights. After all, they are human beings as well and merit some human rights standards that are applicable to a person arriving on our shores. What would be the ramifications to our society when one Minister is granted the full discretion and flexibility to detain people for periods of up to 28 days without any questions asked? Of course, Canadians believe we need to protect ourselves as a sovereign state from undesirables. No adjudicator would ever lend himself or herself to allowing people who would do a disservice to our country or commit a crime in Canada. They will always protect our flag and protect Canada. We trust the adjudicator. What kind of society are we trying to create by vesting Draconian and excessive powers to a government that one day may abuse those rights? I suggest that if the rights of one individual are abused, the collective rights of our nation are abused and undermined.

These types of powers are not needed. Since the time of Diefenbaker, the Government has had the authority to protect our shores, protect our sovereignty and stand up for our flag, while at the same time offering civil liberties as expounded in the Charter of Rights which states that all men and women, whether rich or poor, black or white, catholic or atheist, enjoy human rights as all Canadians should. That is what is being undermined today if the clause is not changed.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, I will not deprive the Hon. Parliamentary Secretary of his ten minutes, so I will limit my remarks and simply say that the motion presented by the Member for Spadina (Mr. Heap) is very sensible. The reasons have been eloquently explained by the Member for York West (Mr. Marchi).

It is an amendment that would at least introduce an element of balance in what otherwise would be a Draconian clause. This amendment, if accepted by the Government, would turn this clause into one that contains some checks and balances whereby the adjudicator would have the option to make a decision on his or her own, motivated of course by the basic principles and guidelines that the Member for York West has outlined.

Again, we find ourselves advancing an eminently sensible amendment which permits a certain latitude to the adjudicator. It is a good amendment.

Of course, the Parliamentary Secretary will tell us whether he will accept it in good grace, in keeping with the ideology of civil liberties that he expounds at home and abroad, particularly at the Interparliamentary Union. He has an opportunity to apply what he preaches, and we call upon him to demonstrate the mettle he is made of when it comes to the facts and the reality of legislative measures.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I thank the Member for Davenport (Mr. Caccia) for the confidence he has expressed in my view of civil liberties. I certainly hold to those.

Since we have heard from the Member for York West (Mr. Marchi) I think we should move back to the Bill and see what it really says, instead of what we have heard.

As the Member for Spadina (Mr. Heap) rightly points out, the Bill deals with the inadmissible classes, including what we agreed to yesterday; that is, those who have been guilty of war crimes or crimes against humanity.

• (1250)

Picture the scene, Mr. Speaker. We have someone arriving on our shores, at our airports, or other port of entry, with no documentation—absolutely none. He has either destroyed it or has given it back to the person who trades in passports and visas so it can be recirculated.

Mr. Caccia: Some refugees legitimately have no documents.

Mr. Friesen: Yes, and some legitimately have no documents. But those persons come to the port of entry and the immigration officer meets them and is supposed to identify them. How does he go about it, especially if there are 30 or 40 coming in at the same time without documentation? The Bill requires that there be a seven-day detention period in order to establish identity. If a person is from Uganda, for instance, where there is a constant state of turmoil at the present time, how does any officer go about establishing identity in seven days? It is not necessarily possible.

The next subparagraph says that the Minister may apply for an extension of another 21 days. Here is where due process, about which the Hon. Member for Spadina was concerned, enters the picture. He cannot just willy-nilly say, "We are going to hold you another 21 days". What he does under Clause 12, proposed Section 104.1(2), is continue the person's detention for the additional period specified in the certificate, which additional period may not exceed 21 days from the day on which the person was brought before the adjudicator.

How does the Minister go about getting a certificate? He goes about it by dealing with the securities forces of Canada to get as much information as he can. If there is reason to believe that this person may be a threat to either Canadian security or to other people in Canada, he has to file evidence which would substantiate the need for a certificate.

The Hon. Member for Spadina knows that that is not the kind of information he can give to the adjudicator. He can give the certificate to the adjudicator but he cannot give the evidence. In the interests of privacy for the individual, to protect his privacy, he cannot give that evidence and allow it to

become public. That is why I am saying that this is the due process asked for by the Hon. Member for Spadina.

The Minister cannot just on a whim say, "I want to detain this person another 21 days". There has to be just cause, established to the satisfaction of the officers, that a certificate is warranted. If the certificate is granted, it can be extended for 21 days, for a total of 28 days.

I would suggest to Members that that is not an unreasonable requirement when we realize that the person coming to our port of entry is undocumented, is thought to be a security risk and there needs to be documentation presented. Twenty-eight days, considering communications with some of these countries in the world that are trouble spots and are in conditions of upheaval, where the normal systems of communication are not functioning properly, is not an unreasonable requirement.

What the Hon. Member for Spadina is asking for is that at the end of seven days, if the identity has not been established, we release the individual. I do not think Canadians would like that one bit. We have every reason to provide protection for people who need protection, but as responsible parliamentarians, and as a Government of Canada, we have every responsibility to protect Canada and to protect Canadians. That is what this clause is all about.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is Motion No. 19 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five members have risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Is it the pleasure of the House that I call it one o'clock?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: It being one o'clock, I do now leave the Chair until two o'clock.

At 12.56 p.m. the House took recess.

S. O. 21

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

TAX REFORM

FOOD TAX—INVITATION TO ECONOMIC COUNCIL OF CANADA TO MEET REAL CITIZENS

Mr. Jean-Claude Malépart (Montreal—Saint-Marie): Mr. Speaker, we have just learned today that, regardless of the wishes expressed by most Canadians, the Economic Council of Canada is urging the Conservative Government to tax bread, milk and butter.

Mr. Speaker, I want to dissociate myself from this kind of recommendation made by the Economic Council of Canada. It is all too easy for an economist sitting in his sixth-floor office in Ottawa to make such recommendations, he does not do anything but studies.

I would invite the Economic Council of Canada members to travel with me throughout Canada to meet with the real citizens who will be paying this tax on bread and butter. I am sure they will change their mind and make an altogether different recommendation to the Government.

* * *

[*English*]

LABOUR RELATIONS

ESSENTIAL SERVICES—BINDING ARBITRATION ADVOCATED TO SETTLE DISPUTES

Mr. Alan Redway (York East): Mr. Speaker, the recent rail strike and the near-strike last night have started many Canadians thinking and talking once again about compulsory arbitration for essential services. The right to bargain collectively is a vital part of our economic, social and democratic way of life. Most labour disputes are settled. Few result in strikes. There are fewer strikes still in essential services.

Strikes in essential services affect not only the parties involved but the general public and national production as well. That is why we need a new procedure, not to prohibit strikes but, rather, to settle disputes in essential services, a procedure called binding arbitration. Neither management nor labour like binding arbitration. In my experience it usually results in higher than normal wages and benefits. But that is the price we pay to avoid the shut-down of an essential service.

Binding arbitration works for municipal fire-fighting services. It can work for all essential services. It is time for the Government to take a serious look at it.

S. O. 21

AGRICULTURE

LACK OF REPRESENTATION ON PRIORITIES AND PLANNING COMMITTEE

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I rise to congratulate the Hon. Member for Bellechasse (Mr. Blais) on his promotion to Minister of State for Agriculture. May he enjoy his new position, and may his answers always be succinct!

Now with three Ministers handling the agriculture portfolio we hope that the Government will give agriculture more attention than has been the case in the past. The Government keeps insisting that it is giving agriculture a very high priority. Yet even though we now have three Ministers in charge of agriculture not one in this so-called high priority sector sits on the Priorities and Planning Committee of Cabinet where all the decisions are made.

Even the hated Liberals had their Minister, their single Agriculture Minister, Eugene Whelan, on this very important committee. It is time the Government took priority for agriculture seriously, actually made it a priority and put one of these Ministers in a position where he can do something.

* * *

ROYAL CANADIAN MOUNTED POLICE

TRIBUTE TO RETIRING COMMISSIONER SIMMONDS

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, I rise to pay special tribute to a distinguished Canadian, Bob Simmonds, who has provided outstanding service to the RCMP and to Canada.

Commissioner Simmonds, born and raised in Saskatchewan, joined the force in 1947. He began on highway patrol and rose through the ranks to become Commissioner in 1977. He retires today after 10 years of leading the force.

Bob Simmonds has been a trusted public official whose counsel and advice have been called on many times by different Governments. The current and previous Solicitors General have remarked on the professionalism, good judgment and overriding concern for the rights of Canadians which have characterized Bob Simmonds' work. The RCMP, under his leadership, has weathered difficult challenges and maintained its professionalism and formidable influence for good in Canadian society. We are very grateful to him for the leadership he has contributed to policing in Canada.

I am confident that the standards of excellence set by Commissioner Simmonds will be maintained by the new Commissioner, Norm Inkster.

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

NEED FOR GOVERNMENT TO PRESENT GLOBAL POLICY

Hon. Jean Lapierre (Shefford): Mr. Speaker, I should like to advise the Government and this House that, as I speak, groups interested in regional economic development are utterly confused. As you would know, in recent months the Government has unveiled piecemeal initiatives in Western Canada, in the Atlantic Provinces, in Northern Ontario; the Department itself has been plagued with major financial and management problems. It has become imperative for the Government to come up with a comprehensive regional development policy. Tell us exactly which direction it wants to take, and what kind of treatment it has in store for the underprivileged regions of this country.

As you know, Mr. Speaker, we now have two kinds of Canada: the wealthy and prosperous Canada, and the suffering Canada made up of the economically disadvantaged regions which, unfortunately, cannot benefit from the economic recovery and which practically disappear behind unemployment statistics. Realities differ from coast to coast and, sad to say, owing to the confusion and probably the incompetence of the ex-Minister, nobody has a clear idea about the role the federal Government wants to play, the mandate it seeks to undertake, and especially the kind of assistance it can give these regions.

Mr. Speaker, I strongly urge the Government to announce its over-all strategy as soon as possible instead of being satisfied with its week-to-week policies. Mr. Speaker, I am concerned, I am afraid the Tories keep their policies under wraps because of the free trade negotiations where they are quite prepared to abandon our country's disadvantaged regions just to please the Americans.

* * *

• (1405)

[*English*]

THE ECONOMY

GROWTH RATE STATISTICS

Mrs. Mary Collins (Capilano): Mr. Speaker, the good news continues to roll in. Last week the OECD reported that Canada's economic performance in 1986 surpassed that of all major industrialized nations. Now, Statistics Canada reports this extraordinary growth rate has continued unabated. For the second quarter in a row, Canada's economy grew at an annual rate of 6 per cent.

All indicators have economists searching for superlatives. Consumer and business spending is up, labour income has risen, corporate profits have increased, and as a British

Columbian I am encouraged by the news that capital spending is up in the vital forestry, mineral, and energy sectors.

This is excellent news for all Canadians. It is proof that the economic policies of the Government are working. I applaud the Minister of Finance (Mr. Wilson) for cleaning up the fiscal mess that was left by the previous Government. His actions have restored confidence in our economy, and the results are clearly reaping benefits for Canadians from coast to coast.

* * *

SCIENCE AND TECHNOLOGY

WINNIPEG SUGGESTED AS SITE FOR VIROLOGY LABORATORY

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, the proposed Canadian Virology Laboratory should be located in Winnipeg. Winnipeg already has a solid reputation in the health sciences. The federal Government has appropriately targeted health industries as a priority sector for growth in Manitoba, and it has been working with the Manitoba Government in this regard.

The CVL would serve this goal by its very existence, by attracting private sector activity that values its proximity, and by local subcontracting. Locating the laboratory in Winnipeg would demonstrate a real commitment by the Conservatives to decentralization, and to the policy of fostering regional economic development through the location of national purpose technological investment in areas other than central Canada. If western diversification means anything, surely it means that the CVL should be located in Winnipeg. I call upon the Minister of National Health and Welfare (Mr. Epp) to make sure that it does.

I remind all Members that the U.S. Centre for Disease Control is not located adjacent to the federal Health Department headquarters in the District of Columbia, but rather in Atlanta, Georgia, fulfilling a national role from a regional location.

* * *

[*Translation*]

NATIONAL DEFENCE

CANADIAN WITHDRAWAL FROM NATO—REPORTED STATEMENT BY FRENCH PRIME MINISTER

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, the Prime Minister of France has made it clear to us what would happen if Canadians were to elect a New Democratic Government.

Mr. Jacques Chirac told us quite frankly that the NDP's proposal to have Canada withdraw from NATO was utopian, naïve and unrealistic, and that it could bring Canada under Soviet domination.

[*English*]

In regard to the NDP policy to pull Canada out of NATO, the Prime Minister of France stated:

> —there are always people who are idealists, who imagine that the world is good, the world is beautiful, that one can isolate oneself, that one risks nothing. We have known that in France.

The Prime Minister also stated:

> You have to be careful with this kind of Utopia.

[*Translation*]

Mr. Speaker, there can be no doubt about what Mr. Chirac's warning meant: *Vive la France libre*! *Vive le Canada libre*!

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

FORMULATION OF NATIONAL WATER POLICY URGED

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, two years ago the Minister of the Environment (Mr. McMillan) received the report of the Inquiry on Federal Water Policy. Canadians are puzzled by the lack of action by the Government to formulate a national water policy, given the urgency and importance of this report.

The report emphasizes that public consultation is only the first step in the development of a national water policy. The next step requires action by the Government.

• (1410)

Among the many recommendations, the report calls on the Government to encourage the development of corporate water conservation plans, to establish minimum quality standards for drinking water throughout Canada and to develop a policy on the export and diversion of water. If he wants to do more than just talk, it is high time for the Minister of the Environment to get going and develop for public debate a national water policy for Canadians.

* * *

THE ECONOMY

GROWTH RATE STATISTICS

Mr. Bill Attewell (Don Valley East): Mr. Speaker, according to the latest data provided by Statistics Canada, the country's economy is registering a remarkable growth rate this year. For the second consecutive quarter, the growth rate has been robust to say the least.

S. O. 21

During the second quarter, Canada's Gross Domestic Product expanded at a real or after inflation annual rate of 6 per cent. This performance, as an article in today's *Toronto Star* states, has left economists groping for superlatives to describe the health of the economy.

While the 6 per cent annual rate will not be sustained, Michael Manford, Chief Economist of Merrill Lynch Canada Inc., said that Canada will probably turn in the strongest economic performance of the world's seven big industrial countries.

One question being debated is: "Does the Government deserve some credit for this performance?" My answer is an unqualified yes. Beginning after September, 1984, the Government took several key steps to set the climate for strong economic recovery.

Fiscal restraint was established through three responsible Budgets. The deficit is being cut. The National Energy Program was dismantled. The Foreign Investment Review Agency's mandate was dramatically changed to welcome foreign investment. The Government favours divestment of Crown corporations which do not serve a public policy objective. That is why de Havilland was sold. Incidentally, de Havilland has never had a brighter economic outlook.

All these sound measures and others have generated a renewed confidence in Canada not just for foreigners but also for Canadians. Interest rates are down sharply and this is spurring economic activity, particularly new housing starts and small business investment. Last, one of the greatest benefits of all has been a significant lowering of the unemployment rate through the creation of over 850,000 jobs.

* * *

HUMAN RIGHTS

U.S.S.R.—INVITATION TO NOBEL PRIZE WINNER TO VISIT CANADA

Mr. David Orlikow (Winnipeg North): Mr. Speaker, St. Boniface Hospital is the second largest teaching hospital in Winnipeg. Some years ago, people interested in medical research established the St. Boniface Hospital Research Foundation. Its purpose was to raise money for medical researchers to do their work over and above what they got from the Medical Research Council.

To a large extent this project has been a great success because the foundation has been able to bring in for its functions world known people like Prince Phillip, Mrs. Sadat and Dr. Christiaan Barnard. This year it proposes to invite Mr. Sakharov, the famous Soviet physicist and Nobel Prize winner. Unfortunately, the Soviet Government has not yet permitted Mr. Sakharov to leave for Canada.

I would urge the Secretary of State for External Affairs (Mr. Clark) to make representations on behalf of all Canadians by telling the Soviet Government that we would look with a great deal of interest and support at its permitting Mr. Sakharov to come to Canada.

* * *

CANADA POST CORPORATION

STAMP COMMEMORATING 50TH ANNIVERSARY OF AIR CANADA

Mr. Joe Reid (St. Catharines): Mr. Speaker, Canada Post today commemorates the 50th anniversary of Air Canada with the issuance of a stamp. The inaugural flight of Trans-Canada Airlines from Vancouver to Seattle was made on September 1, 1937, carrying mail as well as passengers. Airmail routes were established between Winnipeg and Vancouver, and Montreal was added in 1938.

TCA changed its name to Air Canada in 1964 and has grown to be the world's ninth largest commercial airline, flying to points in North America, Europe and beyond to Bombay and Singapore. Canada Post Corporation is its largest cargo customer.

The stamp was designed by Derrick Carter of Vancouver and Debbie Adams of Toronto. Some of Air Canada's many destinations are highlighted on a stylized version of the globe. In the foreground is an Air Canada Boeing 767 banking as if to land. The Canadian Bank Note company will print 15 million stamps in five colour lithography for all to enjoy.

* * *

• (1415)

NUCLEAR ARMAMENTS

U.S.—U.S.S.R. NEGOTIATIONS—MONITORING OF NUCLEAR TESTS

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, one of the serious impediments in the way of an agreement between the United States of America and the U.S.S.R. restricting nuclear proliferation has been the question of verification. Today's report attributed to General Nikolai Chervov that the Kremlin is seriously considering a United States proposal for monitoring nuclear tests, and may even allow the U.S. to explode its own device on the Soviet test range to calibrate its monitoring equipment in exchange for reciprocal privileges, is welcome news.

It is interesting to note the part played by Canada in these developments. Not only have our Energy, Mines and Resources seismic stations been active for many years in recording nuclear blasts, but we have co-operated with the Government of the United States in testing its remote monitoring equipment under Arctic conditions, similar to those which

might be found in Soviet test areas. Let us hope, sir, that these initiatives prove beneficial for the future of mankind.

ORAL QUESTION PERIOD

[*English*]

TAX REFORM

EFFECT OF GOVERNMENT PROPOSALS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, in the absence of the Minister of Finance I would like to put my question to the Deputy Prime Minister about what the Government likes to call tax reform.

I acknowledge that some people are doing very well in Canada, and the Government will undoubtedly produce some encouraging statistics. But despite the fact that there are people prospering in our country, there are regions that are suffering and there are Canadians who are hurting. I want to remind the Deputy Prime Minister of the intolerably long line-ups at food banks across Canada and at soup kitchens.

How can the Deputy Prime Minister justify his colleague putting forward a series of tax proposals under the guise of reform that, in effect, really take money away from the poor in Canada?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, first, I think the Right Hon. Leader of the Opposition will recognize that tax reform has to be considered as a package. In that package some 850,000 Canadians will be taken off the tax rolls. Nine out of ten aged 65 and over will find their taxes reduced. I believe that between 1984 and sometime in 1985 some 263,000 Canadians have been taken off the welfare rolls.

For the first time since 1981 real after-tax income has increased for Canadians, so I think it is fair to say that there has been a tremendous improvement since our Government assumed office.

I would also remind the Hon. Leader of the Opposition that some 875,000 new jobs have been created. The commitment of the Government is to create jobs and stimulate economic activity—

Mr. Broadbent: And it is a nice day outside too!

Mr. Mazankowski: —and that is recognized by the tremendous growth rate that has been reported in the first half of this year.

FOOD TAX ISSUE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Deputy Prime Minister talks about 850,000 coming off the tax rolls as a result of the so-called tax reform proposals. He neglects to remind the House that during the last three years under this Government one million Canadians were added to the tax rolls.

Mr. McDermid: They found jobs.

Mr. Turner (Vancouver Quadra): We have repeatedly pointed out in this House that the tax policy of the Government has had, as a direct effect, the widening of the gap between rich and poor in Canada. There is a wealthy Canada but what about the other Canada? What about the poor, the homeless and the hungry? How in these circumstances can the Government even contemplate a tax on food? Where is the fairness in that? Where is the justification for it? Where is the understanding and compassionate position of the Government with respect to that issue?

• (1420)

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Right Hon. Leader of the Opposition knows there is nothing in the tax reform proposals which specifically outlines a tax on food. He should not try to mislead the House in suggesting that. He also takes issue with the fact there are some one million Canadians, I think was his figure, who are now paying taxes.

Mr. Turner (Vancouver Quadra): Added to the rolls.

Mr. Mazankowski: In addition. I think they are a very welcome addition, because most of those people are now working rather than being on the unemployment roll. That is a positive fact.

Some Hon. Members: Hear, hear!

[*Translation*]

INQUIRY WHY GOVERNMENT WANTS TO INCREASE TAXES FOR LOWER-INCOME CANADIANS AND MARRIED WOMEN

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, according to the latest report of the Economic Council of Canada, in addition to putting a burden on the poor, the Government's tax reform proposal would also penalize married women.

Are we going to help Canadian families by increasing taxes for married women? Are we going to promote equal rights for women by reducing their income? Why is the Government taking this immoral stance of increasing the taxes of low-income Canadians and married women?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, we on this side of the House do not share that view. There are a number of elements in the tax reform proposals which help the poor and less fortunate. The establishment of more tax credits is, I think, a very positive element. We have moved to impose a minimum tax.

I might add that this issue was referred to a parliamentary committee for full study and public debate. I understand some 300 briefs have been submitted. Surely that is the appropriate forum and the appropriate way in which Canadians and the Parliament of Canada should be involved in realistic and legitimate tax reform. I invite the Hon. Member to participate in that process.

Mr. Garneau: Mr. Speaker, the point of view expressed by the Right Hon. Leader of the Opposition was confirmed by the Economic Council of Canada yesterday. We are not picking that out of the air.

CHILD BENEFITS

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, I would like to address my question to the Deputy Prime Minister. Yesterday, a leading expert on the Canadian child benefit system, Mr. Shillington, confirmed what I and the Official Opposition have stated time and time again, that the Government does not care about the average Canadian family. Why is the Government slashing child benefits by 46 per cent, from $955 in 1984 to only $508 in 1991 for the average middle-income family?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the Hon. Member's allegations need a little more examination because he is using statistics in a fairly selective manner. For example, there were the changes to the child tax credit instituted by this Government. There was an increase in child tax credits as against changes in family allowances. Those changes gave more money to lower-income families. I remind him that we also paid a large part of the child tax credit at an early date so that, among other things, parents could buy winter clothing for their children.

The Hon. Member should remember that social policy groups generally, whether they agree with the tax reform package or not, have generally advocated movement from tax deductions to tax credits. This would benefit families, especially low-income families and the poor. If he wants to look at tax reform, he should look at it as a package based on those principles.

Mr. Garneau: Mr. Speaker, I think the Minister should read tax reform in the Bill adopted by this House. First, the child tax credit was not implemented by his Government but by Monique Bégin when she was a member of the Liberal Government.

Some Hon. Members: Hear, hear!

[*Translation*]

GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, when I told the Minister that benefits for middle-income families had been cut by 46 per cent, I included, as did Mr. Shillington in his brief, the partial de-indexation of family allowances, reduction in tax deductions for dependent children, lowering of the cut-off point for the child tax credit and for the new child tax credit included in the tax reform proposals.

I will repeat the question for the Minister, since he seems to have forgotten what his Government has done. On the basis of all these factors, we have to conclude that the average Canadian family—and this was confirmed by an expert yesterday—will see its child care benefits drop from $955 in 1984 to $508 in 1991, a reduction of 46 per cent.

What does the Minister intend to do about this and what is he going to suggest the Minister of Finance do to make the system more sensible?

• (1425)

[*English*]

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the Member essentially repeated his question and I, therefore, will essentially repeat the answer. He said that I indicated that it was this Government that instituted the child tax credit. I did not say that. I said that we had increased the child tax credit and that that was generally endorsed by social policy groups as more favourable than changes in the family allowance.

I also said that as a principle of social policy social policy groups have generally, for many years, endorsed a movement more toward credits relating directly to families as opposed to whether or not they are in tax-paying income brackets. I said that the tax reform package philosophically moves further in that direction than we are now as a society.

If the Hon. Member wishes to analyse those things he should analyse the entire package rather than selecting any one percentage.

[*Translation*]

FOOD TAX—OPINION OF ECONOMIC COUNCIL OF CANADA—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Deputy Prime Minister. According to the Chairman of the Economic Council of Canada, the Government should tax food because the rich in Canada spend a lot of money on food. Someone should tell the Chairman that in Canada, the poor spend more on food as a percentage of their income than the rich.

My question is a simple one. Does the Government agree with the line of reasoning followed by the reactionary Chairman of the ECC?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I think I answered that question in response to the Right Hon. Leader of the Opposition.

Mr. Broadbent: No, no.

Mr. Mazankowski: I most certainly did. I invite the Hon. Member to read the answer when he gets a chance.

We are again talking about a presentation before a standing committee which is studying the tax reform proposals. I am not sure whether we will be asked to respond to each and every individual presentation. This view has been expressed by a certain individual representing an institution.

The Government's position is very clear. The tax reform proposals do not contain any provision for the inclusion of a tax on food. Over 300 briefs have already been received. The process has started. I expect that all Hon. Members would want the process to be completed.

FOOD TAX QUERY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I will address my supplementary question to the Deputy Prime Minister. Ninety-three per cent of Canadians have indicated that they are opposed to a tax on food. Even the Quebec caucus of the federal Conservative Party has indicated that it is opposed to a tax on food. The poverty groups are opposed to a tax on food.

Would it not facilitate rational and fair-minded discussion by the committee if the Government would make its position clear on this issue once and for all and say that it will not accept a recommendation for a tax on food? Answer it.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Right Hon. Prime Minister responded to that question last week. I have responded to it today and other Ministers have responded to it. I can only assume that the NDP wishes that a tax would be imposed on food.

Some Hon. Members: Shame, shame.

Mr. Mazankowski: Notwithstanding the fact that they repeat their question, I am now coming to the conclusion that maybe it is the NDP that wants a tax on food so that it can create a political issue and have a little fun.

• (1430)

GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I can only assume that the Deputy Prime Minister cannot understand elementary English. Will he now admit that by refusing to say that the Government will rule out a tax on food, he has now said, to put it positively, that the Government is considering a tax on food? If the Government wants to clear the air, why does it not be candid for once and say that under no circumstances will the Conservative Government accept a tax on food? Come clean.

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the NDP wants to come clean. They want to confuse the issue. There is no mention of a tax on food in the tax reform white paper.

Mr. Riis: You are going to tax everything.

Mr. Mazankowski: The only evidence of a tax on food has been that which has been proposed by the Leader of the New Democratic Party and some members of the Liberal Party. That has been answered.

* * *

FISHERIES

INSHORE FISHERY LANDINGS—ESTABLISHMENT OF TASK FORCE

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, my question is directed to the Minister of Fisheries and Oceans, whoever that happens to be today. Yesterday, the Minister of Transport, with his usual bluster, told us that everything is okay in the inshore fishery in Newfoundland because large companies were making more money. However, if one checks with the Department of Fisheries and Oceans, it shows a constant decline in inshore fish landings over the past four years.

If there is no crisis in the inshore fishery, why has the Minister set up within the past month or so a special task force on the inshore fishery? Is there a crisis in the inshore fishery or not? What is he doing about it?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I am glad the Hon. Member recognizes the Minister of Fisheries today. I appreciate his question.

He used the term "crisis". In fact we are concerned about the decline of landings in the inshore fishery, as I made very clear upon my visit to Newfoundland in early July.

I have struck a committee of international eminent scientific people who will spend two or three weeks in Newfoundland in September to provide to us a report determining the adequacy of our scientific data base and our present management approach to the inshore fishery, with a view to bringing amendments into our next year's fishing plans by November 15, when I receive that report.

Mr. Rompkey: Mr. Speaker, what we need are not eminent people and data bases; what we need are fish.

Some Hon. Members: Hear, hear!

CANADA-FRANCE NEGOTIATIONS—CANADIAN COD STOCK

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, the Minister sets up a special task force of eminent people, admitting that there is a crisis in the inshore fishery, and leaves cod on the negotiating table in the negotiations with the French. Why is he taking Canadian cod

at this time of crisis and giving it to the French? Why does he not stand up for Canada? That is what I want to know.

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I remind the Hon. Member that the Prime Minister and all members of the Government are indeed standing up for Canada, quite unlike those members of the Government of which he was a part, who sold out our interest to France in 1972.

Furthermore, it is the Hon. Member who characterizes the problem as a crisis. In fact, earnings and the value of landings have increased over the previous year.

Mr. Rompkey: For the big companies.

Mr. Siddon: Nonetheless, there is a regional variation in the return of cod to the inshore fishery and we are attempting to find a solution to that problem.

* * *

DEPARTMENT OF REGIONAL INDUSTRIAL EXPANSION

OVEREXPENDITURES—MONTHLY FORECASTS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, my question is directed to the Deputy Prime Minister. It concerns the overspending at DRIE. The former Minister said that as soon as he found out there was some difficulty he launched an inquiry. He noted that he began receiving monthly financial reports very soon after being sworn in as the Minister.

If the former Minister began reading these financial reports as soon as he said he did, and being a chartered accountant himself, why was he not suspicious when six of the eight monthly periods covered from August, 1986, to March, 1987, forecast an overexpenditure? Why did the Minister not notice this, and why did he not bring it to the attention of the Government?

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, perhaps I can answer this question on behalf of the Minister. It is true that certain measures were implemented as soon as the warning signals were sounded. Of course the problem occurred as a result of the additional take-up of the programs we had modified. A lot of slippage had been experienced in the past. In other words, programs were committed but not taken up. The fact that 20 per cent to 30 per cent of the offers were never taken up caused the problem. It is now corrected.

Mr. Blaikie: It is my understanding that action was not taken until June of this year.

GOVERNMENT'S AWARENESS OF SITUATION

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, I remind the Minister that the review stated that it was in August, 1986, that the first indication of a potential deficit arose and furthermore, starting in the fall of 1986, very real concerns were being expressed about potential problems in 1987-88. Why was the Government not aware of this much earlier?

Considering the statements by the new Minister of Regional Industrial Expansion on Friday, what other Departments are undergoing this kind of study now?

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, to my knowledge no other Departments are undergoing this kind of study. As soon as the Government was aware of the real possibility of an over-run, the measures were taken and the funds were restored. As a result, DRIE will be spending significantly more money on programs that have been positively modified and will have significant benefit to the regions for which they were designed.

* * *

CITIZENSHIP

OATH OF ALLEGIANCE TO MONARCH

Mr. Bill Domm (Peterborough): Mr. Speaker, my question is directed to the Secretary of State. It concerns a recent discussion paper from his Department about downgrading the sovereignty or eliminating any reference to Her Majesty in a new oath of citizenship.

Since there appears to be no consensus in Canada, or no group asking for this removal of allegiance to the Queen, will he assure the House that he has no intention of following this proposed report by officials in his Department?

Hon. David Crombie (Secretary of State): Mr. Speaker, I can give that assurance. The position paper was put out for discussion purposes two months ago and dealt with a variety of issues affecting the Citizenship Act. One of those issues was the one mentioned by the Hon. Member. The volume of correspondence that I have received on it and a number of other matters has indicated clearly that Canadians are interested in continuing the reference to the Queen in the Oath of Allegiance. Therefore, I can assure the hon. gentleman, indeed all Members of the House, that it is not the Government's intention to withdraw Her Majesty from the Oath of Allegiance.

[*Translation*]

CANADIAN BROADCASTING CORPORATION

SALARIES OF JOURNALISTS ON FRENCH AND ENGLISH NETWORKS—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I have a question about yesterday's walk-out by reporters at the CBC French network, which deprived Canadians of their usual news program and public affairs programs such as *Le Point*.

As you know, one of the most controversial items in negotiations between the CBC and its reporters is the unacceptable gap between the salaries of reporters working for the French network and the salaries of reporters who work for the CBC's English network. This in a country where we support the policy of equal pay for equal work.

I want to ask the Government why it tolerates this discriminatory treatment of reporters working for the French network. What does the Government intend to do to help reporters of the French network get fair and equal treatment?

[*English*]

Hon. David Crombie (Secretary of State): Mr. Speaker, perhaps I can answer on behalf of the Minister of Communications who is in Quebec City at the summit on government business, of course. She will be there for a day or two and will then return to the House. I will bring the Hon. Member's question to her attention when she returns. At that time he may want to ask her the question directly.

[*Translation*]

EQUALITY BETWEEN WORKERS—GOVERNMENT POSITION

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, this is a fundamental issue and it is about equal pay for equal work.

Since the Minister is prepared to send a message to the Minister of Communications, could I ask him to send another one?

As you know, another very controversial item is that the CBC refuses to treat one-third of its reporters, and I am referring to those who work on contract, on the same footing, especially with respect to termination of employment, as its regular staff. These reporters are full members of the CBC reporters' union, accredited by the Canada Labour Relations Board, which was confirmed by the Courts and in fact by the Supreme Court.

How can the Government let the CBC break this country's laws and ignore decisions made by the Supreme Court? Could the Minister pass this message on to the Minister of Communications?

• (1440)

[*English*]

Hon. David Crombie (Secretary of State): Mr. Speaker, of course, it is an important question. Of course, it is a fundamental question. That is why I think the Hon. Member should get his answer from the Minister responsible, who will be returning to the House, rather than trying to make some politics out of it.

* * *

REGIONAL DEVELOPMENT

DEPARTMENT'S EXPENDITURES

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is directed to the Deputy Prime Minister who, as a westerner, will be well aware that the prosperity experienced in parts of central Canada is not a prosperity that most Canadians have experienced. In recognition of the fact that 75 per cent of the budget of DRIE is expended in central Canada, would the Minister explain to the men and women of western Canada, as well as eastern and northern Canada, why his Government perpetuates this imbalance in terms of DRIE spending, focusing where it is needed the least as opposed to where it is needed the most?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): I am not sure, Mr. Speaker, whether the Hon. Member is aware of the $1.2 billion Western Diversification Program that was announced in western Canada. Perhaps I will send him over a copy of the announcement which I think is a clear indication of this Government's commitment to the diversification and the broadening of the western economic base. If the Hon. Member dropped into Alberta once in a while—

Mr. Broadbent: We are.

Mr. Mazankowski: —he would find that drilling activity is increasing very much. The grants under the Canadian Exploration Development Incentives Program are flowing to the oil companies. There is a Special Grains Program of $1 billion which has been provided plus relief on transportation, relief on fuel taxes. The Minister responsible for agriculture and grains and oilseeds has been meeting with the farmers to work out another program—

Mr. Speaker: The Hon. Member.

Some Hon. Members: More, more!

Mr. Riis: Thank you, Mr. Speaker. Perhaps I can remind the Minister that my question was about DRIE funds, 75 per cent of DRIE funding going to central Canada.

WESTYERN DIVERSIFICATION FUND

Mr. Nelson A. Riis (Kamloops—Shuswap): The Deputy Prime Minister mentions the Western Diversification Fund as presumably the Government's major initiative to assist and diversify the economy of western Canada. Perhaps he ought to go out to places like Kamloops, Red Deer, Medicine Hat and Flin Flon and explain to the people out there that this Government believes that spending $32 a year on every westerner is its commitment to western diversification. Is this the $32 solution for westerners in terms of diversifying that economy?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, coming from a gentleman whose Party supported the National Energy Program which devastated western Canada—

Some Hon. Members: Oh, oh!

Mr. Broadbent: Wrong again.

Mr. Mazankowski: We certainly do not need to take any lessons from them.

Mr. Broadbent: You have a history problem.

Mr. Mazankowski: Money is money, and whether it comes from Agriculture, Energy, DRIE, or Western Diversification, western Canada is getting a good chunk of this—

Mr. Riis: Thirty-two dollars a person.

Mr. Mazankowski: —and it is using it well. It is stimulating activity.

Mr. Fulton: It is not even enough to buy two cases of beer, Don.

Mr. Broadbent: That is not even two cases of beer per capita out west.

An Hon. Member: That is all the NDP can think about.

Mr. Mazankowski: I simply say to the Hon. Member, because I take the Hon. Member's question seriously and I hope he takes my answer seriously, that the Western Diversification Office is not only providing additional funding, which is the top up, its role is to co-ordinate economic activities and act as a pathfinder, utilizing CIC, Energy, Agriculture, Communications and the various government programs, so westerners can go to Edmonton, Winnipeg or to Vancouver and those decisions can be made on the spot. It is a shift in the decision-making process. It is a co-ordinating role and it is topped up with dollars.

[*Translation*]

TRADE

CL-215T CONTRACT BETWEEN CANADAIR AND FRANCE—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is for the Deputy Prime Minister. The decision of the federal Government to favour the Anglo-Italian consortium for the army helicopters has put the French Government in a bad mood and jeopardized a virtually assured contract between Canadair and the French Government for a dozen CL-215Ts, which would create 1,000 direct jobs in Quebec. What I want to ask the Deputy Prime Minister or the Minister for International Trade is this: During his walk in the woods with Prime Minister Chirac, did the Prime Minister apply any pressure to have the contract between Canadair and France signed as soon as possible?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the contract discussed is not expected to be ratified during the visit of Prime Minister Chirac to Canada. The negotiations are still taking place on the proposed sale and the final decision has not been taken.

[*Translation*]

INQUIRY WHETHER EVERYTHING POSSIBLE DONE TO FACILITATE SALE OF CL-215T

Hon. Jean Lapierre (Shefford): Mr. Speaker, while the Minister may reply that the contract was not supposed to be signed during the visit of Prime Minister Chirac, she should know that Mr. Chirac was supposed to visit the Canadair plant because the contract was about to be signed and this was a courtesy visit to finalize the CL-215T transaction, but that after the announcement that her Government favoured the Anglo-Italian consortium, the French have decided to drag their feet. I therefore ask the Minister whether or nor the Canadian Government has offered any excuses to the French and done everything possible to promote the sales of the CL-215Ts which could create 1,000 jobs in Quebec?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I can assure the House that no apology was given and no apology is necessary in this case. I have met with the French Ambassador to Canada and have explained to him that the procedure was dealt with on technical merits only and that the competing bid passed the technical tests in this matter. I can only repeat what I said. The Canadair sale, about which we are very excited, is continuing in negotiations. We hope to have a final decision soon. It is not related to the helicopter sale to which the Hon. Member refers.

ADMINISTRATION OF JUSTICE

LEGAL AID—SASKATCHEWAN USER FEES

Mr. Simon de Jong (Regina East): Mr. Speaker my question is directed to the Minister of Justice, if I could have his attention. The Minister should be aware that since user fees for legal aid services were introduced in Saskatchewan in early August, there has been a sharp increase in the number of people who have appeared in court without a lawyer because they cannot afford the fee. As well, people are pleading guilty to rather serious charges rather than paying the user fee.

Given this shameful situation, is the Minister prepared, in the negotiating process which is currently under way to renew the federal-provincial cost-sharing agreements on legal aid, to withhold the federal contributions until the Saskatchewan Legal Aid Commission withdraws its user fees?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I think I should remind the House that legal aid is a matter of exclusive provincial jurisdiction. Notwithstanding that fact, I have personally on behalf of the Government taken steps, manifested in real dollars, to show our commitment to an effective legal aid system.

I would like to point out to the Hon. Member that in terms of Saskatchewan, taking into account contributions with respect to young offenders as well as to legal aid generally, there has been a substantial increase in the amount of contributions to the point where, in this past year, the amount of our contributions to legal aid in the Province of Saskatchewan comes to $2.4 million. I think this demonstrates our commitment, in an area which is under provincial jurisdiction, to have a full and effective legal aid system, and the federal Government stands very firmly on that policy.

REQUEST THAT FEDERAL CONTRIBUTION BE WITHDRAWN

Mr. Simon de Jong (Regina East): Mr. Speaker, the Minister is surely aware that there is an agreement with the province and that in that agreement provision is made that the province should not impose fees if they pose a real hardship and prevent access to legal counsel. Again I ask the Minister if he is prepared to use the fact that the federal contribution is so important, to withdraw that contribution until the Province of Saskatchewan ensures that anyone in need of legal counsel will be provided that counsel and that user fees will not be used as a deterrent, so that poor people will not have to appear in court without the advice of counsel?

• (1450)

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, this is probably one of the most cockamamie suggestions I have heard from the NDP in a long time. What members of that Party are suggesting we do now is withdraw all support for legal aid in the Province of Saskatchewan. If I even thought of that or, if I dreamt of that at night, there would be whimpering from the New Democratic Party, Mr. Speaker, like you have never heard before.

I simply say to the Hon. Member that this is a matter of provincial jurisdiction. There are other provinces which use user-fee systems whereby there is a collection of moneys—

Mr. de Jong: Is it not time you spoke out about it, Ray?

Mr. Hnatyshyn: Mr. Speaker, we make a very substantial contribution. If I walked into the province of the Hon. Member's friend, Roland Penner, and told him and the Province of Manitoba how to run their system, we would see convulsions opposite unequalled in the history of Parliament.

* * *

[*Translation*]

TAX REFORM

FOOD TAX—REQUEST FOR EXPLANATION FROM MINISTER

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I have a question for the Deputy Prime Minister.

A short while ago, the Deputy Prime Minister replied to questions about the intentions of the Government for a tax on food products, such as bread, milk and butter, that there was no evidence in the documents showing that the Government had such intentions.

I see here in black and white, on page 49 of the French version of the paper on the sales tax reform and on page 45 of the English versions of the leaflet sent to Canadians that the Government is considering imposing a tax on food.

Can the Deputy Prime Minister tell us why he replied as he did earlier? Is he not aware of these documents or did he simply misinform us?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I responded to that question. I stand by my answer.

Ms. Copps: You misled the House.

[*Translation*]

INQUIRY WHY GOVERNMENT WANTS TO TAX FOOD

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, tomorrow, the public will be able to read the reply of the Deputy Prime Minister which clearly shows that he either is not familiar with the documents or that he simply tried to hide the facts.

My supplementary to the Deputy Prime Minister, and the Prime Minister did not reply to this, is as follows: Why is the Conservative Government maintaining its option to tax food in spite of the objections of 71 per cent of the population, in spite

of the petitions prepared by the Liberal Party and signed by 25,000 taxpayers and in spite of the representations of the Quebec Conservative Caucus? Why put a tax on bread, milk and butter?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, that is a repeat of a previous erroneous allegation. My answer still stands.

* * *

HUMAN RIGHTS

FRANCOPHONIE CONFERENCE—OMISSION FROM AGENDA

Mr. Pat Nowlan (Annapolis Valley—Hants): Mr. Speaker, my question would have been addressed to the Secretary of State for External Affairs but in his absence, which I understand, I guess I have to direct it to the Deputy Prime Minister. If he does not have an answer I hope that he might perhaps be able to inform the House about it tomorrow.

Since the Government has taken a very leading role in human rights in the Commonwealth can the Deputy Prime Minister please explain why the human rights question is not on the agenda of the Francophonie Summit?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member is well aware of the efforts that have been made by the Secretary of State for External Affairs with regard to the question of human rights. He has raised it, as does the Prime Minister, in every country on every opportunity.

As the Hon. Member is well aware, the Secretary of State for External Affairs has already explained that this item is not on the agenda because it would be very divisive at this particular summit.

Some Hon. Members: Oh, oh!

Miss Carney: The issue of human rights and the discussions of human rights will underlie all agenda items.

* * *

[*Translation*]

PUBLIC SERVICE

POLITICAL RIGHTS OF FEDERAL EMPLOYEES—GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I have a question for the new President of the Treasury Board concerning the political rights of federal government employees.

During the 1984 election campaign the Conservative Party promised, and I quote: A general abolition concerning the political activities of federal employees, particularly those who are protected by a collective agreement.

Is it still the position of the Conservative Government? When will we see a government Bill to fulfil this promise and give Public Service employees their political rights?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I appreciate the Hon. Member's interest in this matter. It is a matter that is of major interest and concern to the Government. I cannot give him a precise timeframe as to when we may be doing something. Suffice it to say that I will certainly review the situation and try to get back to the Hon. Member as quickly as possible.

REQUEST FOR INTRODUCTION OF LEGISLATION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, will the Minister confirm that it is still the position of the Government to give to federal public employees the right of political participation that was promised by his Party in the 1984 election campaign? Now that he is President of the Treasury Board responsible for this dossier will he undertake to bring legislation in this fall so that federal public employees do not have to go through more provincial campaigns or even another federal campaign without the right to participate in the political process?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I thought I indicated that I was going to review the situation and get back to the Hon. Member as soon as I possibly can. I assure him that that will be the case.

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IMMIGRATION

ARRIVAL OF HONDURANS AT VANCOUVER INTERNATIONAL AIRPORT

Mrs. Mary Collins (Capilano): Mr. Speaker, my question is for the Minister of Employment and Immigration. Over the past two months an increasing number of Hondurans have been arriving in Vancouver through the Vancouver International Airport. In fact, last Thursday, a group of 22, the largest yet, arrived off a Japan Airlines flight through Mexico City.

As I understand it Honduras is not a country which we have considered traditionally to be a refugee-producing country. Obviously, this supports the need for quick passage of Bill C-84 and Bill C-55.

Some Hon. Members: Oh, oh!

Mrs. Collins: Given the increasing numbers and rates of arrivals in this manner would the Minister consider imposing a visa requirement on Honduras in order to deter those who might seek to come to Canada through the refugee process when in all fairness they should be applying through the regular immigration process?

Some Hon. Members: Hear, hear!

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Indeed, Mr. Speaker, I have been advised that the number of people arriving in Vancouver from Honduras has doubled, particularly over the past two and a half months. Quite obviously we are facing the kind of situation we experienced last year in Toronto and Montreal, and we are seriously considering imposing a visa requirement in the near future. If the number of arrivals does not decline we will certainly consider the possibility of imposing visas on Hondurans.

* * *

[*English*]

TAX REFORM

FOOD TAX QUERY

Ms. Sheila Copps (Hamilton East): Mr. Speaker, my question is for the Deputy Prime Minister. I realize that he is overworked now with all his many responsibilities. However, I would like to give him the benefit of the doubt because I understood him to have said today in the House that food tax was not being considered as part of the fiscal reform package. Again, I would like to repeat in English, in case he did not understand my colleague from Montreal—Sainte-Marie in French—

Some Hon. Members: Order, order.

Some Hon. Members: Cheap, cheap!

Ms. Copps: I would like to ask whether the Minister has read page 10—

Some Hon. Members: Cheap, cheap!

Mr. Speaker: The Hon. Member for Hamilton East.

Ms. Copps: Mr. Speaker, I would like to ask the Deputy Prime Minister if he has read page 10 of his own Government's little mini-document on sales tax in which it states:

> These issues are important in deciding what goods should be included in the sales tax base . . . These are illustrated below using food as a case in point.

Is this not part and parcel of the Government's strategy to introduce a tax on food? If it is not, why does he not repudiate a tax on food in the House today?

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, insofar as the Hon. Member's observation that I am overworked, I remind her that I am in the House every day doing my job, which is more than I can say about—

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Some Hon. Members: Cheap, cheap!

Mr. Speaker: The Hon. Member for Hamilton East.

• (1500)

Ms. Copps: Mr. Speaker, normally, I would not respond, but given that the Deputy Prime Minister is making himself out to be a little bit holier than thou, I wish to ask him whether a member of his family is suffering from an illness?

Some Hon. Members: Oh, oh!

Ms. Copps: It's a cheap shot, and it deserves the response. I had reason to be away from the House because of family illness.

Mr. Speaker: Order, please. The Hon. Member for Windsor-Walkerville.

Ms. Copps: Mr. Speaker, I would like to ask the Deputy Prime Minister once again to clarify—

Mr. Speaker: The Hon. Member for Windsor—Walkerville.

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HEALTH

SALE OF BENZOYL PEROXIDE

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, my question is directed to the Minister of National Health and Welfare.

Some time ago I wrote to the Minister concerning the agent benzoyl peroxide. This potential carcinogen is sold over the counter, and it is widely used in the treatment of acne.

My question today is the same as it was in the letter. Why has the Minister not acted on the recommendation of the expert advisory committee that benzoyl peroxide be banned from over-the-counter sale?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I will have to bring myself up to date both on the letter and that issue. At this stage I am not aware of the specific recommendation of the expert committee to which the

Hon. Member refers. I will undertake to examine the dossier and get back to the Member.

ADVISORY COMMITTEE RECOMMENDATION

Mr. Howard McCurdy (Windsor—Walkerville): I must confess that I find it quite shocking that an expert advisory committee recommendation made back in April is unknown to the Minister of National Health and Welfare. This is a potential carcinogen used by adolescents across the country. It is being advertised on television. The Minister is telling the House that he does not know about it, or about the letter.

Will the Minister urgently examine the recommendation of the advisory committee? Will the Minister go further and consider that, since it is a potential carcinogen, and in view of its ineffectiveness, it ought not to be available at all?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, as I stated in my first answer, I will look at the dossier. I will look at the evidence, and I will look at the expert advice. If there is expert advice in terms of a final recommendation, it comes through the regulatory process. I will look at that regulatory process and act according to the conditions and the manner in which a Minister has to react relative to that process.

Mr. Speaker: There will be one last question in Question Period. I recognize the Hon. Member for Hamilton East whom I interrupted a few moments ago. I know that the Hon. Member has one single question.

* * *

TAX REFORM

FOOD TAX QUERY

Ms. Sheila Copps (Hamilton East): My question is directed to the Deputy Prime Minister. Given the fact that he did not respond in either English or French—

Some Hon. Members: Oh, oh!

Ms. Copps: —whether he can clarify for the House why on page 45—

Mr. Speaker: I know that the Hon. Member in posing her question does not seek to irritate the Minister, but we have to be careful in this Chamber if there is anything that may cause some concern by those whose first language is either English or French. I know that the Hon. Member would wish to put her question succinctly, and I will ask her to do so.

Ms. Copps: I wish to ask the Deputy Prime Minister if he has read page 45 which gives a more elaborate account, including graphs and documents of the Government's intention to possibly impose a tax on food. Has the Minister read that paragraph? If so, why has he told the House that the Government is not considering that?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I am not sure which question the Hon. Member wishes me to answer. After various interruptions, there have been approximately three questions posed.

I invite the Hon. Member to read my answer in *Hansard* tomorrow. Perhaps she can inform herself of precisely what I did say.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, as reported (with amendments) from a legislative committee.

Mr. Sergio Marchi (York West) moved:

Motion No. 20

That Bill C-84 be amended by deleting Clause 12.

He said: Mr. Speaker, before I address Motion No. 20, I wish to draw to the attention of the Chair that there have been discussions with the Parliamentary Secretary to the Minister of Employment and Immigration (Mr. Friesen), and the NDP immigration critic, that suggest following Motion No. 20, Motion No. 23 will be debated by the House, and then we will proceed to the other two amendments.

Motion No. 20 is a carry-through from Motion No. 19. Motion No. 19 was defeated by the Government in committee and again earlier this morning. That motion recommended that we retain the jurisdiction of the adjudicator, and provide the adjudicator with the proper flexibility and discretion in order to make a proper determination on the request for detainment by the Government.

Motion No. 20 would have the effect of deleting the current clause in Bill C-84, and retaining what is presently contained in the legislation. What is presently in the legislation would suggest that we automatically have the powers of detainment for 48 hours. Subsequent to that, we can go to an adjudicator and request permission for a further seven days.

It would seem to me, and to most moderate Canadians—which excludes most Conservatives—that those detainment powers are sufficient to protect our shores from so-called undesirables and unwanted individuals, and at the same time maintain a credibility under the human rights legislation, and protect civil liberties.

The Parliamentary Secretary when addressing Motion No. 19, suggested that it would not be unreasonable for a country like Uganda, which requires time to produce the documentation and the evidence, to be given the time required to do that. I believe that the Parliamentary Secretary, speaking on behalf of the Government, does not understand the premise of the problem. I am glad that the Minister of Employment and Immigration (Mr. Bouchard) is in the House to listen to me. It is not a question of the length of time required to obtain documentation as much as it is who decides, and in what manner it is decided. This legislation provides the Minister and the Government with unilateral excessive powers, which may be, or perhaps will be abused or misused.

A representative from the Canadian Association of Civil Liberties suggested that it was important to maintain the flexibility of an adjudicator to decide if the evidence is correct, and if the evidence warrants further detainment. In the present role, the adjudicator is politically disinterested. He is an objective player. He considers the concerns of government and tempers them with the concerns of the claimant based on the evidence submitted. A Minister of the Crown would be politically interested, not in a personal sense, but in a realistic sense that a politician is faced with pressures on either side of an issue. Mr. Borovoy suggested there should be a politically disinterested individual who makes the decisions on whether further detainments are required. That is the real premise of the problem, and that is the area that I believe we have to safeguard.

It is not a question of the Liberal Party being opposed to individual powers to detain people to find out identification or verify information that has come to the attention of the Government which could endanger anyone in Canada or pose a threat to the country. However, there is the question of the decision-maker which is very crucial in this instance.

• (1510)

I believe that most Canadians would like to retain a check and a balance; a check against anyone who wishes to do harm in or bring a threat to this country as well as a balance that would ensure that no one's rights are infringed and that a Minister or a Government would not move toughly over the rights of individuals.

The testimony of Mr. Borovoy of the Canadian Civil Liberties Association was very articulate and passionate. He said:

> It is a violation of democratic principle to create a power of jailing people—on the basis of a unilateral, essentially unreviewable decision of a politician . . . consider the incongruity this creates with our criminal law.

He went on to say:

> The powers created by this Bill are excessive, repressive and needless. No less gratuitous is the rush to get it enacted yesterday.

Those are the words of the representative of the Canadian Civil Liberties Association who also went on to say that an individual who either breaks into a bank or murders an individual is not treated as badly or detained as quickly without question as a refugee claimant. We are treating individual claimants much worse than individuals who would commit crimes on the streets in broad daylight.

I think all Hon. Members will agree that there should be a check and a balance on these powers. The Opposition is calling for the deletion of the current clause in Bill C-84 so that we may return to the existing legislation which provides all the detainment powers necessary to keep an individual legitimately detained for as long as the Government can prove the evidence merits it through an adjudicator. As proposed by Bill C-84, the adjudicator would have no discretion. He would become a mere rubber stamp.

In his earlier discussion, the Parliamentary Secretary implied that because some of the evidence that may be used against claimants is of a confidential nature, that evidence would not be given to an adjudicator. The Parliament Secretary is suggesting that somehow Canadians cannot trust their adjudicators. I do not believe that is the case. An adjudicator would have the same feelings as the rest of us about protecting our country from undesirables.

We are saying that we should allow the adjudicator to make the decision his position was created to make. In the process, we will ensure that there is a safeguard for Canada while at the same time respecting our Charter of Rights. Otherwise, as legal experts have predicted, this clause will be subjected to court challenges.

As the Hon. Member for Davenport (Mr. Caccia) stated earlier and quite correctly, if we allow too many of these clauses to become legislation they will be challenged in the courts. The legislation will become paralyzed by the courts and Canadians will lose patience with a Government which again missed an opportunity to set the situation right. We would also undermine one of the two major responsibilities we have as parliamentarians, which are to create good laws and to ensure that Canadians' money is spent wisely.

It would be simply irresponsible to pass a piece of legislation which has received the wrath of the Canadian Bar Association, the Civil Liberties Association, the Canadian Jewish Congress, the Inter-Church Committee and a wide range of leading authorities. They all predict that if this legislation goes unamended, it will go to the courts and make more disorderly the system that is presently in place. It is in that spirit that we have proposed to delete this clause and retain the powers that exist now to avoid any court challenges, and hopefully we will receive the co-operation of government Members on this.

Mr. Dan Heap (Spadina): Mr. Speaker, the clause dealt with by Motion No. 20 is the same one that was the subject of Motion No. 19 and the problem is the same. My friend who just spoke reviewed the grounds for opposing either part of the clause or the whole clause.

The motion I moved previously opposed one specific part of the clause, the part I thought was the most troublesome.

However, the Government rejected that motion. Therefore, if we are to do anything to flag this problem, the alternative is to vote to delete the clause as a whole. That, of course, is not really the best alternative theoretically or ideally. What would have been best would have been for the Government to have allowed time for the consideration of this legislation.

The Government probably thinks it was very generous in allowing us a week but, in fact, every witness who came before us referred to the difficulty involved in getting a copy of the Bill, studying the Bill and preparing a considered presentation on it. Nevertheless, most of them did speak against this clause.

It would have been better to give the Bill more study. If the Government had slowed down a bit, perhaps it would have been able to think more cooly and calmly about the entire Bill.

The Government did create quite a furor in July with one-sided statements about the people who arrived in the ship *Amelie*. People who came through other means and manners were mixed up in that furor as well, but that furor has considerably cooled off.

If it were possible to continue consideration of the Bill, or if the Government had waited even a few days to allow further consideration of the Bill before taking up positions pro and con in the usual adversarial way of Parliament, I think a better job would have been done on the Bill. The Government chose for its own political purposes to rush the Bill through in the style of an emergency as though it were not 174 unarmed people who arrived on our shores but 174,000 armed troops invading us.

Experts have told us that this clause is a deprivation of the due process of law. It is a deprivation of the normal rights of a detained person to defend his interests, even while the Government pursues its suspicions or accusations.

It has been suggested that it does not do much harm to reduce or even take away the rights of these people because they are strangers. They are not Canadian citizens, nor are they Canadian residents. They are foreigners. They just came here and therefore we have very few obligations to them as far as human rights go.

That is not the position taken by the Supreme Court when dealing with the Charter of Rights and Freedoms, and it is not the position most Canadians have in fact taken toward strangers. In fact, the first Canadians who met the *Amelie* offered these people food and drink, throughout the world the traditional way to greet a stranger who may be in difficulty.

Treating strangers with an unusual amount of detention and a refusal of habeas corpus or the related rights of review may seem harmless because it is done to these people who have just arrived and whom the Government expects to get rid of. Of course, the Government is treating them as though guilty until they can prove themselves innocent.

I wish to point out that it is a matter of experience, not over years but over generations and centuries, that what we do to other people very often comes back to haunt us. If we deny the human rights and if we deny the humanity of strangers, we have undermined or jeopardized our claim to humanity, that is to say, we have called in question our belief in humanity and in the rights of humanity.

• (1520)

That is why it is risky to pass this law which takes away some, not all, of what our court has considered the basic human right of humanity, not of Canadians only, but of humanity. The court did not extend the application of its decision beyond Canada's borders, quite rightly, but it said that a human within our borders does have certain basic rights simply because of being human and being within our borders.

This law encroaches on that principle. It does not wipe it out entirely but it undermines it. I think it would be a mistake for Parliament to proceed with this law. I think it was a mistake to proceed so hastily with Bill C-84. This is one of the parts that should be withdrawn and given further consideration.

The Justice Department, which may have said it is just fine also said that while the law was just fine, it denied an oral hearing to refugee claimants. The Supreme Court said that that was not just fine. Therefore, the Government is not wise to proceed on the advice of the Justice Department against the advice of many reputable private citizens.

This Government, especially, makes a point of favouring the initiative of private citizens over Government. I wish it would remember that principle it preaches and consider the well credentialed and well respected private citizens who have warned the Government against either the whole of Clause 12 or certain parts of it. Therefore, I support the motion to have this Clause deleted from the Bill.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, this is another motion made necessary by a repugnant approach in another portion of this Bill. I welcome the presence of the Minister of State for Immigration (Mr. Weiner) this afternoon in the House. He has finally found the courage to come here and defend his Bill. We have two Ministers of Immigration but neither has had the guts to defend the Bill during the two days that we have been debating it. They have been hiding behind the Parliamentary Secretary who is carrying the Bill in this House because the Ministers have not had the courage to speak up and explain some of the offensive, nasty, vile and mean clauses it contains. Clause 20 is one of them.

I looked forward to the intervention of the Minister of State for Immigration, hearing his voice in defence of this junk, Mr. Speaker. It is high time the Ministers came out from behind the curtains to defend their own bills instead of hiding behind the Parliamentary Secretary who is carrying the can for them.

We are here on Clause 20. The Hon. Member for York West (Mr. Marchi) has suggested that it be deleted, as has the Hon. Member for Spadina (Mr. Heap). They are quite right. In the committee hearings we heard interventions by the civil

liberties people, the coalition and other organizations. They told us that clauses like this contain flagrant abuses of the Charter and that they will lead to action in the courts. Before you know it, the very intent of the Government in introducing legislation for the purpose that this Government has found absolutely necessary and urgent will be defeated, because there will be individuals and groups who will find measures such as the one contained in Clause 20 offensive from a constitutional and from the Charter point of view.

The Civil Liberties Association told us in committee that detention, search and seizure provisions probably also violate the Charter of Rights. What is the answer of the Minister to that observation on the part of the Civil Liberties Association?

We spent the morning talking about another measure in this Bill which does not make a distinction, so that people who help refugees for non-profit reasons are going to be brought before the law as criminals. We also argued that that clause ought to be deleted. Clause 20 is another offensive clause.

I think the Minister has an obligation, as a Minister of the Crown, to make sure he is not asking the House of Commons and the other place to pass a piece of legislation that is likely to be tied up in the courts, making this whole exercise futile perhaps for months and months or even for years. The Government has been warned, not just by the Opposition, but by credible well established individuals and organizations, that it is producing poor legislation, to put it mildly. It is seeding the elements for action in the higher courts.

Let us hear from the Minister of State for Immigration who has finally emerged out of nowhere after two days of debate. Let us hear from him as to how he will defend Clause 20 and the preceding clauses which we have brought to the attention of the Government in no uncertain terms.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, I want to commend the Hon. Member for Spadina (Mr. Heap) for following a certain pattern of logic in his argument. I may not agree with the premise on which his arguments are based but, given his premise, at least he has argued his position coherently from the starting point of the position that he has taken.

The Member for Spadina asks that the person in question be released. That motion being defeated, the Hon. Member for York West (Mr. Marchi) asked that the entire section be taken out. If we consider it a security risk to relieve the person in question with which that section deals, how much greater is it a security risk to do away with the section altogether? There really is not much logic based upon this particular motion before us.

While I understand exactly from where the Hon. Member for Spadina is coming, it really does not help to accuse the Government by saying that it does not do much harm to take away the rights of strangers and foreigners. I would hope that the Member for Spadina would not make light accusations like that.

This section is here mainly to protect the rights of strangers and foreigners. If I could point out to the Member that the present Immigration Act, to which the Hon. Member for York West likes to refer and to which he would like to return, allows an immigration officer, without issue of a warrant, to detain people. The present provisions require the Minister to have a certificate based upon hard evidence presented in order to do that.

It seems to me that what we are doing in this section is preserving the not only Canadian security and the rights of Canadian individuals, but is, in effect and in fact, protecting the civil rights of the person being detained. A person cannot be detained willy-nilly at the whim of an immigration officer. There has to be conclusive evidence to believe that he is a risk. I hope the Hon. Member for Spadina (Mr. Heap) will be a little bit more careful about heavy accusations made lightly.

• (1530)

Since this motion would effectively emasculate the Canadian immigration security system we cannot support it.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the Parliamentary Secretary suggests that if this clause is removed we will have no system for monitoring those who wish to come to this country. He also says the current Act has these kinds of provisions. What he and the Minister do not want to face up to is the fact that it is not just opposition Members of Parliament who are critical of this Bill and this clause. It is just about everyone who has ever been interested in the question of immigration and refugees and who wants Canada to continue to take a humane and generous approach to both subjects.

This Bill was drafted and introduced by the Government in a hurry because it perceived that as a result of this last movement into Canada by ship of a fairly substantial number of Sikhs the public had turned against a humane and generous policy. In fact, that view was very temporarily held. Every single organization which can claim to represent large numbers of people and which can honestly and justifiably say it wants Canada to be generous has expressed its opposition to this Bill and this clause. I want to bring to the attention of the Minister and the Parliamentary Secretary the information contained in an article which appeared in today's *Globe and Mail*. The heading is "Coalition outlines alternative refugee bill". The article says in part:

> A group of prominent Canadians have formed a national coalition that will try to force the Progressive Conservative Government to withdraw the refugee-determination legislation introduced in May.
>
> They want Bill C-55 replaced by a "humane and just" alternative that the coalition has drawn up.

Who belongs to this coalition? Whom do they represent? The article says:

> The coalition includes Archbishop Edward Scott of the Anglican Church, president of the Canadian Council of Churches; Bishop Bernard Hubert, president of the Canadian Conference of Catholic Bishops; Shirley Carr, president of the Canadian Labour Congress; George Corn, president of the Canadian Ethnocultural Council; Dorothy Reitman, president of the Canadian

Jewish Council; and Fleurette Osborne, an executive member of the National Action Committee on the Status of Women.

Could you get a more representative group speaking on behalf of millions of Canadians? The article continues:

Msgr. Hubert said at a news conference in Ottawa that he believes this is the first time that the president of the Canadian Conference of Catholic Bishops has publicly opposed a Government immigration bill.

He said the Church's involvement in shaping Government refugee policy goes back to the Second World War when it helped resettle many thousands of refugees in Canada.

Then they talk about the alternative which they want to see introduced in and passed by this Parliament. It:

—is based on the work of Rabbi Gunther Plaut, whose 1985 report on refugees has been widely applauded around the world, and the 1986 report of the Commons committee on labour, employment and immigration.

As we all know, that committee was made up of members of whom a large majority were and are Conservative government Members. Their advice is being ignored just as much as the advice we got from Rabbi Plaut. The group then lists a number of proposals which they think we ought to include in legislation, and again I quote:

A hearing for all refugee claimants within 10 days of setting foot in Canada before an independent two-member refugee board;

A review and a decision within 30 days if the board rejects the claim;

Removing from Canada, pending a Federal Court appeal, those claimants whose application is determined at the hearing and at the review to be "manifestly unfounded" according to the United Nations definition.

When we oppose this Bill we speak for a large number of people. I am glad the Parliamentary Secretary is here because about 10 days ago when we were debating this Bill I put through a call to the Mennonite Central Committee for Canada which happens to have its head office in Winnipeg. They told me they are opposed to this Bill. Not only that, they referred me to a Mennonite farmer living in or near the Town of Morden.

Mr. Friesen: Morden?

Mr. Orlikow: Yes. There is no area in Manitoba which has been more faithful to the Conservative Party than that area. I spoke to that farmer. He told me he and several others around Morden had helped refugees from Central America to settle and establish themselves in Morden. He felt they had done the right thing and he told me they would continue to do what they had done in the past. If that meant breaking the law which we are now debating, he was prepared to do it. If after he broke the law he was charged and brought to trial and found guilty, he was prepared to pay the penalty, which might well include going to prison. I also spoke to members of the Inter-Church Committee on Refugees in Winnipeg. One of the members, a Catholic, and one an Anglican, told me the same thing. They intend to continue their work in the way they always have. They are prepared, if what they do is contrary to this law, to pay the penalty.

Members on the government side ought to re-evaluate the Opposition to refugees which developed right after that ship brought those people to Canada and consider the views of the many Canadians who are well informed, who have worked in this field for many years. Those are the kind of people and organizations I referred to.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: The question is on Motion No. 20. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

By agreement we will now proceed to Motion No. 23.

Mr. Sergio Marchi (York West) moved:

Motion No. 23

That Bill C-84 be amended in Clause 19 by striking out lines 4 to 6 at page 24 and substituting the following therefor:

"19. This Act shall come into force on a day or days to be fixed by proclamation and shall cease to be in force six months after that day."

He said: Mr. Speaker, this is my last motion.

Some Hon. Members: Hear, hear!

Mr. Hnatyshyn: Johnny Carson.

Mr. Marchi: Sits over there.

• (1540)

I was going to say that this is probably the most important motion. I am pleased that the Minister of State for Immigration (Mr. Weiner) is in the House. Like my colleague, the Member for Davenport (Mr. Caccia), I welcome him and urge him, rather than his Parliamentary Secretary, to respond to some of these concerns at report stage.

Motion No. 23 contains a sunset clause which would give this legislation a lifespan of six months, after which time this Parliament would be able to review the workability of the policy, strike out clauses which are offensive and clearly unworkable, and retain those clauses which are reflective of

our international obligations—which are probably few and far between—and of our Charter of Rights.

The sunset clause motion is moved as a result of a number of groups, including the Canadian Jewish Congress, the Civil Liberties Association and Rabbi Plaut, advocating it to the committee. It is fitting that we examine the reasons for this clause. There are three reasons for which I suggest that the Government should support this sunset clause.

The first is that most of the amendments presented by the Opposition and witnesses at committee have gone unheard. Amendments were suggested to allow priests, nuns, and other innocent Canadians who aid legitimate refugees coming in to this country to be exempt from fines and imprisonment. Amendments were suggested to allow boats loaded with refugees to be escorted into port, to allow for due processing of the passengers, the return of any passengers who have protection in other countries, the impounding of the boat, and the charging of the captain, thereby deterring other smugglers who would follow the same course.

The Bill still contains unnecessary detainment and deportation clauses. The existing legislation protects our country from undesirables and contains checks and balances to ensure that the rights of individual human beings are not infringed upon. The witnesses who suggested those amendments said that if their amendments were not accepted for the long term, at the very least at the eleventh hour let Parliament give this Bill a lifespan of only six months.

The second aspect is to try to avoid the Charter challenges which every legal expert and witness who came before the committee predicted would be made at the first opportunity by lawyers across the land.

Parliament was called back under the guise of an emergency. The Government has whipped up public frenzy to try to justify its own actions. What will happen 12, 16 or 18 months hence? What will the Government and the Minister of State for Immigration tell Canadians when this piece of legislation is gobbled up by the courts? What will the Minister say when the policy is paralyzed?

Canadians trusted the Government to pass a proper and fitting piece of legislation which would deal with the abuses while protecting rights and civil liberties and keeping the legislation out of the courts. How is the Government going to promote a more progressive immigration policy when every Canadian has lost confidence because this policy has been paralyzed and rendered null and void by the courts?

Apart from not listening to the amendments, the Minister of Justice (Mr. Hnatyshyn) and his officials have refused to make public their legal opinion on this Bill. Until we exerted pressure in the House of Commons during Question Period, Justice officials refused to come before the legislative committee studying Bill C-84.

The implication of that is clear. It is obvious that the Department of Justice does not want to defend the indefensible. It knows that this Bill, drafted as poorly as it was, will not meet the test of our Charter and of our Constitution. I believe that the Government knows that, but it is willing to continue nonetheless. It will enjoy short-term gain in return for long-term political pain.

Charter challenges should be avoided. As a legislature we should take our responsibility of drafting proper legislation seriously. If we do not, the Government will pay a much higher price than it would pay now by accepting a number of sensible amendments.

The third and final reason for this sunset clause is in response to the Government's suggestion that it has introduced emergency legislation. My definition of an emergency is "short term", "temporary". An emergency does not last forever. Therefore, it is not necessary for emergency legislation to become permanent. Emergency legislation implies that the new revamped system which we hope to provide through Bill C-55 in an amended form will give us a system of refugee determination that will make Bill C-84 useless and redundant.

The best deterrent to any individual is a processing system of less than six months. No one will spend $15,000 and go to much trouble and pain to come to our shores if they know they will be able to stay for a maximum of only six months. The system presently takes years and, therefore, they take their chances. The ultimate deterrent is a proper, fair and expeditious determination system. If we put that into place, Bill C-84 will not be needed.

It is for those three reasons, Mr. Speaker, that we are suggesting at this eleventh hour at report stage that if the Government really wants to proceed without listening to the amendments suggested by Canadians it should put the legislation into force for only six months and allow Parliament and Canadians to determine the future course of the legislation.

I will conclude with a quote from Gunther Plaut. Some Members did not hear his testimony and I urge them to read it because he offered a very forceful and moving presentation. He said:

> Treat the stranger fairly; you should extend your love and friendship to him. Remember that you too were strangers once.
>
> I think that Draconian and emergency legislation gives the wrong signal, not only to the world but it gives the wrong word to our own people in Canada. I ask you to look carefully at some of the amendments suggested. Do not follow the worst instincts of people, follow the best instincts.
>
> I think the Bill was drawn in undue haste. This is why I think we need just a little more leisure to write legislation that makes sense.

• (1550)

I believe that the sunset clause for six months is more than a valiant compromise because there are principles here that are tough to swallow. If the legislation is only on the books for six months, at least it allows our country and this Parliament to

escape with some degree of integrity. If it is permanent, long-term legislation, no dignity can possibly be salvaged from this legislation.

I sincerely request the Minister of State to reflect on this proposition. Perhaps, after he has heard the Member from the New Democratic Party and my colleague, the Member or Davenport, he will give the House a proper answer and send a signal to those Canadians who requested this clause that their concerns are being adhered to and their input counts for something.

Mr. Dan Heap (Spadina): Mr. Speaker, coincidentally, I have a motion on the same subject although its content is different. I was quite happy to let the Hon. Member for York West (Mr. Marchi) proceed first because he has an urgent engagement.

I will support his motion even though I have a different motion in case this one should fail. I support the motion and recommend that our Party should support it, somewhat in the same sporting vein as was traditional with soldiers in World War I who were signed up for four years or the duration, whichever was shorter. I am willing to try six months or the duration of this Government. According to the newspapers, I think this may come to a test soon, and I am not sure which would be the quickest way to get rid of this Bill. In the meantime, I will support the motion of the Hon. Member for York West.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Mr. Speaker, it really makes very little sense to pass legislation such as this, which includes having to establish additional machinery of Government to make sure that the system works properly, and then dismantle it in six months. I fail to see the merit of this kind of motion.

While I cannot support the motion of the Hon. Member for Spadina (Mr. Heap), I see a little more merit in his motion. However, to pass legislation and put government machinery into operation, then kill it after six months, makes very little sense to me, and so we cannot support the motion.

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

Some Hon. Members: Question.

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

Am I to understand that Motion No. 21 has been withdrawn?

Mr. Heap: Yes, Mr. Speaker.

Mr. Dan Heap (Spadina) moved:

Motion No. 22

That Bill C-84 be amended in Clause 18 by striking out line 27 at page 23 and substituting the following therefor:

"second anniversary of".

He said: Mr. Speaker, the principle of a sunset clause has been described by the Hon. Member for York West (Mr. Marchi).

I wish to make only two points in support of my motion which is, in effect, a two-year sunset clause. First, I believe the general principle of a two-year sunset clause is good. I give credit to the Hon. Member for Capilano (Mrs. Collins) for having first introduced an amendment in committee that would have brought the sunset at five years and for amending her own amendment to bring it down to four years. She had a good idea and was moving in the right direction. I would simply like to move it a bit farther.

I agree with the Hon. Parliamentary Secretary that six months would hardly give enough time for the public to realize what a very bad law this is. I believe two years would really convince the public that the Government, whether it was then in operation or not, had erred very badly. As an illustration of that, let me quote from a source that I hope the Hon. Member will not regard as biased in a hostile way. It is the *Calgary Herald* of August 26, which contains an editorial with the heading "Amending a Hasty Law".

It states that Bill C-84 is a bad law "because it will not in some respects deter abuse and because it is so sweepingly vague that it almost certainly violates the Charter of Rights and Freedoms, international treaties Canada has signed, and the rights of refugee support groups within Canada".

It goes on to state that the law "needs to spell out who is deemed to be involved in smuggling illegal immigrants".

One of the remarkable features of this Bill is that the Minister advertised for weeks ahead that it would stop smugglers. While the Minister talks about stopping smugglers in the first clause of the Bill, smugglers and smuggling are not mentioned in the Bill.

A smuggler is a person who brings somebody in, usually by stealth, but at any rate in violation of the laws. That is not spelled out in the Bill.

The editorial goes on to say that it should spell out who is deemed to be involved in smuggling illegal aliens for profit and make clear that it will in no way affect the activities of refugee supporters who aid those who legitimately flee persecution for safe haven in Canada.

Of course, those are amendments that the Government has refused to make, as I am sure the *Calgary Herald* takes note.

The editorial goes on to state that Bill C-84 traps the people who aid legitimate refugees while failing to spell out the crimes and punishments aimed at unscrupulous so-called immigration consultants who advise people in foreign lands to use the refugee stream as a means of coming to Canada. They may be pleased with Section 95.4 which arose out of our discussions and which was moved and therefore supported by the Government. At least it remembered for a week.

The editorial went on to state: "The detention provisions which allow officials to hold claimants for 28 days and longer without hearings deny the basic concept of *habeas corpus*".

I commend the editorial to the Hon. Parliamentary Secretary. The *Calgary Herald* is not one of the pressure groups or one of those who perhaps has a stake in this. I do not know whether the Hon. Parliamentary Secretary considers the *Calgary Herald* guilty of romanticism and wanting to race down to the American border for the fun of bringing across a refugee. I am not familiar with the *Calgary Herald*, but I hope the Hon. Parliamentary Secretary would give some consideration to their view.

I hope he would support my motion for a two-year sunset clause because I suggest it gives a fair chance to find out whether this law is really attacking the people whom the Government originally said it wanted to attack or whether it is attacking those whom the Government said it does not want to attack while missing the real smugglers.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, I understand the reasoning and the motivation of the Hon. Member or Spadina (Mr. Heap) in trying to contain and manage the duration of this piece of legislation. Therefore, I understand his desire to put forward a motion for a sunset clause. The more I thought about it as I was listening to him, the more convinced I became that the sun will set on this Government at the next election and take care of the nefarious legislation and policies it has introduced during this Parliament, not just in terms of social policy but in terms of economic policies. There will be the day when the sun will set and take care of the ideology that is emanating from those benches opposite.

• (1600)

I am still waiting to hear from the Minister for Employment. The Government has two Ministers for that portfolio and the Minister of State for Immigration (Mr. Weiner) sits there reading his correspondence and perhaps signing Christmas cards, but has not entered into this debate in defence of his own piece of legislation. It is the second day of debate on this measure and we have not heard one peep out of the Minister of State for Immigration. He is hiding behind mother Friesen's skirts rather than standing up in his place and telling us why he is introducing some of these repugnant clauses in this piece of legislation. This legislation has prompted the Hon. Member for Spadina to rise in his place and ask for a sunset clause, and my colleague the Hon. Member for York West (Mr. Marchi) is asking for a similar measure. The only difference is that one period of time is longer than the other.

This is the extent of the repugnance this Bill has awakened in the Opposition. As the Hon. Member for Winnipeg North (Mr. Orlikow) mentioned earlier, this repugnance is not only felt by the Opposition.

It is reported in the Ottawa *Citizen* and in the *Globe and Mail* that a group of outstanding citizens met in the capital yesterday. They are not members of dangerous political movements, nor are they crypto Communists or radicals on the left, who came out and spoke against this Bill. They are a group of citizens which included the Canadian Labour Congress, the Canadian Conference of Catholic Bishops, the Canadian Ethnocultural Council, the Canadian Jewish Congress, the National Action Committee on the Status of Women, and the like. Anglican Archbishop Edward Scott, the President of the Canadian Council of Churches, is quoted as accusing the Government at the press conference of orchestrating an emergency. He suggested that there is clear evidence that the Government knew for some time that the boat was on its way. He is asking that this Bill be scrapped.

This is not the Opposition speaking. It is a group of citizens from across the nation speaking against this measure which is so outrageous in the context of some of the clauses we have been debating for two days. Not one but two Ministers of Immigration have been silent on this legislation, asking the Parliamentary Secretary to deliver the goods for them. The Government is hiding behind him. What kind of management is this? What a shame. What a lack of guts it takes to handle a piece of legislation in this manner.

In my 19 years in this House of Commons I have not seen a piece of legislation managed in this way. I cannot recall one instance when the Minister did not come into the House on a contested piece of legislation to defend it. I have never seen that before. In most instances we would only have one Minister, but here we have two Ministers and not one of the two has spoken at report stage despite the number of amendments which were brought forward.

What can we say? The Hon. Member for Spadina has done a very thorough job. The Hon. Member for York West has worked very hard with his amendments. There are about 23 amendments. We have now reached the end of report stage and I invite the Minister of State for Immigration to rise in his

place and say something about these amendments, if he has the guts to speak.

Mr. Friesen: Mr. Speaker, I have just a short comment. I would point out to the Hon. Member for Spadina that the Calgary *Herald* has probably read most of the critics of this legislation but has evidently not read the Bill. It would be good for its editorial board to spend some time reading the legislation before it makes that kind of comment.

Second, I want to say that I agree with the principle of the Hon. Member's motion. As he pointed out, the Hon. Member for Capilano (Mr. Collins) has already taken care of that principle in the legislation by introducing at committee stage a review clause which at first called for a five-year review and, as the Hon. Member pointed out, it was reduced in committee to four years. I think that is a reasonable length of time.

As I say, I can agree totally with the Hon. Member's principle, and that is a review of the legislation, because world circumstances change and domestic circumstances change. It is wholesome to review the provisions of the Bill in that context. However, I do think it is unrealistic to think of reviewing the legislation in two years. There are far too many undulations of circumstances. There is just not enough time to see the effects of the legislation through the administration of the Bill.

Therefore, I think it is impractical to think of a review process after two years of implementation. I would hold to the four year provision we passed in committee.

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

Some Hon. Members: Question.

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for Don Valley East (Mr. Attewell)—Administration of Justice—Length of prison sentences—Granting of parole; the Hon. Member of York East (Mr. Redway)—Young Offenders Act—Maximum sentence for murder—Request that statute be amended; the Hon. Member for Montreal—Saint-Marie (Mr. Malépart)—Tax reform—Future of Minister of Finance—Old age exemption—Minister's position.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal code in consequence thereof, as reported (with amendments) from a legislative committee.

Mr. Deputy Speaker: The House will now proceed to the taking of the deferred divisions at the report stage of the Bill now before the House.

Call in the Members.

• (1640)

And the division bells having rung:

Mr. Deputy Speaker: Accordingly, the first question is on Motion No. 5. Mr. Heap moved:

Motion No. 5

That Bill C-84 be amended by deleting Clause 3.

The House divided on the motion (Mr. Heap), which was negatived on the following division.

(*Division No. 230*)

YEAS

Members

Allmand	de Corneille	Guilbault
Althouse	de Jong	(Saint-Jacques)
Blaikie	Dingwall	Heap
Boudria	Fulton	Henderson
Broadbent	Gagliano	Jewett
Caccia	Garneau	Johnston
Cassidy	Grondin	(Saint-Henri—
Copps		Westmount)

Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault
(Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg
(Nanaimo—Alberni)
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner
(Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson
(Swift Current
—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

[*Translation*]

Mr. Ouellet: A point of order, Mr. Speaker.

Mr. Deputy Speaker: The Hon. Member for Papineau (Mr. Ouellet) on a point of order.

Mr. Ouellet: Mr. Speaker, I think that if you were to ask the House you would find that there is unanimous consent to apply the vote just taken to all the other motions you have before you.

[*English*]

Mr. Deputy Speaker: Is there unanimous consent that we apply the vote just taken to all the other motions?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: The next question is on Motion No. 8. Mr. Heap moved:

Motion No. 8

That Bill C-84 be amended in Clause 4 by striking out lines 29 to 31 at page 3 and substituting the following therefor:

"officer or an adjudicator shall make an order to detain or release the person named in the"

The House divided on the motion (Mr. Heap) which was negatived on the following division.

(*Division No. 231*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault
(Saint-Jacques)
Heap
Henderson
Jewett
Johnston
(Saint-Henri—
Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne
(Champlain)
Charest
Clark
(Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie
(St. John's West)
Crosby
(Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault
(Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg
(Nanaimo—Alberni)
Scott
(Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner
(Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson
(Swift Current
—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 9. Mr. Heap moved:

Motion No. 9

That Bill C-84 be amended by deleting Clause 4.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

Immigration Act, 1976

(*Division No. 232*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 14. Mr. Heap moved:

Motion No. 14

That Bill C-84 be amended by deleting Clause 8.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 233*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motions Nos. 15 and 17. The vote on Motion No. 15 will dispose of Motion No. 17 Mr. Marchi moved:

Motion No. 15

That Bill C-84 be amended in Clause 9 by striking out lines 25 to 32 at page 8 and substituting the following therefor:

"95.1 Every person who knowingly, and for other than a humanitarian or commercial purpose, smuggles, organizes, induces, aids or abets or attempts to smuggle, organize, induce, aid or abet a person to make a manifestly unfounded or fraudulent refugee claim is guilty of an offence and is liable.

Motion No. 17

That Bill C-84 be amended in Clause 9 by striking out lines 1 to 9 at page 9 and substituting the following therefor:

"95.2 Every person who knowingly, and for other than a humanitarian or commercial purpose, smuggles, organizes, induces, aids or abets or attempts to smuggle, organize, induce, aid or abet a group of ten or more persons to make a manifestly unfounded or fraudulent refugee claim is guilty of an"

The House divided on Motion No. 15 (Mr. Marchi) which was negatived on the following division:

(*Division No. 234*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost—That disposes of Motion No. 17.

Immigration Act, 1976

The next question is on Motion No. 16. Mr. Heap moved:
Motion No. 16

That Bill C-84 be amended in Clause 9 by striking out lines 25 to 40 at page 8 and lines 1 to 14 at page 9.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 235*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 19. Mr. Heap moved:
Motion No. 19

Immigration Act, 1976

That Bill C-84 be amended in Clause 12 by striking out line 26 at page 20 and substituting the following therefor:

"specified in the certificate, or release the person. Such addition-.

The House divided on the motion (Mr. Heap) which was negatived on the following division:

(*Division No. 236*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 20. Mr. Marchi moved:
Motion No. 20

That Bill C-84 be amended by deleting Clause 12.

The House divided on the motion (Mr. Marchi) which was negatived on the following division.

(*Division No. 237*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 22. Mr. Heap moved:
Motion No. 22

That Bill C-84 be amended in Clause 18 by striking out line 27 at page 23 and substituting the following therefor:

"second anniversary of".

The House divided on the motion (Mr. Heap) which was negatived on the following division.

(*Division No. 238*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
Clinch
Coates
Collins
Cook
Cooper
Cossitt
Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
Daubney
Domm
Dorin
Duguay
Edwards
Fennell
Fraleigh
Fretz
Friesen
Gagnon
Gervais
Girard
Guilbault (Drummond)
Halliday
Harvey
Hawkes
Hicks
Hnatyshyn
Horner
James
Jardine
Jelinek
Jepson
Kempling
Kindy
Lanthier
Lawrence
Layton
Lesick
Lewis
Martin
Mayer
Mazankowski
McCuish
McDermid
McKinnon
Nickerson
Nowlan
Oberle
O'Neil
Oostrom
Peterson
Price
Redway
Reid
Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

The next question is on Motion No. 23. Mr. Marchi moved:

Motion No. 23

That Bill C-84 be amended in Clause 19 by striking out lines 4 to 6 at page 24 and substituting the following therefor:

"19. This Act shall come into force on a day or days to be fixed by proclamation and shall cease to be in force six months after that day."

The House divided on the motion (Mr. Marchi) which was negatived on the following division:

Immigration Act, 1976

(*Division No. 239*)

YEAS

Members

Allmand
Althouse
Blaikie
Boudria
Broadbent
Caccia
Cassidy
Copps
de Corneille
de Jong
Dingwall
Fulton
Gagliano
Garneau
Grondin
Guilbault (Saint-Jacques)
Heap
Henderson
Jewett
Johnston (Saint-Henri—Westmount)
Kaplan
Keeper
Killens
Lapierre
Malépart
McCurdy
Murphy
Nunziata
Nystrom
Orlikow
Ouellet
Prud'homme
Riis
Robichaud
Rompkey
Rossi
Skelly
Tobin
Young—39

NAYS

Members

Andre
Attewell
Blais-Grenier
Blenkarn
Bouchard
Bradley
Brightwell
Carney
Champagne (Champlain)
Charest
Clark (Brandon—Souris)
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Crosbie (St. John's West)
Crosby (Halifax West)
Dantzer
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Guilbault (Drummond)
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Horner
James
Jardine
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Jepson
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Lanthier
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Redway
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Reimer
Ricard
Schellenberg (Nanaimo—Alberni)
Scott (Hamilton—Wentworth)
Scowen
Siddon
Speyer
Taylor
Tupper
Turner (Ottawa—Carleton)
Van De Walle
Vankoughnet
Warner
Weiner
Wenman
White
Wilson (Swift Current—Maple Creek)—82

Mr. Deputy Speaker: I declare the motion lost.

Hon. Benoît Bouchard (Minister of Employment and Immigration) moved that the Bill, as amended, be concurred in.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: On division.

Motion agreed to.

Mr. Deputy Speaker: When shall the Bill be read the third time? At the next sitting of the House?

Some Hon. Members: Agreed.

* * *

• (1650)

CANAGREX DISSOLUTION ACT

MEASURE TO ENACT

The House resumed from Tuesday, April 14, consideration of the motion of Mr. Wise that Bill C-2, an Act to dissolve Canagrex and to amend certain Acts in consequence thereof, be read the third time and passed.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure to add my voice to those concerned about this legislation which will remove Canagrex from the Canadian landscape.

There are a number of points I want to make. First and foremost, it comes at a rather opportune time. By any definition, a crisis in agriculture is pending or has arrived. The delegations which appeared before the Standing Committee on Agriculture over the last number of weeks made it perfectly clear that agriculture is at a very important point. There are some basic decisions that the Government and the Parliament of Canada must make. Are we going to take significant initiatives, unfortunately in some cases remedial action, to ensure that the family farm or family ranch remains a viable institution on the agricultural landscape of Canada? Or are we prepared to turn our back on rural Canada and turn it over to agri-business or corporate agriculture? Around the world some countries have made that decision. Some decided that the family farm as a production unit is worth preserving. As a result, they put in place a variety of programs to make that possible.

It is an incredibly competitive world and, in many respects, the competition is unfair. We are asking our farmers and ranchers to compete in a very unfair market-place. Heavy subsidies are given to the European farm community which make it virtually impossible for our producers to compete on international markets. Then we have the spectre of free trade talks and the possibility, because none of us really know what is going on, of initiatives which would result in the American agricultural community moving in to Canada and simply taking over. I refer specifically to the case made by poultry producers, egg producers, dairy producers, and a number of other sectors of the agricultural community who are very serious about the potential influence of a free trade agreement on their area.

I come from central British Columbia where agriculture plays an important role. The rural fabric of that area is dependent upon a healthy and viable agricultural community. We have the soft fruit industry, the hard fruit industry, the vineyards of the Okanagan Valley, and then the more exotic crops such as ginseng which are aimed at far eastern markets. We have traditional cattle ranching and vegetable producers who are just beginning, under incredibly competitive conditions, to make successful inroads into new markets. This is often done with the assistance of the provincial Government, the federal Government, and in some cases even local Governments.

Today we are discussing the abandonment of Canagrex. It is important that we remind ourselves what Canagrex was all about. It was an initiative taken by the federal Government to market Canadian agricultural products in a more effective and efficient way in new areas. Our food producers are among the most efficient in the world. They can compete in the international market-place. However, they have often required some assistance. The farmer raising a certain type of oil-seed, or a farmer raising rabbits or raspberries, whatever the crop may be, does not have the time or the capacity to go to Japan to develop a market.

Some other Hon. Members of this place and I had the good fortune to visit Japan some time back. We looked at the potential for Canadian food producers in that market. We learned that they are very pleased with the quality of foodstuffs from Canada. Not surprisingly, we found a considerable potential. As a matter of fact, wherever we went, food fairs were being conducted by our embassy introducing the Japanese to Canadian foods and recipes. The response was fantastic. That is why we feel that wherever Canadians have made the effort to develop and expand markets overseas for our food producers, it has been successful. Yet it is costly and time-consuming.

That was the point of Canagrex. It had a very modest budget to go out and sell our products overseas. A lot of people have asked why our farmers cannot do that. Obviously they do not have time or necessarily the expertise. Often their organizations are limited by their funding. We said, "Let us put aside a Crown corporation to do that for our food producers. They deserve nothing less. Let us put in place a mechanism whereby Canagrex is evaluated on a regular basis. Get farmers on the board of directors. Hold it accountable for its actions." It was a very progressive piece of work. Then, just as it was beginning its work and opening up new markets, providing hundreds and potentially tens of thousands of jobs, both directly and in supporting industries, what did the Government do? It pulled the rug out and decided to abandon it. It did so because, when it was set up, the Progressive Conservatives were in opposition. I recall them going on at some length about how this was not necessary, our farmers did not require that support. I do not think they said that farmers did not deserve the support, but they did say that they did not require it.

The success of Canagrex was something to behold. If anyone sat down and objectively evaluated what that small Crown corporation did in a very short period of time, it was nothing

short of remarkable. Dedicated people wanted to see our agricultural sector expand.

It is with some reluctance that I discuss this today. It is with some sadness and sorrow that I have to comment on the deathbed of Canagrex. We have one more spike to drive into its coffin, and I guess that is in a sense what we are doing. However, I want to remind my friends on the government side that now is the time we need to rally behind the family farm. Now is the time to rally behind the food producers of Canada. Therefore, I plead at this last moment for my friends in the Conservative caucus to reconsider the abandonment of this initiative to assist Canadian food producers.

• (1700)

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

EXTERNAL AFFAIRS

ADVISABILITY OF PROMOTING PEACE IN CENTRAL AMERICA

Mr. Dan Heap (Spadina) moved:

That, in the opinion of this House, the government should consider the advisability of sponsoring a major initiative to enhance the opportunities for peace in Central America through steps including, but not necessarily limited to:

1. appointing a personal envoy of the Prime Minister to reinforce diplomatic efforts regionally and internationally;

2. establishing an embassy in Nicaragua;

3. establishing a "Peace Fund", with contributions from like-minded Western nations, to cover costs associated with implementation of the Contadora treaty; and

4. introducing at the UN a General Assembly Resolution calling on the Secretary-General to dispatch a civilian monitoring commission to the region.

He said: Mr. Speaker, I am pleased to speak today on a motion that I introduced on June 19 of this year which calls on the Canadian Government to take specific and concrete steps to assist in the peace process in Central America. These steps, combined with some other suggestions which I am about to make, would amount to a major Canadian diplomatic initiative.

I hope that the Government will take seriously the possibility of a diplomatic initiative. Such a move would reinforce the initiatives that thousands of Canadians have been taking for many years and continue to undertake today.

In many of the Central American countries there are Canadians working for a just and lasting peace in practical and concrete ways. There are many Canadians in Canada working for charitable and solidarity projects in support of the people of Central America. I hope the Government will take seriously the initiative of so many concerned Canadians by responding with an initiative of its own.

I do not want to suggest for an instant that the Government has done nothing to promote a genuine Canadian desire for peace or Canadian action for peace. I want to acknowledge, for example, that the Government has offered technical assistance to the countries of Central America for peacekeeping and verification. I want to commend the Government for voting against Mr. Reagan in the United Nations on the motion calling on the U.S. to obey the international law and honour the International Court injunction against the mining of the harbours of Nicaragua. I want to recognize that the Government has provided both bilateral aid and assistance to non-governmental organizations to the Central American nations.

However, these actions do not amount to the kind of diplomatic initiative that Canada could and should take. I would like my suggestions to be taken as friendly suggestions and my criticism as constructive.

The weeks since I introduced this motion have been exciting ones. They were full of hope for the peoples of Central America and their sympathizers and supporters here in Canada. A peace plan has been adopted by the Central American Governments. Momentum for peace is growing. There are many obstacles to a just and lasting peace. Anything that Canada can do to help increase the momentum for peace must be done.

That increased momentum began, as you know, with the August 7 signing of an accord between the Presidents of the five Central American nations. This accord was reached despite the extensive last-minute efforts by Mr. Reagan to scuttle the talks. Some commentators have suggested, as a matter of fact, that his untimely intervention may have solidified the will of the Central American leaders to accomplish their own peace plan. This week we have seen some signs that Honduras may be showing cold feet, and Mr. Reagan has made it clear that he wishes to keep fighting in Nicaragua. It is clear that there are obstacles to peace for Central America.

The Foreign Ministers have made progress in their meetings in San Salvador. They are organizing working groups necessary to implement the various provisions of the agreement; the cease-fires, the amnesties, the end to guerrilla bases in one country for attack on another, the restoration of civil rights, a free press, and free elections throughout the region. This accomplishment may help overcome some of the obstacles to peace.

Eight other Latin American nations have been asked to sit on a regional peace commission to supervise the process. The United Nations and the Organization of American States will be part of this commission. In El Salvador the Farabundo Marti National Liberation Front has agreed to meet with President Jose Napoleon Duarte on September 15 to discuss a cease fire. In Nicaragua the Sandanista Government has appointed the Cardinal of the Catholic church, Miguel

Obando y Bravo, to serve on a commission of national reconciliation. Cardinal Obando is and has been a fervent critic of the Sandinista Government.

Also on that commission will be Mauricio Diaz Davila, leader of the popular Social Christian Party. Mr. Diaz will represent the largest block of opposition Parties in the legislature. The third member will be Dr. Gustavo Parajon, a physician and Baptist missionary who heads the Protestant Committee for Aid and Development. The Government will be represented by the vice President of Nicaragua, Sergio Ramirez. This commission may be able to overcome some of the obstacles to peace.

Unhappily, it is clear that Mr. Reagan is still looking for ways to scuttle the peace accord. He has dispatched a swarm of diplomats to the region. He has spoken on the Contra radio station. He has threatened to continue military aid to the terrorists even after the cease fire comes into force. Perhaps most important, he is leaning on governments in the region, particularly those of Honduras and El Salvador, to back out of the accord. This is unforgivable interference on the part of the Reagan administration and makes a mockery of Mr. Reagan's supposed interest in promoting peace in Central America.

Fortunately, in the aftermath of the Contragate hearings, the Central American accord gives the Democratic majority in the U.S. House of Representatives good grounds on which to limit or reject additional funding for the Contra terrorists when the current funding runs out in September.

For some time in the wake of Colonel North's testimony it looked as though American public opinion might be shifting towards supporting the Contras. However, I am pleased to report that according to the latest *New York Times*-CBS news poll only 33 per cent of Americans support such aid while half of Americans oppose it. There truly are obstacles to a fair and just peace in Central America, but there are also hopeful signs and a growing momentum for peace.

As a nation with an international reputation for peacekeeping and peacemaking Canada can help build on this momentum. We owe it to our Central American neighbours to do all we can to assist. They have suffered war and violence for too many years.

What can Canada do? We can help to mobilize international opinion. We can lend our moral suport to the people of Central America. We can lend practical support. We can make a difference. Canadians can help bring an end to those bloody wars. We can help to build a just and lasting peace.

In my motion submitted to the House on June 19 I first suggested that the Prime Minister (Mr. Mulroney) should send a personal envoy to Central America to reinforce our diplomatic efforts. In fact, the Secretary of State for External Affairs (Mr. Clark) sent not one but two envoys to offer Canada's technical expertise in peacekeeping and verification. This is a very practical form of aid which Canada has provided. I applaud that move and hope that the Minister will take up more New Democrat suggestions.

My second suggestion was that Canada should take a leading role in establishing a peace fund with contributions from western nations to help with the costs of implementation. Such a move would have both practical and diplomatic significance. Practically, the peace process, and especially the verification process, will cost money. We cannot expect the Reagan administration to make the same financial contribution to peace as it has to war. Diplomatically, such a move would send a clear signal of support to all parties in the region. I ask the Minister to seize this unparalleled opportunity.

My third suggestion was that the Canadian Government should introduce a resolution in the United Nations General Assembly in support of the Central American peace process. Representatives of the United Nations and the Organization of American States will sit on the Regional Verification Commission. These representatives are important in both symbolic and practical terms.

• (1710)

A United Nations General Assembly resolution would present the opportunity to mobilize international opinion. It would send another signal to the participants in this bloody conflict. It would signal international approval of the peace process. It would also signal a Canadian commitment to international law and international organizations as being crucial to peace.

My final suggestion is that Canada establish an embassy in Nicaragua. The Government has argued that our interests are adequately served by our embassy in San Jose, Costa Rica. Without casting aspersions on our embassy staff in Costa Rica, I can assure you that this claim is not well founded.

I was in Nicaragua with a parliamentary delegation in April of this year. Our embassy in Costa Rica organized a dinner so that we could meet the Canadians who are resident in Nicaragua, most of whom are working with non-governmental organizations in Canada or Nicaragua to help the people of Nicaragua. It was a good event and I commend the embassy for organizing it, but I was surprised, as they were, to discover that our embassy had no idea of how many Canadians were in Nicaragua. That is one small example of the lack of knowledge that our Government has about the realities of life in the most controversial country in Central America.

The Government is not even in contact with Canadians who work in Nicaragua and know the country. In case of emergency, moreover, Canadians in Nicaragua are expected to go to the American embassy for assistance in spite of the protests that many of them made against such advice. Given the divergence of U.S. and Canadian policy on that country, this is a very regrettable situation. Our embassy in Costa Rice is expected to cover our interest in Costa Rica, Nicaragua, El

Salvador and Panama. In a region as volatile as Central America, it is too much to expect of the staff.

An embassy in Nicaragua would give our Government much more direct and complete information than it can get now. An embassy would enable Canada to engage in continuing and ongoing discussions with the Nicaraguan Government and the Nicaraguan people on matters of mutual concern. The goodwill created by the involvement of hundreds of individual Canadians can provide the base for our officials to have a real influence in Nicaragua.

Finally, an embassy would help promote trade between Nicaragua and Canada, trade that would be to both countries' advantage.

I have suggested moves that would be the beginning of a major diplomatic and practical initiative by Canada to promote and support peace in Central America. It would help to increase momentum for the peace process in Central America. It would be a positive response to the desires of thousands of Canadians who have, through their activities in Canadian solidarity organizations and non-governmental organizations, worked hard, sometimes risking their lives, to help the people of Central America.

This is an opportunity that Canada cannot afford to miss. The people of Central America deserve a just and lasting peace. Canadians can be and deserve to be known as peacemakers.

In addition to the steps I have suggested to the Government in my motion, there are other practical steps the Government should take. For example, we can make use of our bilateral aid program in the name of peace, just as Mr. Reagan does in the name of war. We can make it a condition of our aid that recipient countries adhere to the terms of the peace accord, which calls upon Central American countries to refuse their territory as bases for attacks on other countries.

Members will know that I primarily refer there to El Salvador and Honduras, since both Costa Rica recently, and Nicaragua some years ago, ceased to allow rebel bases on their territories.

Honduras is our major bilateral aid recipient in the region. Honduras has received some $37 million in Canadian aid over the last five years. Honduras is also the country most likely to violate the accord. Members of the Honduran military Government and business classes make money from skimming American aid to the Contras. The American bilateral aid program is clearly dependent on Honduran aid to the Contras. Eleven U.S.-built airstrips and almost continuous U.S. military manoeuvres dominate the economic and political posture of Honduras. Therefore, Honduras must choose. It can choose to conform to a posture set by the Reagan administration, or it can choose to honour its commitment to the peace process. Canada can help to make that choice easier.

We can link our aid to the participation of Honduras in the peace process. Of course, we cannot hope unilaterally to match the amount of aid that the U.S. provides, but we might be able to approach other countries in our hemisphere and in Europe, inviting them to put together an aid package—a sort of consortium for peace.

These are practical steps that would help overcome some of the obstacles to peace. But even if the countries of Central America are allowed to end the fighting without outside interference, efforts must still be made to ensure that peace is peace with justice. For without justice, there can be no lasting peace in Central America or anywhere else. The roots of war lie in injustice. We must learn from history.

Canadians are deeply committed to peace with justice in Central America. I have seen the commitment of Canadians when I visited the region, where I witnessed individual Canadians and Canadian organizations deeply committed to peace with justice. In Guatemala earlier this summer, I witnessed a woman of Guatemalan origin marching with the Organization of Mothers of the Disappeared, demanding an account of their relatives.

In Nicaragua this spring, I visited a young Canadian apiarist working with CARE Canada to help Nicaraguan farmers improve both their honey and crop yields. I visited farming co-ops, where Canadians were helping Nicaraguans improve their farming technique. A similar co-op, after being assisted by an Alberta group, Farmers for Peace, was attacked by Contras earlier this summer. Ten Nicaraguans were killed, four kidnapped, and many houses and buildings burned. The Secretary of State for External Affairs made a very strong protest against that action by the Contras and let the United States Government know of its protest.

Other Canadian projects have been attacked by Contras in Nicaragua as well. Last summer, for instance, a group of Ontario teachers travelled to the mountains to build a school in a remote village. Having made their contribution to the literacy program in Nicaragua, they returned home. Unfortunately, as they waited at the airport in Managua, word came that the Contras had burned the newly built school. Such are the acts of terror committed by the Contras, which the President of the United States continues to finance.

Canadians have put their lives on the line in support of the people of Central America. Earlier this summer, Professor George Sorger and Barbara Paleczny, associated with Amnesty International, visited El Salvador to investigate the numerous reports of human rights violations in that country. On their return, they were picked up and held by Honduran soldiers who threatened them with torture and stole the notes they had made in El Salvador. Fortunately, they were released unharmed.

In El Salvador on July 31, a group of Canadian teachers visiting the village of San Jose Las Flores were seized by government troops, held overnight, and denied medical attention for a sick colleague. I would like to quote from their report:

We were not prepared for the graphic details supplied by the soldiers, of the process of torture within the treasury police.

Canadians in this country are doing their part to build a just and lasting peace. As the New Democratic critic for Central American issues, I receive a constant stream of phone calls and correspondence on Central America. Many Canadians are well informed and knowledgeable.

Canadians here in Ottawa have twinned a day care centre, the Glebe Day Care, with a child care centre in Managua. Part of the funds raised by the Glebe Day Care are used to help their counterparts in Managua.

In British Columbia, fishermen are donating their time to build a prototype fishing boat to help modernize the Nicaragua fishing industry.

From one end of this country to the other, thousands of volunteers with tools for peace collect material goods, including blankets for hospitals, notebooks for schools, and money for tin to put roofs on houses, that is shipped from Vancouver to supply material needs in Nicaragua.

• (1720)

In May of this year I attended a conference on peace in Central America here in Ottawa which was organized by Canadians. This conference brought government, academic and other representatives to Ottawa from Honduras, Nicaragua, Guatemala, Costa Rica, Mexico, Peru and other Latin American countries, and from Europe, to discuss the peace process. This conference may well have contributed to preparing the way for the peace accord.

Many of these projects are small by themselves but they have a cumulative impact. They provide practical support for the peoples of Central America. They provide symbolic support for the people to people level. They help to educate Canadians and help to build momentum for peace.

There is a Canadian initiative for peace, an intiative of the Canadian people. I am asking that there also be a distinct Canadian Government initiative for peace in Central America. I challenge this Government to show the kind of courage and imagination, the kind of dedication and vision that is shown by so many Canadians.

Mr. Deputy Speaker: I will recognize the Hon. Member for Gloucester (Mr. Clinch) followed by the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand).

[*Translation*]

Mr. Roger Clinch (Parliamentary Secretary to Minister for External Relations): Mr. Speaker, I welcome this opportunity to speak in the House today about the progress made in achieving peace in Central America. In fact, progress is the correct word, if we consider recent events.

As Hon. Members are aware, the Presidents of five Central American countries recently agreed to a new peace plan for the region, with the support of the main parties concerned outside the region, namely the U.S., Cuba and the USSR. This is a very positive development.

However, I do not want to give the impression that the plan is a cure-all for the region's problems. In recent years, negotiations conducted by the countries of the Contadora group—Mexico, Panama, Colombia and Venezuela—have too often raised expectations and been followed by disillusionment and disappointment, which of course in no way diminishes the efforts of the Contadora group which, despite tremendous obstacles, has demonstrated its resolve and determination.

The most serious obstacle would seem to be the existence of serious socio-economic differences. Another obstacle to peace is the guerillas in El Salvador, Nicaragua and Guatemala. Finally, and this may be a decisive factor, we have the power struggle between the two superpowers, which tends to aggravate regional conflicts. Canada sincerely hopes that the goodwill shown by all parties in recent weeks will be reflected in a sincere effort to overcome these obstacles.

Canada has a clear-cut policy with respect to the situation in Central America. In a speech last year before the Inter-American Press Association, the Prime Minister referred to the Contadora initiative as the best instrument for reconciliation in Central America. The Secretary of State for External Affairs (Mr. Clark) also said in public statements, in Canada and abroad, that Canada firmly supported the Contadora process. The Secretary of State for External Affairs repeated his position during visits to Argentina, Uruguay and Venezuela in 1986.

In January 1987, in a message addressed to Foreign Affairs Ministers of the Contadora group and the Lima support group, and to the Secretaries General of the United Nations and the Organization for American States on the occasion of their visit to the Central American countries, the Secretary of State for External Affairs stated that the efforts of the Contadora group had sustained the hopes of the international community for a lasting solution to the crisis in Central America. In 1986, the Canadian delegation to the UN General Assembly made a statement in support of the Contadora group.

At the same time, Mr. Speaker, Canada has provided constructive and practical support for the Contadora group and the general peace process. During his visit to Mexico in 1985, the Secretary of State for External Affairs was able to discuss the situation in Central America and the Contadora group's plan with President de la Madrid and the Minister of Foreign Affairs. He restated Canada's firm support for the Contadora initiative and its desire to play a constructive role in the peace process, when appropriate. The Secretary of State for External Affairs stated that Canada was prepared to share its experience in peacekeeping operations with the parties concerned. Since then, the Canadian Government, at the request of the Contadora group countries, has drafted a series of comments on the provisions of the Draft Convention on Security and Verification.

Those comments are based on a number of considerations, including the need to speak in a neutral, objective and unbiased way. We were also aware of the need to ensure the viability of any verification and follow-up commission that may be established under the Contadora Act. Specifically, we thought that the funding for such an operation should be carefully examined by all parties in order that the selected mechanism be as viable as possible, given the circumstances.

[*English*]

We believe that the concept of a regional solution to the current problem should be emphasized. In this regard we believe that the Central American parties themselves ought to be brought into the peacekeeping mechanisms as far as possible. As far as this contributes to the effective operation of a control and verification commission, the commission should enjoy specific and firm guarantees relating to its freedom of movement and access to the region. The commission's role should also permit free and open communication with the media as its members deem appropriate.

Finally, we believe there is a need to designate a sponsoring political authority for the commission and to establish a time limit for the mandate of the commission itself. The Government believes that the principles which were enunciated two years ago for control and verification can be usefully applied to the current peace plan.

On August 7, at the close of their historic summit meeting in Guatemala, the Central American Presidents announced that an agreement had been reached on a new peace plan for Central America. The plan called for a meeting of the foreign Ministers within 15 days to begin implementing an amnesty for insurgents, a cease-fire and dialogue with unarmed opposition groups. This was all to be achieved in 90 days, that is, by November 7. The Contradora countries were to be asked to design and implement a control and verification commission to supervise forest levels in the region.

We were delighted at this breakthrough agreement. Canada's support was made clear on the very day the agreement was signed, and a press release was issued by the Minister for External Affairs (Mr. Clark). The Minister subsequently dispatched two officials to the region during the week of August 17 to demonstrate Canada's support and to offer technical advice on the design of the peacekeeping mechanisms. The visit and the Canadian offer were warmly welcomed by all countries in the region.

• (1730)

There have been further hopeful signs. The agreement, as I have said, called for a Foreign Ministers' meeting within 15 days. That meeting took place on August 19 and 20 in San Salvador. The Foreign Ministers then met with their Contadora counterparts, as well as with Foreign Ministers from the Lima support group, and UN and OAS representatives in Caracas on August 22 and 23. They agreed to establish a verification commission.

Canada, being outside the Latin American area, is not a member of the commission. However, we have told all the Governments concerned that we stand ready to offer technical advice to the commission should its members wish us to do so.

I think we can safely conclude therefore that there has been real progress. That is clear from the fact that all five Central American presidents approved the Guatemala plan, demonstrating an unprecedented commitment and the political will to overcome the obstacles. We should be realistic, however, as to the limits of this progress. The guerilla wars continue, as does the superpower competition. The conditions of poverty persist and are exacerbated by massive flows of refugees who have been displaced by the conflicts. Respect for human rights, civil liberties and democratic institutions is still lacking in parts of the region.

This recent progress constitutes a positive but tentative step down a very long road. In this context, international support is vital to maintaining the momentum of the peace process. The Canadian Government will continue to provide encouragement, support and appropriate technical advice deemed useful by the Central American and Contadora countries.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, the intent behind this resolution to promote peace in Central America is good but, as has been recognized by its mover and by the speaker for the Government, it is out of date to a certain extent. It is out of date because the five principal countries in Central America concluded a peace agreement in Guatemala City on August 7, 1987, in which they provided for a cease-fire of civil wars within the countries of the region. In particular, that means civil wars in Nicaragua, Salvador and Guatemala. They also provided for a return to democratic government in these countries, as well as an amnesty for opponents of the Government. This means amnesty for the Contras in Nicaragua, as well as amnesty for members of the FMLN in El Salvador and in Guatemala. They provided for a halt to aid to insurgents from outside the country, which would mean stopping American aid to the Contras toward Nicaragua, a halt to any aid from Cuba or the Soviet Union to Nicaragua and, perhaps, to the insurgents in Salvador. Also, the countries that are signatories to the agreement renounced the use of their territory as a basis for struggle against neighbouring countries.

This is a very hopeful agreement. The signatories to the agreement stated that it would go into effect in 90 days from the date of signature. Since it was signed on August 7 of this year, it will go into effect on November 7, 1987. At that time all the provisions should go into effect simultaneously. In other words, the signatories to the agreement should be prepared to restore democratic rights as a cease-fire takes effect and amnesty should be given to all the opponents at the same time.

I failed to mention at the outset that the five signatories to this agreement are different from the countries involved in the Contadora process. While the resolution refers to the Contadora process, it is to a certain extent out of date because

there were more countries involved, and in that case different countries. Here we have involved the five principal countries: Nicaragua, Salvador, Guatemala, Honduras and Costa Rica, with the plan having been put forward by the President of Costa Rica, Oscar Arias.

Of course, Canada has given support to this peace agreement. As was mentioned by the representative of the Government, the Secretary of State for External Affairs (Mr. Clark) has already offered assistance to the signatories to the agreement in implementing the process, in providing assistance for verification and for monitoring and so on. This is all to the good.

However, I do not think that the principal problem is now with the five signatories to the agreement, or with Canada's effort, but will be with the United States. The United States has been, and I think continues to be, the principal road-block to peace in that area. I should make it clear that I am talking about the Government of the United States and not the Congress or the people of the United States. Just after the signature of this agreement on August 7, these words appeared in *The New York Times* of August 16, "President Reagan said today that American support for the Nicaraguan rebels should continue until a cease-fire has occurred and a verifiable process of democratization is under way in that Central American country". So President Reagan says that there must be a certain type of democratization in Nicaragua, if there is going to be a cease-fire, a stoppage of the assistance to the Contras, but he does not mention Salvador. He does not mention Guatemala. He does not put any demands on them to live up to certain conditions of democracy or else the agreement should not be supported. However, he puts this on Nicaragua in particular.

The President of the United States has done that all along. All along he has said to Nicaragua, "Either you live up to the standards of democracy that we are dictating to you or we will continue to intervene in your affairs. We will continue to fund the Contras". The President of the United States has laid a standard of democracy on Nicaragua that he does not lay on other countries with which he deals.

He does not insist on those conditions of democracy for Chile, for example. He does not lay those conditions on South Africa. Nor does he lay them on China, a communist country with which he deals consistently and with which he has been quite friendly of late. However, with respect to little Nicaragua, which is about the size of New Brunswick and which has a population of fewer than three million people, he insists that it live up to very high standards of democracy. We would all like to have pure systems of democracy, and we all hope to move in that direction. The President of Nicaragua has stated that he, too, would like to move in that direction.

This is rather odd for the United States, a country which is celebrating I am not certain what anniversary of its Constitution in Philadelphia, which took until 1954—some 150 years after the birth of that nation—for blacks to have the vote. Here is a country with only a two-Party system. It is almost impossible for a third Party to get elected in the United States. Yet that country is insisting that Nicaragua be a pluralist society, when in fact in the Nicaraguan Parliament there are five or six Parties represented because it has a system of proportional representation.

We can be a bit arrogant and a bit holier-than-thou when we start dictating to other countries that they should live up to standards of democracy that we ourselves have failed to live up to and that we do not insist upon for other countries. I refer here to the United States' dealings with South Africa, Chile, Nicaragua when Somoza was there, and the Philippines in previous times, and so on.

It seems to me that this peace agreement arrived at by the countries in the region with good faith will succeed if the United States, and in particular the President of the United States, will give it their support.

• (1740)

My plea in Parliament is not to the Government, because I think it is doing the correct thing in supporting the agreement, but my plea is to the United States Government to please give peace a chance in Central America, and in particular in Nicaragua, El Salvador, and Guatemala, and to help those countries to proceed with the agreement that they arrived at. Please stop the funding of the Contras until the Government of Nicaragua is given a fair chance to do what it states it will do in the agreement. Do not fund the Contras through the back door when it cannot be done through the front door, as was found out in recent months during the great television extravaganza in the United States Congress.

I congratulate the Hon. Member for Spadina (Mr. Heap) for introducing the resolution last June. At that time there was no peace agreement proposed by President Arias which is now agreed to. That was not in effect then, but the Hon. Member's proposals are still legitimate. Canada must do all it can to support peace in Central America. The proposals of the Hon. Member are worth-while. Please let us convince the American Government to support this worth-while peace agreement in that region.

[*Translation*]

Mr. Michel Champagne (Parliamentary Secretary to Minister of Agriculture): Mr. Speaker, the Government believes that the fundamental causes of tension and political conflicts in Central America are the deeply rooted socioeconomic disparities that are rampant to various degrees in each and every country in this area.

In the Government's view, Canada can contribute the most to promoting peace and stability in those areas by first providing for development assistance aimed at helping individuals and communities break the vicious circle of poverty and promote economic growth, and, secondly, by supporting a peace settlement for that area.

Other speakers have already referred to the support Canada has been and is still providing for the efforts towards reaching such a settlement.

I would like to take a few moments to point out to this House the help Canada is providing to the people of Central America. Canadian development assistance in Central America was initiated in 1966 with a loan to El Salvador. After the 1970 foreign policy review, when it was recommended that Canada intensify its presence in the area, assistance activities were undertaken in all the countries of the area. Following the regional program review in 1975, El Salvador and Honduras became program countries for CIDA. In 1979, the planning of new bilateral projects in El Salvador was suspended because of increasing violence and instability in that country. In 1981, the planning of new, bilateral projects in Guatemala also was suspended by reason of internal turmoil in that country.

In 1982, after an in-depth review of the relations between Canada and Central America, the Government decided to extend substantially its development assistance program for countries in that region. For instance, the Government decided to provide up to $106 million in bilateral Government to Government assistance to the region during the five year period between 1982-83 and 1986-87, which is triple the amount of bilateral assistance provided to the region during the previous five-year period.

As for the countries which would benefit from this assistance, it was decided that Honduras, the poorest country in Central America, would rank first as in the past. Costa Rica and Nicaragua would also receive increased assistance, while Guatemala and El Salvador would continue not to receive any assistance until their domestic situation improved. However, all countries in the region could receive assistance through other channels. This would include the Mission Administered Funds Program, the Non-Governmental Organizations Program, the Institutional Cooperation Program, the Industrial Cooperation Program, the Humanitarian Assistance Program and the International Development Research Centre.

In December 1984, the Secretary of State for External Affairs, the Right Hon. Joe Clark, announced reinstatement of Government-to-Government assistance to El Salvador. This decision was made because of the needs of thousands of displaced people, of the economic under-development of El Salvador, of a noted improvement in the respect of human rights in that country and of its return to democratic institutions.

In the five-year period between 1982-83 and 1986-87, or since the Government decided to increase substantially its assistance to Central America, Canada has extended approximately $106 million in Government-to-Government assistance to the population of this region. In other words, the Canadian Government has kept its commitment of tripling bilateral assistance to the region.

However, the amount of assistance provided is only part of the picture. The quality and effectiveness of this assistance are at least as important.

We firmly believe that Canadians bilateral assistance to Central America effectively meets the development needs and problems of the various countries in the region. In Honduras, Canadian Government-to-Government assistance supports the development and protection of renewable resources, rural job creation and the improvement of health care and food supplies in rural regions. In Costa Rica, this assistance has been used to improve a very unhealthy balance of payments and to finance a major rural housing program. In Nicaragua, bilateral assistance provided by Canada has been directed mostly toward basic human needs, such as the production of food and energy. In El Salvador, this assistance is directed especially at displaced persons and the poorest members of the population.

Besides Government-to-Government assistance, Canada has provided over the past five years more than $45 million in aid to Central American countries through such other direct assistance channels as the Non-Governmental Organizations Program, the Institutional Cooperation Programme, the Business Cooperation Program, the Petro Canada International Assistance Corporation and the International Development Research Centre.

Also, for the past five years, Canada has provided more than $15 million to multilateral organizations such as the United Nations High Commissioner for Refugees and the International Committee of the Red Cross for the programs they have developed to help refugees and displaced persons in Central America.

Mr. Speaker, I strongly believe that Canada, through its public development assistance programs, meets generously and effectively the social and economic needs of the peoples in Central America. This is one of the regions of the world where Canada provides the highest per capita public development assistance. The Canadian Government and people will continue to meet generously the social and economic needs of the peoples in Central America.

[*English*]

Mr. Vince Dantzer (Okanagan North): Mr. Speaker, I am very glad indeed to have this opportunity to debate the motion proposed by the Hon. Member for Spadina (Mr. Heap).

The motion addresses a very difficult and complex situation which exists in Central America. This is an important issue, because Central America is the scene of some of the most tragic warfare in the world today, and it also has become the scene of serious East-West conflict. It is important to Canada because it is taking place in the western hemisphere, in that part of the Third World closest to Canada, and in a region with which Canada has growing social, economic, and political interests.

The emergence of a new peace plan which has been described, and the initiative of the countries of Central

America themselves are the most encouraging development in the region for several years. As has already been pointed out, the Canadian Government has not stood idly by during those years. While recognizing that Canada has no direct role to play at this stage of the negotiations, we have gone to some lengths to give the maximum possible support and encouragement to the parties. The process of converting the commitments which have been made into a peace settlement will be a difficult one. Our support is more than rhetorical. The Government stands ready to provide technical advice, where it has the appropriate expertise to offer in the control and verification process which will follow a cease-fire in the region.

I wish to remind the House, however, that this is not a new approach by the Government. On the contrary, it is entirely consistent with the policies which the Government has pursued with respect to Central America since it was elected. Indeed, our recent effort in support of the new peace plan is a logical extension of the role Canada has sought to play for some time.

• (1750)

Canadian policy toward Central America is a distinct one, shaped by Canadian criteria. It has been developed in recognition of the geo-political realities of Central America and of the social and economic factors which are at the root of the current problems.

The Canadian Government opposes third party intervention anywhere in Central America and regrets deeply the intrusion into that region of East-West tensions and the related militarization of the area. Canada does not approve of the supply of armaments by any country to opposing factions in the region. Canada has constantly emphasized its firm belief that the countries of Central America must be free to seek their own solutions to their own problems without interference from any other country or any outside source.

We strongly share the view that the growth and development of democracy is an important issue in Central America. Canada welcomes the progress which has been made in several countries in the region while recognizing that there is still room for improvement.

We in Canada do not wish to see Nicaragua locked into the Soviet bloc or involved in destabilizing its neighbours. We encourage Nicaragua to move toward the original goals of the revolution which were recently restated in its new Constitution: a commitment to political pluralism, a mixed economy and non-intervention in the internal affairs of other countries.

We believe that improvements must be made in the Nicaraguan civil and human rights record. The continued suspension of many basic civil rights under the state of emergency is profoundly disturbing to the people of Canada and Canada's Government. We encourage political pluralism in Nicaragua and we support the ability of legitimate domestic political opposition Parties to continue to function.

We have deplored the recent decision to close down *La Prensa* newspaper and the harassment of opposition groups and of churches. The recent arrest and sentencing of the head of the Nicaraguan Human Rights Commission and the head of the Nicaraguan Bar Association within days of the signing of the peace accord was a disturbing and potentially counter-productive development. It was not consistent with the spirit of the agreement and only served to emphasize the need for reforms within Nicaragua.

We hope that the implementation of the peace plan will result in the lifting of the state of emergency, the removal of current restrictions on the press and opposition groups, and an end to incidents such as that to which I have referred.

In conclusion, let me reiterate the Government's satisfaction that negotiations for a peaceful settlement in Central America are under way again. We are under no illusions about the obstacles which lie in the way of a just peace, but Canada stands ready to do what it can to support the process.

Mrs. Mary Collins (Capilano): Mr. Speaker, in closing the debate today, I would like to take the opportunity to thank the Hon. Member for Spadina (Mr. Heap) for bringing forward his resolution. I think we all know of his many years of interest in and concern for this issue and of his experience and involvement in Central America. I know it is a concern shared by many Canadians and indeed by the Government.

I appreciate the support of the Hon. Member for Spadina in the efforts of the Government in Central America over the past few years. Indeed, as other colleagues have said, we welcome the new peace agreement, but I would just like to say that that agreement was not easily won. It did not happen overnight and it was preceded by many years of hard work and by many disappointments. It was an important breakthrough, but there are many difficulties in the way of implementation and a great deal of hard work and good faith, both within and outside the region, will be essential to make it happen.

I would like to summarize briefly each of the four specific points made by the Hon. Member in his resolution. First, as he indicated and as other Hon. Members have already said, we have already sent two senior officials to the region to do precisely what the Hon. Member has suggested that a personal envoy of the Prime Minister (Mr. Mulroney) should do. Their trip has indeed reinforced Canada's diplomatic efforts in the region and their message has been warmly received by all Central American Governments, including the Nicaraguan Government.

Second, while the Government would certainly like to have an embassy in Nicaragua, as it would in many other places, it is unable to do so for financial reasons. We cannot have embassies in every part of the world, and we have existing arrangements which are working very well for us and will proceed for the time being.

The establishment of a peace fund was proposed by my colleague. As Hon. Members are aware, Canada has already

contributed significantly to bilateral development assistance and to multilateral efforts. In per capita terms, the amount of Canadian aid to Central America is considerable. Canadian aid to the region is given for developmental and compassionate reasons. It also serves to complement the Contadora peace objectives.

Finally, the proposal for the civilian monitoring commission has obviously been overtaken by the new peace agreement. What form the monitoring of the cease-fire will take is obviously up to the Central American Governments, but the Canadian Government has already taken constructive action in support of the peace agreement and offered its technical assistance and advice.

I think it is appropriate, in concluding, to summarize what has been said about Canada's policies and role in Central America as this is the main thrust of the resolution before the House. I believe that the suggestion that Canada is not doing enough is wrong. That suggestion is perhaps implicit in the resolution and the comments we have heard.

Canadians have been very active in the region for many years. We have observed closely the developments in the region. We have spoken out on issues as an informed and sympathetic observer to do wherever it has been appropriate for us to do so. Canada's voice has been loud and clear on many issues, including the external involvement in the region and the inappropriateness of seeking military solutions. There has been encouragement for negotiations and for human rights.

Canada has built up a large aid program carefully designed to meet the most pressing needs of the poorest people of the region. We have encouraged trade with the region because we believe that economic development is one of the most effective means of combatting the fundamental social and economic problems. We have provided active support for negotiations in the region by giving technical advice when required to do so.

This distinctly Canadian approach to Central America has been shown clearly in our prompt, positive reaction to the recently agreed to peace program. Canada expressed its strong support for the plan immediately after it was announced and followed up with visits by officials to capitals in the region. We have also renewed our offer to provide technical advice on verification and control.

As Hon. Members may recall, in a period of less than two weeks, the Secretary of State for External Affairs (Mr. Clark) issued three statements. The first was a message of support on the very eve of the Central American summit. Then he issued a statement reporting on the congratulatory messages he had sent to the Central American Governments. He also reported on statements relating to his decision to send officials to the region. This is indicative not only of the Minister's personal interest but also of his determination that Canada should react positively and constructively to these events.

As the hour draws near, I would hope that all Hon. Members on all sides of the House would join me in congratulating the Government and the Secretary of State for External Affairs for the strong, supportive stand taken toward countries in the troubled region of Central America and in urging the Government to continue to do all in its power to assist those countries in achieving a peaceful resolution to their disputes.

[*Translation*]

Mr. Deputy Speaker: The time provided for consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ADMINISTRATION OF JUSTICE—LENGTH OF PRISON SENTENCES—GRANTING OF PAROLE

Mr. Bill Attewell (Don Valley East): Mr. Speaker, on August 24, 1987, I rose in this House to ask a question of the Minister of Justice (Mr. Hnatyshyn) regarding problems with the justice system in Canada. I was concerned about the Government's efforts in this area now that the question of capital punishment has been settled.

The amount of public outcry generated by the issue of capital punishment was a clear indication that Canadians are not satisfied with safety in our society and our justice system. Both supporters and opponents of the reinstatement of capital punishment agreed that there is a real need for reform. I am concerned, as are my constituents of Don Valley East, that prison terms are too lenient and parole is being granted too early in too many instances.

I was pleased with the Minister's response to my question on these two issues that the Government is, indeed, concerned with this problem and that steps are being taken to improve the sentencing and parole systems. I would like, however, to emphasize how strong Canadians feel about violent criminals and the inadequacies of our justice system in protecting innocent citizens.

According to a poll released by *Maclean's* magazine on June 29, 1987, 87 per cent of those questioned believe convicted murderers are allowed back into society too soon. The poll also indicates that the large majority of Canadians are deeply troubled by a rising incidence of murder and other violent crimes. The Canadian public has lost a great deal of faith in our criminal justice system.

The Canadian Sentencing Commission has reported a number of serious problems with sentencing in Canada. One of the basic problems it listed was a lack of public confidence in sentencing. The public's negative perceptions have led to some people taking the law into their own hands. Out of frustration and a belief that the justice system has failed them, many Canadian citizens are arming themselves and seeking their own methods of punishing criminals. A noted example of this is the recent case in Calgary of Mr. Steven Kesler, who shot a man who was attempting to rob him. If the public's confidence in our justice system is not improved quickly, I am afraid we will see more and more instances of vigilante type actions from the public.

The Canadian Sentencing Commission links some of the problems with the sentencing system to the "almost complete absence of policy from Parliament on the principles that should govern the determination of sentences". It also credits "parole and early release programs that fail to accomplish their goals" as well as "unrealistic maximum and minimum penalties that create injustices". I know that no justice system is infallible, Mr. Speaker, but it seems clear to me that our own system is in desperate need of improvements.

I am sure we are all familiar with the case of Ms. Celia Ruygrok whose tragic murder was an example of the justice system failing completely. Ms. Ruygrok was sexually assaulted and murdered by a man on parole after being convicted of a similar murder. He had violated his parole and threatened his former girlfriend just weeks before Celia's murder. However, due to confusion and a lack of communication, Celia's murderer was allowed his freedom and Celia Ruygrok was denied her right to live.

Just today, by coincidence, I received a letter from the President of Victims of Violence expressing concern that criminals with a history of violence are released back into the community after serving only a fraction of their sentences. The victims of these crimes feel that the justice system is cheating them. The residents of Don Valley East have made it clear to me that they want to see some government action. I would like to quote some of my constituents thoughts on this issue.

Earl and Winnifred Miller of Denrock Drive wrote: "We were in favour of the death penalty. If nothing else, the argument for retention has made Parliament aware that the majority of Canadians are fed up with our lax judicial system and want something done to improve it. Even abolitionists have had to admit that something is wrong and needs correcting."

Andrew and Audrey Mathews of Graydon Hall Drive wrote: "Parliament should be grappling with ways of answering the anger, anguish, suffering and material loss of those who are crime's victims".

• (1805)

Mr. Blair Kingsland of Cassandra Boulevard wrote: "I believe that my rights to live and breathe as a law-abiding Canadian citizen should be respected and protected before the rights of criminals."

Fred and Sue Olds of Wellesbourne Crescent wrote in reference to first degree murderers: "In our opinion, the problem would be better served with life sentences that mean life sentences with no parole."

Ms. Wendy Spencer of Yellow Birchway wrote: "I am convinced that our parole system is irrational and ridiculous and thus requires an immediate overhaul. It needs to be tightened up. It is ludicrous to allow dangerously violent people to roam the streets on passes."

And finally, Ms. Jean Dodds of Kestell Lane wrote: "There is, as you know, a glaring lack of rationale in both sentencing and parole and the intelligent voter is not only angry but alarmed at the disparities and injustices."

My constituents, indeed most Canadians, are demanding action. When Members of this House voted against reinstatement of capital punishment, we accepted the responsibility of developing alternative solutions to protect the Canadian public from violent criminals, and more specifically, repeat offenders.

I would like to emphasize the gravity of this issue and ask that the Government respond to the recommendations of the Canadian Sentencing Commission and the Standing Committee on Justice and Solicitor General as soon as they are made available. The Canadian public expects us to make every effort to protect their rights and freedoms. I hope it will not take another tragic event like Celia Ruygrok's murder to realize that, up until now, our efforts have been too little, too late.

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, in his question the Hon. Member for Don Valley East (Mr. Attewell) mentioned that many Canadians feel the sentences handed down are too lenient.

Mr. Speaker, I wonder whether the Hon. Member is aware of the increasing number of sociological studies that have shown that Canadians who are sufficiently informed feel that the sentences handed down by the courts are severe enough and would even be inclined to be more lenient than the courts.

On March 25 this year, our esteemed Minister of Justice and Attorney General of Canada (Mr. Hnatyshyn) tabled in Parliament the report of the Canadian Sentencing Commission. This report is said to be the first comprehensive study of sentencing ever carried out in Canada.

Mr. Speaker, I am informed that legal experts at the Department of Justice are proceeding with another series of consultations and extensive discussions on the recommendations of this report. When the process is complete, the Minister of Justice will be in a position to consider any changes that may be necessary to improve the effectiveness of the Canadian sentencing system.

Mr. Speaker, I believe you yourself are an expert in this field. In addition to examining the recommendations of the Sentencing Commission, this fall the Standing Committee on Justice and Solicitor General will also consider the difficult question of parole.

And once again the recommendations contained in Judge Archambault's report will be considered, as will the merit of a parole system and the wisdom of the existing legislation under which it operates, including for example the regulations which set the jail term to be served by an inmate before he may become eligible for the various forms of parole.

The committee Members will scrutinize the wisdom of this legislation and the merit of the parole system. Still, Mr. Speaker, we must keep in mind the fact that sentencing and parole questions are closely related and that if any major change were to be made to the parole system it would have to be reflected in rules governing sentencing.

To sum up, Mr. Speaker, the whole matter is still under consideration and a report will be made public in due time.

• (1810)

[*English*]

YOUNG OFFENDERS ACT—MAXIMUM SENTENCE FOR MURDER—REQUEST THAT STATUTE BE AMENDED

Mr. Alan Redway (York East): Mr. Speaker, I suspect that you may not be aware of a murder case that occurred in Port Credit, a small community near Metropolitan Toronto in the Mississauga area in May, 1985. That was a case of the murder of a mother, Paulina Zerger, and her 11-year old daughter Tanya. As a result of that case two charges of first degree murder were laid against a youth who was only 15 years old at the time. The youth was charged with murder under the Young Offenders Act.

As you well know, Mr. Speaker, there is a provision under the Young Offenders Act that the Crown Attorney may move to have a murder case moved up to adult court for trial. You may recall that a year or two ago that was a very controversial thing, at least in the Province of Ontario where, in a number of instances, a motion was not made to move the case up to adult court, the cases were tried in Young Offenders Court and, as a result, there was a great deal of criticism about the fact that the penalty provided for in the Young Offenders Act was too lenient in the case of a serious offence.

As a result of that, the Attorney General for the Province of Ontario gave instructions at that time to all of his Crown Attorneys, in every case of murder or a violent crime in which someone was charged under the Young Offenders Act, to make a motion to move those charges up to adult court. That has been the policy and procedure followed in recent months in the Province of Ontario.

In the Zerger murder case that motion was made by the Crown Attorney. The trial court judge granted the motion and allowed it to be moved up to adult court, but that decision was appealed to the Ontario Court of Appeal because the penalty for murder in an adult court which the young person faced was 25 years imprisonment subject, of course, to the recent Chartrand decision which might make him eligible for parole after only 15 years. In the Young Offenders Act the maximum sentence for a murder conviction is only three years.

The decision was appealed and the Court of Appeal for the Province of Ontario reversed the trial court's decision. In doing so the late Associate Chief Justice of the Ontario Court of Appeal, Bert MacKinnon, said that when Parliament passed the Young Offenders Act in 1984, it must have intended that young people convicted of serious crimes would serve shorter sentences than adults.

That begs the question as to whether a young person between the ages of 12 and 18, in this particular case 15 years of age, when charged with first degree murder of two people, one of them being an 11-year old girl, should be facing a penalty of a maximum term of imprisonment of only three years or a maximum term of imprisonment of 25 years as they would be if they had reached adulthood and not been subject to the Young Offenders Act in the first place.

The Deputy Director of the Crown Law Office for the Ontario Attorney General has indicated that he believes that a three-year sentence is not long enough to protect the public in the case of a young offender convicted of murder.

I do not know about your constituents, Mr. Speaker, but my constituents certainly agree with the Deputy Director of the Crown Law Office. That is certainly the indication they have given me, not only in this case but in many other cases of a similar nature.

It is interesting to note as well that one of the major Toronto newspapers, *The Toronto Star*, indicated editorially that the Young Offenders Act should be amended to provide for a maximum sentence for a young offender of five, six, or seven years in the case of murder in order to avoid the appearance of too lenient sentences.

• (1815)

Even more interesting, the lawyer for this particular young offender in the Zerger case said after the trial and the Court of Appeal had reversed the lower court and sent it back to the young offenders court, that he did not feel that a three-year term was long enough. He felt that a term of eight to nine years would be more appropriate in the case of a young offender convicted of first degree murder.

In 1986, the Young Offenders Act was amended by the present Government. At that time there were a number of amendments introduced and it was indicated that if further amendments were necessary the Government was certainly prepared to consider those. In my view, it is time that the Government began to consider these further changes. For one thing, it certainly should be considering changes in the maximum penalty for a young offender convicted of first

degree murder. If the courts will not let these proceed in adult court, surely we must make changes in the Young Offenders Act.

A second area that must be addressed is one that has been commented on by the Ontario high school principals and teachers association. It is the case of not being able to identify a young offender, thereby leaving the schools caught in the middle. According to the law, a young offender must attend school but cannot be identified to teachers and principals. Of course, they are concerned for the safety of the students and staff.

Finally, there is the area of offenders under the age of 12, which has been a controversial issue for some time. In the Province of Ontario, the public does not understand why a person under the age of 12 is not subject to the Young Offenders Act, particularly when there were 1,855 children under 12 involved in serious crimes in Metropolitan Toronto alone in 1985.

All of these areas need changes. I hope the Parliamentary Secretary will indicate tonight on behalf of the Minister of Justice (Mr. Hnatyshyn), who is now responsible for the Young Offenders Act, that there will be some changes soon in this legislation.

• (1820)

[*Translation*]

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Mr. Speaker, on behalf of our very compassionate Minister of Justice (M. Hnatyshyn), I am happy to reply to the excellent question of the Hon. Member for York East (Mr. Redway) about what is certainly a burning issue.

The Young Offenders Act has established a modern framework for the Canadian juvenile justice system. Several aspects of this legislation are innovative and have therefore given rise to much debate, both before and after its coming into force in 1982.

However, it is generally admitted that this Act constitutes a proper and balanced response to juvenile crime. For instance, the Young Offenders Act recognizes that the juvenile justice system created by the legislation is not always appropriate and that, in certain cases, serious criminal cases should be judged by the adult courts.

The Act provides a mechanism to transfer certain charges to the adult court, where the young offender is judged in accordance with the Criminal Code and is liable to the same penalties as an adult.

A transfer hearing is held when the Crown, or even the accused, in some cases, so requests, and the judge must consider several factors, such as the seriousness of the offence, the background of the accused and the existence of a previous criminal record.

During the consultations which led to the tabling of Bill C-106, which was debated and passed by this House in 1986, the then Solicitor General proposed some amendments to the transfer provisions of the legislation. More precisely, he proposed that the age at which trial could be moved up to adult court be lowered from 14 to 12 years old—which is very sad but, alas, realistic—and that for the most serious crimes there be, automatically, a hearing on the move up. These proposals where withdrawn following objections from authorities in the area of justice for the young, most notably provincial Solicitors General and Ministers of Justice.

Mr. Speaker, provincial authorities concluded that the move up clauses in the old Act and in the new one were more appropriate. The efficiency of the Act and of each of its clauses will continue to be carefully monitored and to be the subject of consultations by our Government in general and our Minister of Justice in particular, in order to keep our legislation in tune with the most recent needs and to take care of these unfortunate young people in the future.

TAX REFORM—FUTURE OF MINISTER OF FINANCE—OLD AGE EXEMPTION—MINISTER'S POSITION

Mr. Jean-Claude Malépart (Montreal-Sainte-Marie): Mr. Speaker, tonight I would like to have answers. I was not satisfied with the one that was given to me by the then Minister of Finance on the amendments to his last budget and also on tax reform. I think it is important for each and everyone of us, and the Parliamentary Secretary, to remember that, at that time, the Government announced it was amending the income tax exemptions and converting them into tax credits.

We welcome that initiative because such was the recommendation made by the Liberal Party and by all groups who worked with the committee on consultation on social program reform, and it will be remembered unfortunately that at that point the Prime Minister misled both our senior citizens and families when he said that he would reinstate full indexation of old age security pensions and that the changes to the family income support program would not be used to reduce the deficit but rather to increase benefits to those who are most in need. We will remember unfortunately the attempt to partially deindex old age security pensions and, thanks to the Official Opposition and senior citizens, the Government's change of heart.

Next, through deindexing of family allowances, the Government will have cut as much as one billion dollars by 1991, preferring to use this money to lower the deficit and bail out the depositors with over $60,000 invested in a couple of Western Canada banking establishments.

We had agreed to replace the tax exemption with a tax credit, but it is unfortunately a non-refundable tax credit. Which means that a person who has not enough income will not be entitled to this tax credit, and there are as many as 1.4 million senior citizens in Canada who, in his last budget, will not be able to benefit from this tax credit. Hon. Members will

remember that yesterday, the Forum of Senior Citizens, on the basis of a study it carried out on the tax policies which this Government has implemented in its budgets since September 4, 1984, clearly established that senior citizens and low and middle income families have been greatly affected. Also, the study of the Carleton University report clearly indicates that these people have been greatly affected compared with the more affluent.

I should like to know if the Parliamentary Secretary could further explain why this is not a refundable tax credit which replaced the old age exemption. Moreover, the Forum of Senior Citizens indicated that the $1,000 income deduction under a RRSP or a retirement-oriented investment would greatly affect senior citizens which now benefit from it, and that it was not replaced by a refundable tax credit. I dare hope, therefore, that the Parliamentary Secretary will be able to provide the right answer, not so much to the Hon. Member for Montreal—Sainte-Marie, but especially to the senior citizens who are listening to us and who would like to know whether the Government will grant them a refundable tax credit, and also whether it will join the Liberal Party in its campaign to oppose a tax on bread, milk and butter.

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Right away, Mr. Speaker, I can tell you that I am not going to join in such shadow boxing. For the leader of our party, who is also the leader of the Government, clearly indicated in the House this afternoon that this issue was thoroughly dealt with, and that we are not going to restrict the normal consultation of the Canadian people by limiting the debate and providing ready-made answers. When this Conservative Government seeks the advice of the people, Mr. Speaker, it offers them all necessary options and we believe that the Canadian people is adult enough to tell right from wrong.

However, Mr. Speaker, let me just give him and all senior citizens a few examples—in answer to the specific request made by the Hon. Member for Montreal—Sainte Marie (Mr. Malépart)—of how to deal with fiscal reform. It is estimated for example that personal exemptions in 1988 will reach some $2,700. For taxpayers with incomes below $27,500, for example, who are quite numerous . . . That is to say, for that category of taxpayers who are uppermost in the mind of the Hon. Member, the rate of tax would be 17 percent. The value of the tax exemption for senior citizens would therefore come to some $454. In its place, the Government has opted for a tax credit of $550, which represents about $100 more. This means the tax break has improved by some 20 percent.

Mr. Speaker, another example can be given here. As indicated in the tables on pages 51 and 52 of the document on income tax reform, which deal with typical taxpayers, single persons and couples aged over 65 benefit substantially from tax reform. The tables show that income tax changes brought about by fiscal reform will mean savings of some $430 for single persons and of some $825 for couples, and this will represents savings of as much as 66 percent compared to the taxes which they paid previously.

Let me give you another example, Mr. Speaker. The minimum taxable income level for senior citizens will rise from $10,800 to $11,500 for single persons, and from $16,000 to $19,000 for married couples. About 250,000 Canadians 65 years old or more will no longer pay any federal income tax.

For instance, the conversion of the $1,000 pension income deduction to a credit of 17 per cent will have the same value for older peole whose income is less than $27,500, that is more than 80 per cent of senior citizens who file income tax returns.

I would like to give you a last example, Mr. Speaker. Low income senior citizens will benefit in 1988 from the higher sales tax refund which will be upped from $50 et $70 per adult.

Mr. Speaker, we have loads of other examples. The White Paper on Tax Reform proposes all kinds of increased tax exemptions, tax savings aimed particularly at senior citizens. They should be presented as they are, and some incidental parts should not be blown out of proportion and distorted from a purely political perspective. Scare tactics should stop. Our people, those of my beautiful riding of LaSalle are certainly better informed than that. Let me tell you that they are not taken in by false and vague theoretical promises. They put greater confidence in dollar savings such as those the future tax reform will bring them.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.28 p.m.

HOUSE OF COMMONS

Wednesday, September 2, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ENVIRONMENTAL AFFAIRS

IMPACT OF LOW-LEVEL MILITARY TRAINING FLIGHTS

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, this week a Gallup poll reports that 95 per cent of Canadians support more government funding for the protection of wilderness. Yet wilderness areas are coming under attack, not only from logging, mining and development, but from the air as well compliments of the Government of Canada.

Fighter planes already roar across Labrador at tree-top level. If the Department of National Defence gets its way and Goose Bay becomes a NATO training base, the number of overflights will increase substantially.

• (1405)

This year approval was given for B-52 and B-1B bombers to fly at less than 100 metres above ground over Lady Evelyn-Smoothwater Wilderness Park near Temagami in northern Ontario. The latest proposal is for bombers and fighter jets to practise over the skies of British Columbia starting in December.

The Government should respect Canadian passion for the wilderness and stop low-level military flights instead of permitting the militarization of Canadian wilderness.

* * *

CITIZENSHIP

OATH OF ALLEGIANCE—RETENTION WELCOMED

Mr. Gordon Taylor (Bow River): Mr. Speaker, I was shocked, depressed and infuriated when I read in a book issued by the Department of the Secretary of State that there would be a new Oath of Allegiance for new citizens. I was horrified by the two options suggested: one, delegating the monarchy to second place in the oath; and two, leaving the monarchy out altogether.

Why such an idea even appeared in a government booklet is incomprehensible. Surely when we take an Oath of Allegiance to Her Majesty, The Queen, we are pledging allegiance to Canada itself.

If the intention was to accommodate persons who want to become citizens of Canada and who object to taking our present Oath of Allegiance, they should go back to where they came from.

The monarchy stands for the highest and best principles of life and indeed binds our country with all other countries that form the great Commonwealth of Nations.

Every individual who takes our Oath of Allegiance by saying: "I do swear that I will be faithful and bear allegiance to Her Majesty Queen Elizabeth II" is following in the footsteps of thousands of Canadian soldiers, airmen and sailors who died for Canada in honouring that oath.

I commend the Secretary of State (Mr. Crombie) for saying yesterday in this Chamber: "It is not the Government's intention to withdraw Her Majesty from the Oath of Allegiance". Long live our Queen!

* * *

CANADA POST CORPORATION

FRANCHISE OUTLETS—APPLICATION OF CANADA LABOUR CODE

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, Canadians got good news and bad news about Canada Post today. First, the good news. The Canadian Labour Relations Board decided unanimously that people working at postal franchise outlets must receive benefits and wages equal to those paid postal workers. This is a great victory for working Canadians and for Canada Post customers.

It is a victory for men and women in need of a living wage. It also means an end to cheap labour at franchise locations.

This is also a victory for the Canadian consumer. People in my riding, and Canadians from across the country, have been telling me that they want the Conservative Government to rethink the way it operates the Post Office. They want equality and uniformity of service for all Canadians whether they live in Thunder Bay, South Gillies, or Atikokan.

Now for the bad news. Canada Post has finally decided that the mail is slow, something that Canadians have known for years, and only now does it want to find out why. The real rub is that it is going to take Canada Post three years to find out why the mail is slow.

This study already has proven why the mail is slow; incompetent management led by an incompetent Conservative Government.

There is a real solution to this problem and it starts with getting rid of the Conservative Government.

* * *

NATIONAL PAROLE BOARD

RELEASE OF CONVICTED MURDERER TO CELEBRATE BIRTHDAY

Mr. Jim Jepson (London East): Mr. Speaker, another inmate is again being charged with at least one murder and perhaps more after being released on a temporary pass by the National Parole Board, for his birthday, believe it or not. Surely a birthday is insufficient reason for permitting a convicted killer to mingle with innocent Canadians at a mall, who err simply by being in the wrong place at the wrong time.

As we have recently, in a democratic, parliamentary vote, rejected the return of capital punishment, surely we as legislators must accept full responsibility for bringing in tougher parole laws to ensure a greater degree of safety for Canadians. I, for one, have no intention of reneging on my responsibility in this area. We continually hear of the rights of the accused and the guilty, but as I have stated many times in this House, I believe it is high time we concentrate on the collective rights and the protection of society as a whole.

When we reflect on the Sweeney case in which a convicted murderer was released on parole to kill viciously again, and then this recent case in Edmonton, is this not a clear message that it must not happen again? We must toughen the system and protect innocent Canadians.

* * *

[*Translation*]

FRANCOPHONE SUMMIT

EXPRESSION OF GOOD WISHES

Mrs. Lucie pépin (Outremont): Mr. Speaker, a good many men and women from Quebec and other Canadian communities are attending today's official opening of the Francophone Summit in the Quebec capital. This summit is a gathering of 40-odd state leaders and government heads whose common tie is the use of the French language.

Several themes are on the agenda. The participants will attempt to emphasize international policy and the world economic situation. Special consideration will be given to the poorer countries of the francophone community. Linked though they may be by the French language, these countries still carry a heavy burden.

As Governor General Sauvé put it, what we are about to write is the history of francophones of the year 2000. Not only is it a matter of ensuring the continuity of the French language, but we must also promote dialogue among francophone countries. This is a major concern, and therefore political and economic co-operation has to be a foremost objective.

People of many countries have their eyes riveted on Quebec and Canada, and they closely follow the summit leaders to whom we extend our best wishes of success. Unfortunate though it may be, many of us Members of Parliament cannot attend the various events, but our hearts and minds are with the participants. We can only applaud and wish them good luck, hoping that this summit is a harbinger of many more such gatherings.

* * *

• (1410)

[*English*]

POLITICAL PARTIES

LIBERAL PARTY FUND RAISING CAMPAIGN—CALL FOR APOLOGY TO ALBERTAN CONSTITUENT

Mr. Jim Edwards (Edmonton South): Mr. Speaker, I have in my hand a piece of electioneering and fund raising propaganda which I think is worth the attention of the House, if only because of the irresponsible nature of its handling.

I wish to quote from the letter which is addressed by a gentleman who, the last time we looked, was President of the Liberal Party of Canada, Mr. Michel Robert. He says in part:

> The best way to get this great country of ours back on track with caring, responsible government is by electing more Liberals to Parliament.
>
> Please accept the enclosed Sustaining Supporter card and make your donation today to help ensure a safer, more prosperous tomorrow.

The rest of the story is that this envelope was sent with a transparent window to a constituent of mine who is anything but a supporter of the Liberal Party. His name is on the card. Furthermore, this card was sent to his place of employment, which has caused him no shortage of embarrassment in a province such as Alberta.

I call upon the Leader of the Liberal Party to offer my constituent an apology for the invasion of his privacy.

ADMINISTRATION OF JUSTICE

SASKATCHEWAN—LEGAL AID USER FEES

Mr. Simon de Jong (Regina East): Mr. Speaker, in early August the Saskatchewan Legal Aid Commission introduced shameful user fees for legal aid services. The charges range from $60 to a whopping $400. The impact of the user fees is already being felt throughout the province. There has been a sharp increase in the number of people appearing in court without a lawyer simply because they cannot afford the fee. As well, people are pleading guilty to serious charges rather than paying the new user fees. Clearly the user fees are a deterrent to the very people the system was designed to protect, the poor.

Despite this disturbing situation, the Minister of Justice (Mr. Hnatyshyn) will do nothing to prevent the gutting of Saskatchewan's legal aid system. He knows the introduction of user fees violates long-standing federal-provincial cost sharing agreements, but he prefers to say and do nothing to ensure that equality before the law does not become just equality for those who can afford it.

By his inaction the Minister has given the green light to other provinces which are seriously considering introducing their own user fee schemes. It is apparent that this Minister is content to sit idly by while the legal aid system in Canada begins to crumble.

* * *

AUTOMOTIVE INDUSTRY

1988 MODEL AUTOMOBILES—NEW EMISSION CONTROL STANDARDS

Mr. Alan Redway (York East): Mr. Speaker, this month automobile manufacturers will be unveiling their 1988 models. These models will be required for the first time to comply with new emission standards aimed at significantly reducing the allowable emissions of nitrogen oxides from automobiles. These new emission standards, which came into effect yesterday, are another important step in the Government's fight against acid rain.

You will recall, Mr. Speaker, that in March, 1985, the Prime Minister (Mr. Mulroney) announced a national program to reduce acid rain to 50 per cent of its 1980 levels by 1994. That program included $150 million for emission controls at smelters, $25 million for technology development, $70 million for cleaner use of coal, $18 million per year for research and monitoring, efforts to increase the use of low sulphur western Canadian coal, and new automobile emission standards to go into effect September 1, 1987, for 1988 car models.

While half of our acid rain emissions comes from the United States, the other half originates in our own country. These new automobile emission standards will help us to get our own house in order.

* * *

HISTORIC EVENTS

CEREMONIES COMMEMORATING DIEPPE RAID

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, recently a small group of Members from the House of Commons and the Senate accompanied the Minister of Veterans Affairs (Mr. Hees) and approximately 50 Dieppe veterans and officials from the Department of Veterans Affairs to the forty-fifth anniversary ceremonies commemorating the Dieppe Raid. We had many cenotaph remembrance events at cemeteries and battle sites during the course of the week.

I want to compliment the Minister of Veterans Affairs for the effective manner in which he conducted himself during the course of his official duties and for the sense of decency and the rapport with which he treated all of us in the delegation. The officials in the Department of Veterans Affairs deserve a big vote of congratulations on their organization.

• (1415)

The number of Canadian graves that we visited in Britain and in the Dieppe area of France tell the story of a terrible mission. Many other Canadian soldiers had to spend the war in captivity and, indeed, in a wounded state as a result of the raid. Our soldiers were given an impossible mission on that dreadful morning of August 19, 1942. But there is no dispute whatsoever about the fact that the Canadians involved in the Dieppe Raid could not have done more.

One has only to attend remembrance ceremonies at the many cenotaphs in Europe to realize fully what a wealth of Canadian leadership is resting in the well-kept military cemeteries of Europe. One reads the names and the ages: 19 years old; 21 years old; 30 years old; 24 years old; and 18 years old. These young people never really had a chance to participate in the life of their own beloved nation, Canada.

In the Act of Remembrance we state that: "We will remember them". But do we really remember them? Do we in this House of Commons fully realize that we are here because of them? Every day must be a remembrance day for such gallant Canadians and, indeed, for us. We have had the torch of freedom and responsibility passed to us to handle difficult problems in this country and in the world at large. How well we handle these challenges will be a reflection of how well we will remember them.

Some Hon. Members: Hear, hear!

S. O. 21

SCIENCE AND TECHNOLOGY

PUBLICATION ON FUTURE USE OF HYDROGEN

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, I wish to draw to the attention of Parliament the recently published report of the Advisory Group on Hydrogen Opportunities chaired by Professor David Scott of the University of Toronto. The report is entitled *Hydrogen—National Mission for Canada*. The establishment of such a mission is its principal recommendation.

In the future it is likely that electricity and hydrogen, readily interchangeable, will be the forms or sources of energy in most common use. We are fortunate that these are largely non-polluting.

With its resources of natural gas for steam reforming and hydroelectricity for electrolysis, plus our brain power in industry and in universities, Canada stands poised to reap the opportunities in this new and exciting field. The positive reception of this report by the Government augurs well for the future of hydrogen technology in Canada.

* * *

CANADIAN INTERNATIONAL DEVELOPMENT AGENCY

AWARDING OF CONTRACTS IN BRITISH COLUMBIA

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, British Columbians and British Columbia firms for many years have been anxious and keen to do business with the Canadian International Development Agency. British Columbians have the interest, the expertise, the skills and the experience to offer their services, goods and equipment to CIDA for Canadian overseas development projects. However, British Columbians have been and still are shut out of doing CIDA work.

While the Liberals were in office although British Columbia had 35 per cent of Ontario's population it received only 14 per cent of the number of contracts received by Ontario. However, under the Tories the situation has actually worsened with B.C. now receiving only 12 per cent of the number of contracts received by Ontario, and worth only 11 per cent of the value.

I urge the Progressive Conservative Government to have more faith in British Columbians and in British Columbia, to show an interest and to take initiatives to recognize British Columbian talent, expertise, experience and ability when it comes to filling CIDA contracts.

British Columbians ask not for any extraordinary consideration—only that they receive their fair share of CIDA service contracts, goods and equipment contracts and industrial co-operation contracts. British Columbians do not expect special treatment, only justice and fairness.

MEMBERS OF PARLIAMENT

MEMBER FOR SKEENA'S REPORTED REFERENCE TO NOVA SCOTIANS

Mr. Lawrence I. O'Neil (Cape Breton Highlands—Canso): Mr. Speaker, yesterday Canadians heard an amazing admission from the Hon. Member for Skeena (Mr. Fulton). He told us that he is closer to the people of Central and South America than to many other Canadians. He referred to countries in that region of the world as sister countries. He singled out Nova Scotians as a group to which he is not close. He did not call Nova Scotia a sister province. What must Nova Scotia do to become a sister province—elect a socialist government?

For whom does the Hon. Member speak? Is he representing the views of British Columbians when he says that they have a closer relationship to Central America than to Atlantic Canada? I do not think so. I am sure that my sister and my brother living in B.C. do not agree. I can assure Hon. Members that he is not speaking for Nova Scotians.

The Hon. Member's admission reflects his personal emotions. When he says that Central America has a closer relationship to B.C. than Nova Scotia he represents only the world as he sees it. It is a shameful comment on his Party's feelings for Atlantic Canadians and for our country—the greatest country in the world.

• (1420)

I ask the Hon. Member to stand in his place and apologize to his constituents for this gross misrepresentation of their loyalties, and for this slight to all Nova Scotians that he purports to offer on their behalf.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—MILK COMMITTEE'S CONCERN

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, recently the Russell County Milk Committee wrote a letter to the excellent Premier of Ontario, Mr. David Peterson. In the letter they state:

> The Russell County Milk Committee is quite concerned about the "free trade" and the impact it could do to the dairy industry.
>
> Everybody knows we have the best supply management in the world and it should not be traded away in whole or in part. There is no doubt it cannot be compared with the American system. It costs a lot less for the taxpayers to support a system like ours than what they have in the States, plus the fact that our financial stability is entirely due to our system.

The letter concludes by stating:

We have had a lot of pressure from concerned dairymen in the last months over the free trade issue, and we hope that your Government will keep an eye on our federal counterparts concerning this matter.

Yours truly,
Leo Brisson,
Russell County Milk Committee.

It is obvious that the Russell County Milk Committee is very concerned about the fact that the Government in Ottawa could trade away supply management, and it is counting on the excellent Liberal Government of Ontario to defend it, as does the excellent Liberal Party in Ottawa.

* * *

PETRO-CANADA

PRIVATIZATION URGED

Mr. Bill Attewell (Don Valley East): Mr. Speaker, I wish to urge the Minister of State for Privatization (Mrs. McDougall) to privatize Petro-Canada. But I wish it to be done in a unique, innovative manner, and not let it slip into foreign hands. I want to give Petro-Canada to the 25 million citizens of Canada.

My plan is deceptively simple. Every man, woman, and child would be given a proportionate share of the common shares owned by the federal Government. Canadians would be given first rights to future share issues.

I believe the Government has an obligation to ensure security of supply of oil and gas resources by ensuring that they are developed on a timely basis. I do not believe this means being in the retail gasoline station business.

Governments should only intrude in the market-place if it serves a public policy objective. In my wildest imagination, I cannot imagine how government ownership of retail gasoline pumps meets a public policy objective.

Let us give the shares of this corporation to the people of Canada. In a sense they already own it because Governments have poured hundreds of millions of taxpayers' dollars into this organization, and provided it with enormous tax concessions. Petro-Canada has been quick to raise prices at the pump when crude oil prices rise, but it is not so quick to drop prices when crude oil prices decline.

Who knows, we may even create a healthier, more competitive market-place with Canadians in charge, and keep control in this country.

[*Translation*]

SENIOR CITIZENS

SUGGESTIONS FOR MINISTER

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, after nearly three years in office this Conservative Government—ever mindful of its unbelievably stupid blunders concerning elderly Canadians, such as de-indexation of old age security pensions, unemployment insurance discrimination towards older workers, cut-backs of about $5 million in the New Horizons program—this Government, as I said, has decided to buy off elderly Canadians by appointing a Minister of State for Senior Citizens.

Mr. Speaker, a better man could not have been chosen for this job, but we want to be sure that the Government considers the well-being of senior citizens as something more than a smokescreen and window-dressing. Therefore I would urge the Minister responsible for Senior Citizens to eliminate discrimination with respect to the spouse's allowance, single, separated or divorced women, to cancel the New Horizons $5 million cut-back, and to correct the situation concerning the unfair treatment meted out to older workers seeking unemployment insurance benefits. Then people will have faith in this Government.

ORAL QUESTION PERIOD

[*English*]

TAX REFORM

FOOD TAX—MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Minister of Finance. In a reply to my question yesterday, the Deputy Prime Minister said: "The Right Hon. Leader of the Opposition knows there is nothing in the tax reform proposals which specifically outlines a tax on food. He should not try to mislead the House in suggesting that". Those were the words of the Deputy Prime Minister.

In the House on August 24 the Prime Minister said that any such suggestion of a tax on food was "absolutely false".

My question is based on the Minister's own document entitled Sales Tax Reform dated June 18, 1987, which specifically states that a tax on food is being considered. It appropriately uses a number of "pie" charts to set forth what a tax on food would do to household incomes.

• (1425)

Has the Minister of Finance been overruled, to his knowledge, by the Prime Minister and the Deputy Prime Minister? Or does he confirm what he produced in the House of Commons on budget night? Will he categorically say to the House whether there will be a tax on food, yes or no?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think we should start from the point of departure of the Right Hon. Leader of the Opposition as well as of the NDP representatives. I quote what the right hon. gentleman has said: "There should be perhaps some shift to the consumption tax". I think all sides of the House agree that the present federal sales tax is a bad tax and should be changed.

The document which the Right Hon. Leader of the Opposition referred to sets out some proposals—proposals—for sales tax reform. The specific proposal made is that we move from the existing tax to a multi-stage tax. Decisions on the composition of the tax base, the tax rate, and how the refundable sales tax would be designed have not been made. That is the subject of consultation involving the Standing Committee on Finance and Economic Affairs and the provinces, as well as other interested Canadians. Those consultations are progressing. People commented on Monday on whether or not the tax should include food. As a Government we want to listen. That is the purpose of consultation.

Mr. Broadbent: Tell the Deputy Prime Minister.

Mr. Shields: Try and listen for a minute, Ed. You might learn something.

Mr. Wilson (Etobicoke Centre): The document says: "These issues are important in deciding what goods should be included in the sales tax base. Before reaching any conclusions it is important to consider the factors that should be considered." What follows is an illustration of how the refundable sales tax credit would work and how it might relate to people with low incomes and those with higher incomes. I encourage the Right Hon. Leader of the Opposition to read the document before he jumps to conclusions.

WHITE PAPER DOCUMENT

Right Hon. John N. Turner (Leader of the Opposition): It is because I have read the document, and millions of other Canadians read it through reports in the media, that I do jump to a conclusion. The document says: "The prevailing view among Canadians has long been that exempting food from tax is required to help shield low-income families from a disproportionate burden of the sales tax. An important question, however, is whether or not an exemption is the best means to achieve this result." Then come the pie charts.

The Minister admitted again this afternoon that the food tax option is still open. He has not taken the opportunity to deny it and say the tax will not be imposed on Canadian families. He has in effect rejected the remarks of the Deputy Prime Minister yesterday and of his own Prime Minister on August 24.

Do we rely on this document as an option? By the way, the Minister made an interesting comment. He said he made a decision to move to the multi-stage tax. Has he abandoned the option of the value added tax and the consumption tax, or was that an inadvertent slip of what he is now thinking?

Hon. Michael Wilson (Minister of Finance): I am puzzled by that last question, Mr. Speaker. A multi-stage sales tax is a consumption tax. It is a value added tax. They are all part of that same generic term, multi-stage consumption tax. I am surprised that the Right Hon. Leader of the Opposition, as a former Minister of Finance did not—

Mr. Turner (Vancouver Quadra): Three options.

Mr. Wilson (Etobicoke Centre): There are three mechanisms to achieve a multi-stage tax. They are all described as consumption taxes, which the right hon. gentleman believes is the right way to go.

Let me make it absolutely clear. There is no proposal in this document or any other document in Canada to tax food. That is a fact.

• (1430)

INSURANCE POLICY TAX QUERY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I think the House can judge for itself that the Minister has not rejected the options to tax food, and his document supports that.

Despite what the Deputy Prime Minister might shout, let me see whether I can pursue another avenue under tax reform. As the Minister knows, the Canadian Life and Health Insurance Association has testified before the standing committee studying the Minister's proposals regarding a tax on insurance policies. I am not talking about a tax on the insurance companies. The Association has testified to the effect that that proposed tax on insurance policies will raise insurance premiums by about 20 per cent and will reduce survivor benefits. It points out that the tax will hit middle and lower-income families disproportionately, reducing the amount of benefit available to widows and widowers of lower and middle-income class families at a time when they need it the most.

In the Minister's study of these proposals, and in light of the testimony that he is receiving before that committee, will he withdraw the tax on insurance policies which will raise insurance premiums and reduce survivor benefits?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the Leader of the Opposition is asking a pretty fundamental question. We have a process under way in the Finance Committee of this House to review the White Paper on Tax Reform, specifically at this point income tax changes of which the insurance proposals would form a part.

Is the Right Hon. Leader of the Opposition saying that this House should state today that certain parts just are not to be discussed? Or is the Leader of the Opposition saying let the democratic process continue that the duly appointed—duly elected, I guess it is—

Mr. Turner (Vancouver Quadra): You are appointed, we are elected.

Mr. Wilson (Etobicoke Centre): —committee of this House of Commons is carrying out? Or should it have its work pulled away from it by this House through questions in the Question Period? Or should it be allowed to look at the tax reform package to see whether the different elements are fair and to see whether the balance between the impact on different sectors is fair? This is what the question is basically directed to, and I believe that process should continue because the life insurance industry has not been paying much tax.

Mr. Turner (Vancouver Quadra): I am not talking about the tax on the companies, I am talking about the tax on the policy holders.

Mr. Wilson (Etobicoke Centre): It is very clear that that tax is a tax at the company level.

* * *

TRADE

UNITED STATES TARIFF ON CANADIAN POTASH—PRODUCTION CONTROLS PROPOSED BY GOVERNMENT OF SASKATCHEWAN

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I have a question for the Minister for International Trade. Just over a week ago when the United States imposed perhaps the most punitive set of tariff and trade actions on this country the federal Government went into its habitual genuflective crouch, which means it did nothing about the matter, thereby forcing the Government of Saskatchewan to take very serious and drastic measures that will have major implications upon jobs in that province, upon the pricing of resources and, indeed, upon the whole free trade negotiations.

Mr. Crosbie: Speech? Question.

Mr. Axworthy: Is the Government now prepared to break its vow of silence and tell us what the Government of Canada's position is on this very important matter? Does it support the action taken by the Government of Saskatchewan in imposing production controls on this very important resource? Has the Government of Canada counselled the Government of Saskatchewan that that is a proper course of action in light of its free trade negotiations? In other words, what position can we expect the Government of Canada to take on this important matter or, when we ask the question who speaks for Canada, do we have to get the answer from the Premier of Saskatchewan?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I would like to reassure the Hon. Member that the position of the Government of Canada is that we support the Constitution of Canada. Under that Constitution, provinces have the exclusive authority under Section 92(a) to make laws in relation to development, conservation and management of non-renewable natural resources. We encouraged Saskatchewan to exercise its constitutional rights over a provincial resource. That is what we have been doing.

CONSTITUTIONAL RESPONSIBILITY

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I think the Minister for International Trade has just announced a very important constitutional precedent which basically is saying that in the jurisdiction of the federal Government, which has responsibility for international trade where it affects a natural resource, we will now abdicate totally responsibility to make decisions to the provinces of Canada. That is an incredible retreat and surrender of a basic federal right and power.

I want the Minister to reflect upon that answer and tell us whether she is saying that at anytime when there is a trade action against this country that affects natural resources the Government of Canada will abdicate its responsibility and leave it to the provinces to respond.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, what I find incredible, what I think the House will find incredible and I know what Canadians will find incredible is the position of the Liberal Party which is against provincial control of their resources. What Saskatchewan did was to bring in production measures. That is what it did in its own field and within its constitutional right. I think it is shocking that the Hon. Member cannot accept the Canadian Constitution.

* * *

TAX REFORM

FOOD TAX ISSUE—CONTENT OF WHITE PAPER

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Deputy Prime Minister. Yesterday when I was attempting to get him to commit the Government not to levy a tax on food, he accused me of trying to confuse the issue and went on to say—and it is quite a serious matter:

> —the NDP wants to come clean . . . There is no mention of a tax on food in the tax reform white paper.

I went back and checked, Mr. Speaker, because I recalled not once but many times that it is mentioned. Since it says in the White Paper:

> Even though food is taxed in many other countries and some foods are now taxed in Canada, taxing food is understandably an emotional and controversial issue.

The paper goes on talking about the implications of a tax on food. In the interest of truth and clarification, will the Deputy Prime Minister now withdraw his statement made yesterday and acknowledge that there is a discussion about taxing food in the White Paper?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Yesterday, I said in response to the Right Hon. Leader of the Opposition, which was confirmed here today by the Minister of Finance, that there is no proposal to tax food in the White Paper.

Mr. Broadbent: That is not what I quoted.

Mr. Mazankowski: I said that there is nothing in the tax reform proposals which specifically outline a tax on food. That is consistent with what the Prime Minister said in the House on August 24, 1987, in response to the Member for Ottawa Centre, which was:

> Mr. Speaker, the Hon. Member has just, no doubt, inadvertently, misled the House with the direct statement that the Government is considering a sales tax on food. That is false.
>
> The Government put out, as it ought to in a democracy, a White Paper dealing with a very complex issue. We set out some options for consideration and debate by parliamentarians and all Canadians. They are to be addressed, but not to be distorted and deformed as my hon. friend has just done.

I do not see anything inconsistent between that and what I said yesterday in response to questions.

MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I used to have full respect for the Minister and I hope that will continue.

Some Hon. Members: Oh, oh!

Mr. Broadbent: I gave him a quote, not what he said to someone else in the House, but in reply to a question in which he accused me of misleading. The Minister said, and I quote again:

> There is no mention of a tax on food in the tax reform white paper.

That is from the Minister himself as reported at page 8659 of *Hansard*.

Does the Minister stand by that or will he have the honesty and integrity to withdraw that statement right now?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, may I simply challenge the Leader of the New Democratic Party to give in very specific terms where it outlines in a specific way a proposal to tax food?

Mr. Broadbent: I just did it.

Mr. Mazankowski: It is not in the paper and the Member should know that.

MINISTER'S STATEMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I will try a third time, and then there is a more serious recourse.

The Minister has asked me to cite the source and I will quote the White Paper for the Minister:

> Even though food is taxed in many other countries and some foods are now taxed in Canada, taxing food is understandably an emotional and controversial issue.

Then it goes on, not only on that page but on the previous page. There is a discussion, there is a mention of a tax on food. The Minister said—

• (1440)

Mr. Mazankowski: Mr. Speaker, it is a discussion.

Some Hon. Members: Oh, oh!

Mr. Broadbent: Mr. Speaker, considering that those words that I read with care to the Minister are in the White Paper but the Minister said in the House yesterday that there is no mention of a tax on food in the tax reform White Paper, will the Minister now admit, willingly or otherwise, that he was misleading the House of Commons and trying to mislead the people of Canada about what the Government is doing?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker—

Mr. Speaker: Order, please. I know that the Minister and the Hon. Leader of the New Democratic Party are trying as best they can to deal with what seems to be a divergence of views on a document. Hon. Members will know that in Question Period when we get into a protracted disagreement over what is meant to be said or what appears in a document, it does create some difficulty for the Chair. I know the Hon. Leader of the New Democratic Party would not want to leave the impression that the Minister is intentionally misleading anyone or—

Mr. Broadbent: No, he has a chance to clear it.

Mr. Speaker: I think the Hon. Leader of the New Democratic Party in his comments is clearly putting forward his disagreement with what the Hon. Minister has said or with the Hon. Minister's interpretation, but I would not want the impression left, and I know the Hon. Member will assist the Chair in this, that there is any desire on the part of the Minister to deliberately mislead the House.

Mr. Broadbent: Mr. Speaker, in my initial question I did not want to leave the impression that the Minister was deliberately misleading the House, nor do I want to do that. However, I read his words and I then quoted from the White Paper. It seems to me to be the case that there is a discussion or a mention of a tax on food in the White Paper. The Minister said flatly in an accusation of me that I was misleading. I gave him the opportunity as a respected Member of the House to withdraw what he said yesterday and to clarify the record; that is all.

Mr. Mazankowski: Mr. Speaker, I thought I had indicated on a number of occasions yesterday that there were no specific proposals contained in the White Paper with respect to taxing

food. I have challenged the Hon. Member to outline in a clear, succinct way the details of any proposal to tax food. He has failed to do so. He failed to do so yesterday and he has failed to do so today.

Mr. Speaker: I think Hon. Members might consider that when these kinds of disputes are before the Chamber in Question Period, if they are to be pursued further there is of course another place to do it. I would ask Hon. Members to keep that in mind, including Members on the opposition side and Hon. Ministers.

[*Translation*]

TAX ON FOOD—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Finance or to the Deputy Prime Minister.

The matter is important, it is a question of intellectual honesty and truth. First I should like to recall that elderly Canadians did not forget the written trickery of the Prime Minister who once stated that he would restore the full indexation of old age security pensions.

In another document the Minister of National Health and Welfare indicated that allowance cut-backs would not be used to reduce the deficit.

We remember what the Minister of Finance—

And everybody knows that the Government, in its White Paper on page . . . in connection with the tax reform it says that one of the Government's option is to tax food. In other words, a tax on bread, milk and butter. On the same page they indicate how: an 8 per cent tax . . . People could be exempted.

My question to the Minister of Finance is quite simple: Can you be frank, honest and sincere, reassure Canadians, and tell us now whether you maintain your option to tax food?

[*English*]

Will you maintain the option to tax food, yes or no?

[*Translation*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the booklet is very clear. There is no proposal to tax food. That is very clear.

MINISTER'S POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I would remind the Minister that the House has been misled twice in these matters. But just to be sure, just so Canadians get the message—the Conservative caucus is against it, the Minister says there is no option to tax food—does he mean that Canadians can now be sure that, as the Liberals have been saying, there is nothing about taxing food in the tax reform? So if the Minister is sincere we can tear up this page and tell people: All Parties agree, there is no option to tax food. Yes or no?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I think I have responded very clearly to this question. We have a process—

Mr. Malépart: Yes or no?

Mr. Wilson (Etobicoke Centre): Perhaps the Hon. Member would care to listen to the answer to the question. A process is under way right now which is called the Finance Committee of the House of Commons. The committee is listening to the views of Canadians on the subject of whether or not we should go ahead with this or that form of income tax change.

In some cases there have been comments on some of the proposals for the reform of the sales tax system. In some cases there have been views stated as to whether or not there should be a tax on food. Some have declared themselves in favour of it. We want to listen to Canadians so that they can give us their views. I think the role of parliamentarians is to listen to the views of all Canadians. This is a tax reform package—

Mr. Gray (Windsor West): Where do you stand?

Mr. Wilson (Etobicoke Centre): Mr. Speaker, the—

Mr. Speaker: The Hon. Member for Ottawa Centre.

REFUNDABLE SALES TAX CREDIT

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, we are in a difficult situation because of the Government's refusal to state clearly whether or not it intends to tax food. I would like to draw the attention of the Minister of Finance to the lengthy discussion in his White Paper on whether or not food should be taxed. I would draw his attention to the argument made in the White Paper that it is better to tax food and provide a low-income tax credit than not to, and to this particular passage in the White Paper:

> A better way to make a sales tax fair is to offset the effects of the total tax paid by lower-income families with a refundable sales tax credit.

In other words, the White Paper argues that it is better to tax food and have a refundable sales tax credit than not to tax food. Is that the position of the Minister of Finance now?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, if the Hon. Member would take the time to read it carefully, he would see that the White Paper takes no position on this. It is neutral on it. It does not make a proposal one way or the other. It sets out both sides of the option and the Hon. Member has just set out one side. The other side is not to tax food and to give everyone an exemption of the value of the tax they would pay if food were taxed. That would obviously benefit those with upper incomes to a greater extent than those with lower incomes and that is the question we want Canadians to consider. Which is fairer, which would they like to do?

We want to listen. We feel that that process should run its course. That is the role of the Finance Committee. The Hon.

Member is a member of that committee. He is listening to the views of Canadians. I would have thought that he would have liked to listen a bit more to make sure that when he makes his decision as a member of the committee it is a decision that is the right one.

• (1450)

REQUEST FOR MINISTERIAL ASSURANCE

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, the Minister of Finance has now admitted that a sales tax on food is an option being considered by the Government. He has also acknowledged that his White Paper leans toward having a sales tax on food despite the opinion of Canadians.

Can he give us a bottom-line assurance that he will now reject his leanings of a month and a half ago and that the Government will not impose a sales tax on food?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I was not leaning one way or the other a month and a half ago and I am not leaning one way or the other today. I believe it is the duty of Members of this House to make an objective and dispassionate judgment on which is the right way to go on this issue.

The Hon. Member says that he has made up his mind.

Mr. Broadbent: So has the Quebec caucus of your Party.

Mr. Wilson (Etobicoke Centre): Perhaps the Hon. Member would like to drop off the Finance Committee and give his place to someone else who would want to listen and make a more objective judgment.

* * *

[*Translation*]

CANADA POST CORPORATION

INQUIRY WHY CERTAIN ESSENTIAL SERVICES AT SAINT-LÉONARD WERE TRANSFERRED

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, my question is directed to the Minister responsible for Canada Post. At Saint-Léonard, Canada Post management have transferred some of the essential services to a drug store located two miles away and people who live in the vicinity of the post office are furious about this decision. Why transfer essential services instead of providing them in the post office which has the staff required to dispense them? Why deprive people of these services?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the Hon. Member is talking about a service to allow people to pick up registered letters and parcels if they are not home when delivery is attempted. Transferring registered mail to sub-post offices which are generally open until nine or ten o'clock at night and have parking spaces available is an improvement in service to customers. It is in an effort to improve the services that these changes are being made across the country. The response of people across the country has been very good.

REQUEST THAT MINISTER ORDER CORPORATION TO DROP FRANCHISE PLAN

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, while the Minister checks his facts will he order Canada Post to drop its plan to franchise post offices now that the Labour Board has ruled that franchise owners must honour postal union contracts? Will he order the President of Canada Post to negotiate in good faith and stop announcing a strike as the Minister did last night? Is the Minister responsible for the Post Office or is he irresponsible?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this is another clear position from the Liberal Party. The Member for Papineau says that the Government should cut the umbilical cord of Canada Post, and the Hon. Member who just asked the question suggests that we should dictate to the Post Office how it should manage its affairs.

It is my understanding that the corporation disagrees with the decision of the Canadian Labour Relations Board. An appeal has been filed. I understand further that the decision affects only one outlet, Shoppers Drug Mart in Willowdale. It is my sincere hope that this will not affect the plan to improve service to Canadians through franchising.

REQUEST FOR RE-EXAMINATION OF PRIVATIZATION PLANS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I have a supplementary question for the Minister responsible for the Post Office. The Canadian Labour Relations Board decision undercuts the Post Office's plans for privatization. Will the Minister not take advantage of the decision and re-examine the plan for privatizing the Post Office through retail outlets, in order to maintain service at the Post Office and to prevent a postal strike in the future?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, as I have just said in response to a previous question, I think that franchising to shopping centres which are open in the evening, have better parking and so on, is essential to improved service for Canadians which I and the Government are in favour of.

This issue is at the table and is being discussed now. I would think a member of the New Democratic Party would not be counselling the Government to involve itself in issues which are presently being discussed at the table.

IMPENDING POSTAL STRIKE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the Minister has been quoted by the media warning Canadians that there will be a strike in the Post Office two weeks from

now. Is he just going to sit on his hands and wait for this postal strike to happen, or is he going to do something to prevent it? Why does he not take advantage of this Labour Relations Board decision to re-examine his plans for privatization?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I said yesterday that the leader of CUPW, Mr. Parrot, has said that there definitely will be a strike and estimated when that might happen. I said I hoped there would not be a strike, but Mr. Parrot apparently insists there will be one. The final decision is up to the union.

If the Hon. Member does not think there should be a strike, which would be in agreement with the Government's position, I suggest that he talk to his friends in that union and suggest that they not go on strike.

* * *

SPORTS

BEN JOHNSON—CANADIAN UNIFORM QUERY

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is directed to the Minister of State for Fitness and Amateur Sport. When I say "Big Ben" to you, Mr. Speaker, you might think of a clock with 9.83 seconds on it. "Big Ben" is, of course, Ben Johnson, the fastest man alive today.

Some Hon. Members: Hear, hear!

Mr. Turner (Ottawa—Carleton): He ran the greatest race of his life in a Canadian team uniform. However, when he went to the podium to receive his gold medal in front of the world he was wearing an old dirty jersey. Why was he not wearing our proud Canadian colours?

Hon. Otto Jelinek (Minister of State (Fitness and Amateur Sport)): Mr. Speaker, I would like to take this opportunity to do publicly what the Prime Minister and I have already done privately, that is, congratulate Ben Johnson for his tremendous and historic achievement in Rome last weekend.

Some Hon. Members: Hear, hear!

Mr. Jelinek: With that attempt, Mr. Speaker, Ben brought pride, not only to himself, his family and his community but, judging by the reaction from around the world, tremendous pride and integrity to Canada and all Canadians. For that we are very thankful.

With regard to the question, Ben Johnson did run in a Canadian uniform. I was somewhat surprised that he did not put the rest of his uniform on when receiving his gold medal. The rest of the world did not seem to care. However, my surprise was due to the fact that I knew that all of our international athletes have received full uniforms under a contract with Adidas Canada. Nevertheless, I have asked the Canadian Track and Field Association to find out why Ben did not put that uniform on, and to report to me in due course.

In the meantime, I hope we have not put a cloud over Ben's achievement on behalf of all Canadians.

* * *

INDIAN AFFAIRS

LUBICON BAND—OUTBREAK OF TUBERCULOSIS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is directed to the Acting Minister of Indian Affairs and Northern Development who is also the Minister of National Health and Welfare.

The Lubicon Indian Band in northern Alberta is back in the news again and, as usual, it is very bad news. This time it is a serious tuberculosis epidemic. The Minister knows that this disease is directly linked to poor housing, lack of sanitation, unclean water, and overcrowding.

Why is the Government not getting on with the important task of settling the outstanding claim of the Lubicon Indian Band, especially when there is a workable set of recommendations at hand which were developed by no less a person than the Hon. E. Davie Fulton?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, with regard to the health matter of the tuberculosis cases at Lubicon the Member is correct. We have medical staff on site at Lubicon giving professional medical assistance as well as studying outbreak causation and providing any other services which can be provided.

With regard to the question about land for the Lubicon Band not having yet been so designated, I think the Hon. Member knows as well as I that that point has been taken up actively not only by the present Minister but also by his predecessor. I think it would be only appropriate for the present Minister to make a full response, and I will advise him of this.

• (1500)

BAND'S CLAIM TO RESERVATION

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my supplementary question is directed to the Deputy Prime Minister who is a distinguished Member from the Province of Alberta where the Lubicon Band is suffering at the present time. Is he aware that the United Nations Committee on Human Rights has criticized the Government for the way it has handled the problem at Lubicon, and has called for immediate action? Why does the Government continue and persist in rejecting the obvious route to solving this problem? The band wants, and Davie Fulton has offered to act as a mediator. Why are the services of this distinguished gentleman being rejected?

Point of Order—Mr. Manly

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I think Members on both sides of the House recognize the Hon. Member as being very responsible in these matters relating to Indian Affairs. He is aware of them fully, as I am to some degree. However, I think my colleague, the Minister for Indian Affairs and Northern Development, recognizes the complexity of this issue and I am not saying that in terms of delay or a desire for delay. I think the Hon. Member recognizes those complexities.

In view of those complexities, I think it is only proper that the Minister be given the opportunity to make any announcement respecting Lubicon or any settlement. I believe all of us would very much like to see a settlement to this very difficult, long-standing problem. I think that is the way to proceed with this issue.

ESTABLISHMENT OF RESERVE

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is directed to the Minister of National Health and Welfare. The Berger Report on Indian health that was commissioned by a previous Conservative Government established very clearly that Indian health is not simply a matter of pills, nurses and doctors, but is related to their total well-being.

Will the Minister acknowledge now that the outbreak of tuberculosis amongst the Lubicon Lake people is directly related to the frustrating fight they have had with the Government and previous Governments to establish a reserve for that band? That fight goes back 50 years. Will he acknowledge that fact and urge his cabinet colleagues to ensure that the situation is resolved with justice for the Lubicon people?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I believe all Members who know this issue crave justice and a solution to the issue relating to the Lubicon and reserve status.

Some very strong advances have been made with respect to Indian health, as he and most people who studied the issue should recognize. We have very professional people within the Medical Services Branch.

As a Minister I cannot stand up in the House and give that type of diagnosis which falls very much into a medical field and to which he wants me to give blanket coverage. Obviously, as Minister of National Health and Welfare, I have responsibility with respect to causes of disease and how we can ensure that it does not happen in the future. That is why my professionals and others are there right now.

Mr. Speaker: I must advise Hon. Members that the time for Question Period has expired.

POINT OF ORDER

CORRECTION OF STATEMENT BY MEMBER

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, in Private Members' Hour on Friday, the Hon. Member for Parkdale—High Park (Mr. Witer) had a motion before the House. In speaking to that motion, I said, as reported at page 8583 of *Hansard*:

> —it was pointed out to me that last year when the Committee on Human Rights was holding hearings on the issue of human rights in South Africa the Hon. Member was the only one who voted against sanctions against South Africa. That, too, is a kind of silence which speaks very eloquently of support for the perpetrators of human rights violations in South Africa.

At that point, the Member for Parkdale—High Park rose on a point of order and said:

> If the Hon. Member will check the record he will see that the statement which he has just made about the way I voted in a committee is inaccurate. I am sure he would want to correct his statement.

I have checked the record and I understand that the Hon. Member did not vote against the motion, rather he abstained. I apologize for any misunderstanding that has resulted.

Some Hon. Members: Hear, hear!

Mr. Speaker: I thank the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) for bringing this to the attention of the Chamber. I commend him, of course, for conduct which is in the best tradition of this place.

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HOUSE OF COMMONS

APPOINTMENT OF INTERNAL ECONOMY COMMISSIONERS

Mr. Speaker: I have the honour to inform the House that the Hon. Donald Frank Mazankowski and the Hon. Douglas Grinslade Lewis have been appointed by the Governor in Council as members of the Board of Internal Economy for the purposes and under the provisions of Chapter 39 of the Statutes of Canada, 1985, entitled "An Act to Amend the House of Commons Act".

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my honour to present a petition on behalf of a number of Canadians who are concerned that there are troubles in many parts of the world and people are seeking safety from persecution by coming to Canada. They believe that Canada has

established standards for refugee status determination, but our existing procedures have obviously broken down under the unexpected strains.

The standing committee of the House has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force. This proposal has the support of all Parties in Parliament, as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and many other groups and individuals.

Considering that procedures recently adopted that turn away refugee status claimants from ports of entry before their claims are examined put real refugees at serious risk, the petitioners are asking Parliament to ensure that the Government enact legislation that will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada, and adequate opportunity to arrive in Canada to make these claims.

Again, a number of Canadians are asking the Government and, in a sense, Parliament to consider this recommendation seriously.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I have a duly certified petition from a number of Canadians concerned about changes to Canada's refugee policy.

They point out that increasing numbers of people from trouble spots throughout the world want to come to Canada to seek safety from persecution, that in the past we have had standards for refugee status determination but these have broken down under stress, and that the Government has introduced measures that take away from our tradition of being open to refugees.

The petitioners humbly pray and call upon Parliament to ensure that the Government and Parliament bring in legislation that will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission. There should be universal access to such hearings for every claimant in Canada and adequate opportunity to arrive in Canada to make this claim.

• (1510)

Mr. Dan Heap (Spadina): Mr. Speaker, I have here about 350 petitions from a number of residents of many parts of Canada who are concerned about Bill C-55 and the other refugee legislation which is before us.

The petitioners point out that because of troubles in many parts of the world people are coming to seek safety in Canada, and that the Standing Committee on Labour, Employment and Immigration produced a report a year and a half ago with recommendations for dealing with this more quickly and fairly than before. The report has widespread public support from church, labour, the Bar Association and other groups.

Therefore, your petitioners humbly pray and call upon Parliament to ensure that Government and Parliament enact legislation that will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board that is independent of the Immigration Commission, universal access to such hearings for every claimant in Canada and adequate opportunity to arrive in Canada to make this claim. Wherefore the petitioners will ever pray.

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, I have a duly registered petition from people of Edmonton, Alberta.

Whereas the standing committee of Parliament has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force, and that the proposal had the support of all Parties in Parliament as well as the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and other groups and individuals, the undersigned, your petitioners, humbly pray and call upon Parliament to ensure that Government and Parliament enact legislation that will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every claimant in Canada and adequate opportunity to arrive in Canada and make this claim.

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QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all questions on the Order Paper be allowed to stand.

The Acting Speaker (Mr. Paproski): Is it agreed?

Some Hon. Members: Agreed.

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MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker I ask that all notices of motions for the production of papers be allowed to stand.

The Acting Speaker (Mr. Paproski): Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

Hon. Benoît Bouchard (Minister of Employment and Immigration) moved that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

He said: Mr. Speaker, I fully appreciate this opportunity to thank the Members of the legislative committee on Bill C-84 who, I think, worked long hours on this legislative measure. I would also like to thank the people, groups or individuals, who commented on this Bill.

[*English*]

As we all know, Canada's refugee determination system is under siege against a daily onslaught of illegal migrants arriving in Canada and making false claims to gain entrance. The number of claims in 1987 is expected to be some 30,000. Refugee determination is a complex and often emotional issue. The question of abuse and how to eliminate it is crucial to preserving Canada's humanitarian reputation and our tradition for law and order. That is why the Parliament of Canada was recalled in the middle of August. I repeat, Mr. Speaker, that I believe that was more than useful in order to take immediate, decisive action to put an end to the growing, flagrant abuse of our laws and generosity.

[*Translation*]

Over the past few weeks, Mr. Speaker, we have heard the views of a number of interest groups and individuals on the best way to correct the flaws they thought they had spotted in the Bill. I listened closely to their suggestions and concerns, and I take this opportunity to comment briefly on the amendments proposed by the legislative committee.

Mr. Speaker, I think it bears repeating that from the outset I gave Canadians and committee Members the assurance that I would consider the possibility of amending the Bill, on the condition that this would not weaken it in any way. I feel that the amendments endorsed by the House are useful and necessary explanations, and I support them unreservedly.

The Bill is aimed at severely cracking down on the operations of unscrupulous counsellors, smugglers who take advantage of the plight of illegal migrants, and carriers who fail to ensure, as they should, that their passengers carry the required documents. It is also aimed at curbing abuses on the part of economic migrants who try to jump ahead of refugees and immigrants who abide by the established procedure.

Mr. Speaker, proposed Sections 95.1 and 95.2 are the key provisions of these legislative measures, enabling us as they will to put a stop to the activities of those who bring many illegal migrants into Canada.

[*English*]

There has been much discussion about amending these articles. We have insisted that lawyers and legal drafters consider different phrases. We have considered terms such as religious group, profit, reward, fraud and clandestine entry, but each option creates loopholes and reduces our capacity to prosecute the unscrupulous. The bottom line of this legislation, Mr. Speaker, is that we cannot permit these individuals to escape sanction by creating insurmountable problems of proof.

I reject the argument that proposed Sections 95.1 and 95.2 open doors to prosecution which were not open before. The current Act had this general offence but it did not serve as a deterrent to Captain Nygren. Through proposed Sections 95.1 and 95.2, we bring it forward as a clearly marked and highlighted offence with higher penalties.

There has been a great deal of talk about how this Bill would affect church groups. I would like to respond to these concerns. It has been said that because we have two new proposed Sections, we have opened up the door to the prosecution of church and humanitarian groups if they assist refugees. I reject this. Since 1976 there have been penalties in the Act for any person who brings undocumented people into Canada. Therefore, church groups have been liable to prosecution for the past 10 years. There have been no complaints before and, to my knowledge, no prosecutions. The reason is that the administration of this Act has always recognized and will continue to recognize the humanitarian nature of these activities.

What was true before is true now under the current legislation and under the new Bill. Bill C-84 does not create some new ground of prosecution for what church and humanitarian groups have been doing for years, presenting refugee claimants for examination, sponsoring refugees from abroad and providing settlement assistance.

• (1520)

Proposed Sections 95.1 and 95.2 address both the enormity and the immediacy of the situation. They send strong signals that Canada will no longer tolerate abuse of our borders and our laws. The message is clear and the audience is specific. Those who seek to ignore or circumvent our laws will be prosecuted. It is as simple as that.

[*Translation*]

In connection with Clause 8, Mr. Speaker, I should like to stress that proposed Section 103.1 of the Bill empowers the Minister either to order a ship captain to sail into port or to send him back. This amendment, proposed by the Hon. Member for Calgary North (Mr. Gagnon), confirms the assurance I gave the High Commissioner for Refugees, Mr. Hocké, that the Government has every intention of exercising its power to send ships back, but without endangering human lives nor breaching the Geneva Convention.

I am sure the House will agree that the amendment proposed by the Hon. Member for Willowdale (Mr. Oostrom) to add a new proposed section, 95.4, will make it easier for us to take legal action against unscrupulous counsellors who urge refugee status claimants to make false statements. This amendment provides for stiffer penalties for this kind of infraction.

The House has accepted two other technical amendments which clarify the Bill.

[*English*]

To conclude, this Bill is designed to meet an urgent situation. It has been drafted to hit hard at a new type of criminal activity, namely, large scale smuggling. It also strengthens our ability to quickly remove criminal and security risks. It will allow us as well to slow down, and perhaps put an end to the increasing flood of people arriving in Canada without travel documents.

This legislation, together with Bill C-55, will provide a comprehensive, long-term solution to the difficulties and abuses currently surrounding the refugee determination process. It will enable us to concentrate on helping those refugees truly in need of our protection. It will enable us to continue our strategy of controlled growth in immigration.

[*Translation*]

Mr. Speaker, I am convinced that this legislation is essential if we are to respect our humanitarian commitment towards refugees in the world and to prevent possible frauds against Canadians or Canadian laws. Bill C-84 will enable this country to do that.

[*English*]

Mr. Sergio Marchi (York West): Mr. Speaker, on behalf of my Party I am pleased to respond as the lead-off speaker in the final phase, in the House of Commons at any rate, of this Bill, namely third reading. The Bill received interesting treatment at second reading when Hon. Members actively participated. We have just come from very active deliberations in the legislative committee.

I regret that the attitude of the Minister is the same. It is the same inflexible position that was the position of the Government at second reading. It is the same inflexible position that was displayed during the study of Bill C-84 in legislative committee. It is the same inflexible position that was reflected in the clause-by-clause study of the Bill. Witness after witness came to Ottawa on short notice and prepared to help the Parliament of Canada in its deliberations to try to ensure a better, more fair and more effective Bill. Despite that the inflexibility persists. In the short 10 to 15 minutes that the Minister took in his speech on third reading the same inflexibility persisted. It rang out loud and clear. That is unfortunate because the issue is so sensitive.

In saying that I do not mean to suggest that any issue with which we deal in the House of Commons takes priority or second place to other issues. But certainly when we talk about immigration we must recognize the sensitivity and, beyond that, I believe the emotions that are attached to immigration policy.

I have spent only three years in this Chamber. Like every other Member of Parliament, when I go back to my riding I keep constituency appointments with people who live in my riding. Their problems range from trying to find employment, to trying to find a summer job, to an individual who cannot pay his tuition, to an individual who wants to collect Canada Pension Plan disability benefits because of an injury received on a construction site. All those issues are important. They mean the world to the individuals who bring them forward. However, with respect to immigration-related problems there is no doubt that the emotional level attached to them poses the most serious dilemma and problems for us as Members of Parliament.

When we talk about immigration outside of the refugee flow and the refugee program we are talking about people in Canada, Canadians who wish their families to join them, who want visitors to visit them, who want their cousins to attend the University of Toronto to obtain an education on a visitor's visa. We have all sorts of requests. It is emotionally difficult for persons to understand why their mothers, their grandmothers, their aunts, their cousins, their nephews or their friends were refused by the Department, by the bureaucracy. It becomes difficult because we are talking about human feelings and about human beings. That is why I thought that there could have been some movement, some sensitivity displayed by the Government of Canada in terms of responding to those, at many times, emotional pleas from a wide range of groups.

We heard from the Inter-Church Committee, from the clergy, from the Canadian Bar Association which gave a legal perspective, and from civil libertarians. We heard from Canadians who came on short notice to give a bit of themselves to the input and the drafting of this legislation. I am left to ask myself this question. Are we any richer for it as a Parliament if we continue, as the Government does, simply to play the charade, to pass the legislation in a vacuum, to explain it to one's caucus on a Wednesday morning as if nothing else mattered outside that room or on the drafting board in the Minister's office? We cannot continue to draft legislation in that sense.

While the purpose and objective of this legislation is certainly noble for everyone in the House, it is the process that has to be paid some respect and some regard since it is the process that has a way of affecting the substance. In this case there was little process. There was no respect given to the witnesses or to the testimony given during the process. As a result we have a piece of legislation which I believe is made poorer as a result of that indifference and intransigence. That is why at the eleventh hour of third reading there was still a trickle of hope that the Minister could have moved a number of amendments on a number of grounds.

• (1530)

On behalf of my Party I moved close to 20 amendments, not in an attempt to scuttle Bill C-84 or to suggest that the Liberal Party does not wish to clamp down on abuse. All Members in all Parties wish to clamp down on abuse. It was a way of achieving that without sacrificing many of the principles that I will be deliberating and outlining for the House.

My colleague, the Hon. Member for Spadina (Mr. Heap), on behalf of his Party, presented a large number of amendments to improve and precisely target the objectives of Bill C-84. At different times, Members of the Minister's Government made various remarks or suggestions which reflected that perhaps there could be some movement. Yet, we are at third reading, and the Minister has articulated the same position today as he did at first and second readings.

If that was the intention of the Government, and it knew what it would say at third reading today, then I think it could have avoided putting Canadians, Members, research staff, and everyone else through the hoop; through a process that, in the end, counted for absolutely nothing.

The substance of the Bill is worrisome, but also the process taken by the Government is equally alarming. Today it is Bill C-84, tomorrow perhaps it will be Bill C-55 which may be treated in the same manner, and other Bills down the line. Therefore, we move away from participatory democracy because there is no public participation or involvement, and no accommodation of the input from the public. There is no respect for the opinion of anyone other than the Minister.

That is not the openness and the accessible Government preached by the Prime Minister (Mr. Mulroney) in 1983 or 1984 when he was campaigning, visiting various towns and hamlets, and visiting the church basements which I do not think he will dare to step in after Bill C-84.

Some Hon. Members: Oh, oh!

Mr. Marchi: The Prime Minister suggested that he would introduce an open Government, an accessible Government, a Government that will participate with Canadians and give Canadians what they deserve. Canadians deserve something better than Bill C-84. Canadians should not continuously be talked to and dictated to; they should participate with the Government in improving its legislation in order that the laws created and administered, if not agreed with, will be respected by Canadians.

The committee heard testimony from many people who suggested that they have no respect for the legislation, especially in the literal sense, in terms of those individuals who would now be liable to fines or imprisonment for assisting refugees who may not have visas. Those individuals have said that they will continue to pursue their legitimate work in assisting refugees.

Therefore, I ask the Minister, what is the purpose of drafting legislation which is not rooted and grounded with some degree of moral respectability from citizens? The process has been alarming and discouraging.

We talk about parliamentary reform and suggest that committees will have more political power and greater input; committees will be allowed to question the Minister on the laws, provide a check and balance, and make a Member of Parliament feel like a somebody. That is not evident in Bill C-84. Thus far it is not evident in Bill C-55. Four witnesses were jammed into a morning session which lasted two hours. What committee deals with four different witnesses, assuming that there will be two rounds of questioning from Members at the table? If we allow other legislation to be properly scrutinized, why should immigration Bills be the exception? Why should Bills C-84 and C-55 set a wrong and dangerous precedent? These questions of process impact in a very real manner on the substance that we are debating.

In terms of dealing with the substance, I would like to begin with a short quote from Rabbi Gunther Plaut. I do not suggest that his testimony was any better than any other witness, but it was an inspirational speech that he delivered to the legislative committee. He even impressed and touched Members on the government side, judging from the attention, the questions, and the duration of his speech, and from the compliments of the government chairman. Rabbi Plaut touched a nerve that day, and one would have thought his testimony would have moved the Government to realize that amendments in certain clauses were correct and necessary if we were to maintain the sense of justice that has prevailed in Canada.

At the beginning of his testimony to the legislative committee he stated:

> You can render the Canadian people and the refugee community of the world and causes of humanity in general a true service if you manage to eliminate from this Bill clauses that treat such people worse than the worst of criminals.

Rabbi Plaut further stated:

> Treat the stranger fairly; you should extend your love and friendship to him. Remember that you too were strangers once.

That last line which addresses the stranger among us left a five-second interval of silence at the committee. In fact, the stranger among us represents the history and the roots of this country.

We can engage in a numbers game as to how many people were born here, how many people immigrated here, how many are the sons and daughters of immigrants but born here; the numbers can be debated, but perhaps no agreement will be reached as to how many individuals constitute second, and third generations of Canadians of immigrant families.

Over-all it cannot be denied that in large measure this country was built by the impressive flows of immigrants to our shores. In a real and conscious way, Canada opened its doors to the world, invited and welcomed people to begin a new life, take a new lease on life and start anew in Canada. In the process of offering those individuals a new opportunity and a new life, we were breathing life into Canada and building a

new, bigger, and better country. That is the role that immigration has played in this country. It is a national building block. It has been in the past, it continues to be in the present, and it will be so in the future.

It is important to have that perspective when dealing with this emergency legislation, and to give some thought as to what are the future implications for our immigration program overall, specifically with respect to refugees.

I think everybody would agree and recognize the reality that immigration played a tremendously large and significant role, particularly in the post-Second World War era. We also must recognize that immigration will play the same type of role in the future. We only need to look at the statistics and the realities of our country in 1987. There is a dwindling birth rate, and families are having fewer children compared to 15 or 20 years ago. That will have a very serious impact on population trends, as well as social and economic implications.

• (1540)

At the same time we have an aging population. As a percentage of our population we have many more older Canadians than 10 or 15 years ago. It is not difficult to see the economic and social implications for Canada as a result of those two trends.

As well, every single year 50,000 more people leave our country than return. That has been the trend. Combine all those facts with the physical size of this country and I think the results are very clear.

Then we have our economic needs. Obviously immigration has to be matched with the country's ability to absorb immigrants; that is, to employ people and produce the goods and services so that everyone can enjoy their share. Those economic needs are continually changing, yet our education system does not necessarily adapt to those changes. We have to ensure that we have people with the skills necessary to meet Canada's requirements.

One of the best examples I can give is one close to home. My father is a tool and die maker with a small shop. He produces the tools and dies that go into punch presses which in turn produce all sorts of goods. Yet when my father requires tool and die makers he cannot find them. We have to go to Great Britain to obtain people with expertise in tool and die making. I ask myself why. Immigration offers an answer.

Immigration can help build this country and bring about greater economic prosperity. If that is true, and I happen to believe it is, then you would think this House, together with Canadians, could have a mature and rational debate on the process we are talking about today. What role does immigration play? What kind of immigration do we want to initiate? How many people can we absorb? What kind of trades do we need which our education system lags behind in producing? What are the goals we wish to set for ourselves?

You get the impression from the Government that immigration is something that you somehow have to tolerate. I think that is the wrong approach. It should be a pro-active, positive approach which utilizes immigration as a tool—not over the short term, as we are doing now, but articulating a vision of things to come—a vision which is consistent, progressive, and tells the world we know what we want in the way of immigration policy. We should be able to say that for the next 10, 15 or 20 years this is our agenda. It would be subject to some changes, of course, here and there, but we would not be opening the doors today, closing them tomorrow, and opening them a bit the next day. That does not work to the benefit of Canada.

Defining immigration policy is not easy. It is a very complex part of government policy. It is a large and very sensitive program. Do Canadians want to open up family class reunification? That has been a cornerstone of immigration policy for a good many years. Do we wish to assist the brothers and sisters of Canadians, for example, in immigrating by providing them with a higher priority? Do we wish to offer more points to those with family in this country? I think most Canadians would agree that the family has a role to play.

The arguments of the detractors of immigration would perhaps be blunted if we suggest that if they are worried that the state is going to spend too much on immigrants, do not worry because we are encouraging more family related immigration and the family will take care of the immigrant, thank you very much, and do a much better job.

How many visitors do we want in Canada? Should we have visitors' visas? Should we have a limit on the number of people who can come to Canada, the length of time they can stay, and where they come from? Should we allow more student visas? Should we allow more foreign students to come to Canada? Some people ask, if we allow too many foreign students what happens to our students? People may be worried that students from some corner of the world will do better than their little Johnny. Is that fair? Does their little Johnny lose a place at university if we have too many foreign students?

Other people suggest that once these students obtain their degrees and go back to their own countries they become goodwill ambassadors for Canada. If a student from Hong Kong studies at the University of Toronto for four years, goes back and works for an international computer company, do you not think that he will have a good understanding of this country? It could be that that individual will make a trip here in his capacity as marketing manager for the Hong Kong computer company. How many jobs would that create? How much wealth will that bring in to Canada?

Do we allow more immigrants to come in on temporary work permits? A construction firm in my riding went to the employment centre and asked for some bricklayers and carpenters. A couple of months went by and no one could fill the bill. Then he went to Immigration Canada. He said since the employment centre did not send him any workers he

wanted to have people come in on work permits so he could fulfil his 15 contracts over the next seven months. Immigration Canada said, "No, you cannot do that. You have to advertise throughout the country and make sure there is a Canadian able to do that rather than bringing someone from abroad." The short answer to the whole story is that that individual did not get enough workers, and he told me that he had to cancel some of his contracts. Is there any need for that in 1987, Mr. Speaker? I think not.

• (1550)

But there is merit in intellectual stimulation, in trying to use practical examples to create practical policies that work for Canadians. Do we want to encourage more independent immigrants, people who do not have family here but who have good professions? Do we penalize independents too harshly if they do not have family? Do we encourage more entrepreneurs, more business immigration? This Government has doubled the number of business immigrants. Some people say that is bad and other people say that is positive. Others say that business immigrants bring wealth into the country, they create jobs, build new shops and factories, while others say this approach is that of buying your way into the country. This country was also built by individuals who came here with very little in their financial pockets, but a lot upstairs, with will and determination.

What is the absorption rate of entrepreneurs? What is the philosophical argument about whether a person with $200,000 can get into Canada without perhaps showing the right guarantees that a factory will be built or that he will create the number of jobs purported? Should we perhaps base our policy more on accepting individuals who wish to come here and give of themselves, stay permanently, and so on?

What about domestic work? What numbers of domestic helpers should we have? We have a program just to deal with domestic help. From where should they come and how many? Should we perhaps try to encourage domestic help in Canada before going abroad to get people? Once those people are here, what kind of opportunities or rights do they have? Why can't they stay a little longer if they manage to have a family in Canada and want to put roots down here? What is the implication of the program?

Then we have refugees. How many refugees shall we allow into Canada and from where? How do we select them? Should we go only in the refugee camps? Should we have a system in place that allows a person who comes to our borders due process, so that he or she can be accepted? Do we not have the obligation to follow a number of refugees through the system to see where they end up five or ten years hence?

It is troubling, but we seem to be hearing from different quarters that the word refugee has become a dirty word all of a sudden, that refugees are queue-jumpers and abusers. Those are the sort of reactionary comments we hear. We have to define what is the true story of the refugee phenomenon in this country.

What about the Gunther Plaut who came to our committee? Gunther Plaut was a refugee himself, a lawyer and a rabbi. He is intelligent, moving and forceful. He sat on the committee with all of the other Members of Parliament who were not refugees. Not only did he hold his own, he went far beyond what the Members could in that room.

What is the reality and what is it that frightens us? Is that fear legitimate or is it perception? If it is a perception, how do we dispel the perception? That is what I mean when I say we have to define a vision of things to come. We have to do it maturely, in a vigorous and positive way. That is a responsibility of Government, but not exclusively. It is the responsibility of the communities, the churches and the non-profit organizations to be concerned and to reach out. By and large the ultimate decision must be that of the Government elected by Canadians.

In terms of performance; in educating, leading, inspiring, eliciting confidence, putting trust in an immigration policy that works, the Government's report card shows failure. I do not say that because I sit on this side of the House and the Government is on that side. I do not recall, but I urge Government Members to think of a time when a government of Canada, regardless of its political stripes, Conservative or Liberal, mismanaged the immigration policy as badly as we have seen in the last three years. This Government's policy has wreaked confusion in the minds of individuals. We have seen a policy under which family class reunification has lower priority while business class immigration has a higher one. There is confusion about the lack of clarity in our refugee policy. I think of those individuals in this country who have no business being here at all, and about the individuals with criminal backgrounds who have been getting special permits, compared to other individuals who were being left out. I have never seen, in three years, such a lack of confidence in an immigration policy. If you can ask you will find that most Canadians are confused about the direction the Government wants to set for itself in immigration policy. Beyond that confusion, there has been confusion purposely allowed to fester between what is an immigrant and what is a refugee. That is the second type of confusion. The first one is over-all, the second is very precise.

For the last three years this House, the Standing Committee on Employment, Labour and Immigration, and non-governmental organizations have said one thing very clearly. If we are going to make strides in refugee policy we have to delineate between who is a refugee and who is an immigrant. But that has not been done, Mr. Speaker. What have we had is the Prime Minister saying all of a sudden, when this boatload arrived, as reported in a Canadian Press article of July 31, 1987:

> These people by and large are illegal aliens. They are people jumping the queue and taking the place of other immigrants.

That is false. The Minister knows that is false. The Members who serve on the committee with me know that is false. An individual refugee does not take the place of an immigrant. If my cousin from Country *x* cannot come in, it is not because we have accepted two or 200 refugees but because the targets have either been met or the individual does not, for a wide range of reasons, come within the immigration class, but he is not refused because of any refugee being accepted or refused. That confusion is being manipulated.

One of the greatest frustrations Canadians experience is the sponsoring of family and friends. People cannot understand why a relative, who would be given room and board and a job, with financial responsibility for his or her shortcomings, cannot come to Canada. The Government has allowed to fester and has manipulated that frustration. We hear that persons cannot enter because we have so many refugees queue jumping. That was the word used by the Prime Minister. That is not fair. It is not right because there are two streams, one for immigrants and one for legitimate refugees.

• (1600)

Legitimate immigration applicants apply at embassies abroad, state their reasons for applying, get medical and security checks and an answer is provided. That answer is yes, no or conditional. The reality is that a true, legitimate refugee who is facing persecution, torture, imprisonment, loss of liberty or probable death does not have the luxury to line up for a visa or to get proper documentation. The only luxury that person has is the luxury of some time to remove himself and his family from his country.

We are all proud of our birthplaces. Given the opportunity and the choice, no one in his right mind would want to be an immigrant. Immigration is motivated by either poverty, war, lack of a job, lack of a future or a revolution. Under those circumstances people pack their bags and move. However, given the choice, they would rather enjoy the fruits of their efforts in their own countries. When they cannot, they move for the betterment of their families and themselves. They adopt a new country to which they are loyal and patriotic. That is the reality of immigration. Given a choice, my family would have preferred to remain in northeastern Italy but there was nothing there for them at that time. Times have changed, but my parents are now Canadians. They would not trade Canada for any other including their homeland, as much as they still feel emotions for it. As much as they feel a tingle when they get off the airplane in their homeland, they feel a tingle on the return trip to Canada as well.

Given an ideal world, there would be no immigrants. However, we do not live in that ideal world. In addition, true refugees do not even have the option of trying to weather the storms in their countries. They have to leave; some of them come to Canada, some go to the United States and others go to Europe.

We must admit to ourselves that it is intellectually dishonest to confuse immigrants with refugees and to suggest that refugees block other immigrants. They do not. We do not even reach our immigration targets. The Minister has said that there is a target of 115,000 for landed immigrants but the Department always falls short by 10,000, 15,000 or 20,000. There are not enough people working in our embassies abroad to process these immigrants. Targets go up but the number of workers in visa offices stay the same. Unless those people work 24 hours a day, they will not process any more. One cannot draw blood from a stone. Therefore, it is very dishonest to base policies on those kinds of manipulations.

When I say that this is the worst performance I have ever seen, I do not mean to say that other Conservative Governments have the same record. I say that this Conservative administration, whether intentionally, whether because there has been a series of different Ministers with different goals or whether it is the Prime Minister, has given one of the worst performances I have seen.

Compare its performance, for instance, to that of the Government of 1979 led by the Right Hon. Member for Yellowhead (Mr. Clark), followed after nine months by the Trudeau Government. The best example I can offer to show the dichotomy between the two administrations is the example of the boat people.

Within a three-year period, Canada accepted 106,000 Vietnamese boat people. Approximately half of these were sponsored by the Government and half sponsored by communities, Members of this Chamber, parish priests, local community groups and local ratepayers who found families who would take in a number of young Vietnamese children. The acceptance of that 106,000 in three years was begun by the Government of the Right Hon. Member for Yellowhead, and finished by Mr. Trudeau's Government. That is leadership.

How was that accomplished? It was not accomplished through irrational thought. It was not accomplished by wondering what we would do with the boatloads of people who were coming. No, the Government clearly articulated for the nation the need to help these individuals. Other places in the world did the same. There was education. There was integration and acceptance by Canadians. Canadians demonstrated confidence that the Government would accomplish it in an orderly way. Canadians felt that these people really were refugees and we could absorb them into the community without there being an over-indulgence in the social welfare system if the Government would pay all the costs. All those barriers were taken into account and what was the result? The result was that Canadians moved progressively, sensibly and calmly. That is but one example of many in history.

There have been special refugee movements of people numbering in the thousands. After the Czechoslovakian revolution, there were 37,000 refugees. Again, through education, integration and a sense of balance, purpose and

confidence in the Government, the system worked. If Canadians do not have confidence in policy, Governments are paralysed. If Canadians do not give the green light, the Government cannot move. Therefore, there must be a partnership. In the end, the Government can only go as far as the people want it to go. The process was a noble one.

Studies done by the Government in the 1980s attempted to track individual refugees after they had come to Canada. Those studies show that those refugees from Vietnam, who are loyal and proud Canadians today, have done very well. Many of them have opened up their own businesses and shops. Others are happy working, making a dollar. Their kids have done very well in the educational system. They are producing and contributing citizens, just like you and I, Mr. Speaker. If we see them walking down the street—we cannot call them refugees, given the stigma we have allowed the word "refugee" to take on in the last couple of months.

The Canadians who accepted the Vietnamese boat people in the late 1970s and early 1980s are the same Canadians who live here today. It is not a different population. It is not as if the Canadians who were here in the late 1970s and the early 1980s all left and were replaced with another set of Canadians who all of a sudden have a different vision of immigration. They are the same people. Canada is the same country. It is only four years after the fact. If the people are the same, why then are we getting such a drastically different reaction from the Government? Why is it an emergency when 300 people arrive in two boats over two summers? That is 300 compared to 106,000 in one special refugee flow. It is not acceptable for the Government to react in the way it did to those 300. We have a much prouder history than that.

• (1610)

I am not suggesting that we should not have orderly systems or should reward abuse. The checks and balances must be in place. If there are people who are illegitimately here and persist in circumventing the laws they should be deported instantly. I support that as do all Canadians.

We are here discussing an approach, evolving with the times and taking a humanitarian and responsible role. I find it unacceptable, with our history, that the Government, its Ministers and the Prime Minister should react in the fashion in which they have reacted.

The Canadian Ethnocultural Council, an organization representing national ethnic groups across the country, presented a very thoughtful brief entitled, "Reason over Hysteria, Please". That title captures the essence of this very well. We have always been guided by moderation, reason, thoughtfulness and a sense of progressivity.

Ministers of the Crown and Members of Parliament are suggesting that Canada is the only country to which refugees are coming, that somehow Canada is a sucker for refugees. I do not mean to use that word impolitely, but that is what I hear on the streets. It is the responsibility of the Government to say that that is not true. The refugee movement is a world phenomenon.

Refugees are produced by uprisings, revolutions, dictatorships and war. When we listen to the national news in the evening and read the papers in the morning we learn about refugee uprisings, protests for peace and democracy, people put in prison, people killed and people tortured. We are bombarded with that. The world is in turmoil and is producing refugees as we speak.

The existence of refugees presents a world-wide problem which needs a world-wide solution. A domestic solution within Canada will do nothing to help the problem in the world. West Germany, Canada, Switzerland, the United States, Brazil and other countries must come together in a mood of co-operation to try and resolve the problem collectively. That is why we signed the Geneva Convention in the 1950s.

What is the Geneva Convention? When you strip away the technical and fancy words which Canadians may not understand, the Geneva Convention is a fancy way of saying that we are all besieged with the problem and in order to solve it we must all act in unison. That is why we signed the pact.

The agreement says, first, that we must be proactive, meaning that we have a responsibility to go to the various refugee camps in the world. I have had the opportunity of visiting some of them. It is not a pleasant sight to see a refugee camp surrounded by barbed wire. People live within those camps for five or six years, have children there, and are not able to leave. Countries within the pact send visa officers to refugee camps to select refugees to bring to their countries in hopes of diminishing the numbers of people in the camps.

In addition to being proactive we agreed to be reactive. We agreed not to send people back to their homeland who, upon their return, will face persecution, torture or death. Those are the two things to which we as a country agreed under the Geneva Convention. That is what the Government should be explaining. The Government should be honouring that agreement rather than breaking it.

The Government should be explaining the transition in the plight of refugees. There are a number of Members and Ministers who say that this is the fault of the Liberal Government, that we are in a mess in 1987 because of the policies of Pierre Elliott Trudeau or the inaction of the previous administration. I do not say this because I sit on this side of the House, Mr. Speaker, but that is incorrect. The previous Government recognized that a transition was taking place. No longer were the majority of people waiting in the refugee camps. They were trying to get away from the camps, reach other countries, and ask for status. We did not have a system in place to handle such a large number of applicants coming to our shores.

When the previous administration saw the trickle of people arriving in Canada it tried to put in place a new structure. That is why it commissioned Rabbi Gunther Plaut to do a study and recommend a new system by which we could handle

fairly and quickly the applicants coming to our shores. The report of Gunther Plaut was on the desk of the Government for close to three years before Rabbi Plaut was given the time of day.

In addition to the Plaut report the Liberal Party made specific recommendations in committee in a minority report. We suggested a liberal configuration. The New Democratic Party did the same thing. The Standing Committee on Labour, Employment and Immigration submitted a number of reports on overhauling and reforming the refugee determination system. The non-governmental organizations made recommendations as did the churches. The media played a role by indicating that the Government must make it a priority to move on the fundamental changes required in our system.

The Conservative Member of Parliament for La Prairie (Mr. Jourdenais), who is the Chairman of the Standing Committee on Labour, Employment and Immigration and the Chairman of the Conservative immigration caucus committee, made recommendations. He wrote a letter to his colleagues on July 22. He said in that letter, "I am writing to you today to ask you not to leave indelible marks on Canadian society by adopting Bill C-84 without safeguards and without amendments that will benefit our Party in the future. I have looked at the Bill carefully and I can only recommend that you examine its clauses objectively in the interest of Canada and without emotion or without exaggeration". He went on to say, "Immigration officials must not be given abusive powers, the church groups must be protected, refugees without documents must not be penalized and the control of terrorists should be left to the proper officials".

• (1620)

That was written by a government Member of Parliament and Chairman of the Conservative immigration caucus committee.

All of these people, from Plaut to the Member of Parliament for La Prairie, and everyone between, have been largely ignored for close to three years. The refugee determination system and reform was not made a priority issue on the agenda of the Government. Rather than put in place an orderly, fair, and quick processing system, we are now paying the price for that inaction.

A new system is the only long-term viable solution, not only in terms of processing but in terms of being the best deterrent that any system could offer. It will be a deterrent because I do not believe many, if any, fraudulent refugees would be moved to spend up to $15,000 to be dropped on our coast if they knew that they could only stay here for a period of three to six months under a new system. I am sure someone would rather go to another country, where they could stay longer, than spend their life savings to travel 4,000 miles and stay here for only six months. Presently, individuals can stay here for years before their status is determined, whether or not they are bona fide refugees. The signal being sent by the present system is wrong.

The Government seems to be promoting its policy on the basis of curbing abuse. While the Government may suggest that it has a monopoly on the stand against abuse, I believe that no one in the House welcomes abuse, encourages it, or wishes to reward those who manipulate and circumvent our laws by smuggling, trafficking and trading in human lives.

Unfortunately, abuse exists in other areas of government responsibility. There are people who abuse unemployment insurance, the pension system, and the worker's compensation claims system. No one likes abuse, but, as in every other society, abuse sometimes permeates the very best system that a country and government can offer. The Government should be vigilant in attempting to stamp out abuse, as we have done in the Opposition. We did not sit quietly during the schemes and scams from Portugal, Turkey and Brazil, where individuals were selling visas and passports, counselling people to come here and make fraudulent claims based on religious persecutions that did not exist.

Why has the Government not acted? Why have people not been charged as a result of RCMP investigations? We were told, in answer to our questions on the floor of the House of Commons, not to worry, that we should have confidence that the Government will clamp down on those people and bring them to justice. What justice has there been in coming to grips with the abuse? The fact is that it is business as usual.

Those sleazy consultants, who make huge immoral profits from people like those we have met in our constituency offices who have paid thousands of dollars for nothing, are still in business. Even though they were raided by the RCMP they do not have to appear in court or face penalties.

These operators moved their tricks of the trade from Portugal to Turkey after we put a visa on Portugal, and moved to Brazil after we put a visa on Turkey. Now they have gone elsewhere. The people in communities in Toronto know who they are. Members of the same community provided evidence to government Members and the Minister at the Committee.

The Government knows the identity of those operators but there has been no action. If the Government is genuinely interested in stamping out abuse, why has not one person been fined or jailed in the last three years in light of the numerous schemes and scams in this country? Why has it not declared war on those white-collar criminals who live off the proceeds of human desperation? The Government must answer those questions because its policy is predicated on stamping out abuse.

We are asked to trust the Government, yet it has failed to come to grips with the situation. I challenge the Government to show me proof that it is serious about clamping down on abuse. If the Government is serious about stamping out abuse, why is it that not one person who has gone through the determination process and been refused a claim been removed

from Canada? While the present system is faulty and must be improved, there are people who had the opportunity to go through the four or five stages of the process but were refused their claim. Why are they still here, just like those who were accepted? The message being sent is that it does not matter whether or not one is a refugee, one can stay in Canada. Why has the Government not curbed that abuse?

If the Government is serious about protecting legitimate refugees, why has it not acted to remove fraudulent claimants? If it does not want individuals to wait in line behind fraudulent claimants, why does it not remove them and give the message that Canada is open but it wishes to accept those who legitimately need our protection. So there were opportunities to show how serious the Government was in terms of curbing abuse, if there was the political will and if there was the intellectual honesty in what the Government was preaching to the Canadian public. However, in terms of morality and honesty, the Government is bankrupt. It says one thing and does another.

• (1630)

We had a boatload of refugee claimants in 1986. What was the response of the Government? The then Minister gave them ministerial permits which allowed them to stay in Canada. We had a fairly quick processing. We had a Prime Minister who welcomed them. Our Prime Minister declared very proudly, and I was happy to hear him, in terms of the Tamil refugee claimants: "If we err, we will always err on the side of justice and on the side of compassion". We all remember those words. That was the summer of 1986.

In the summer of 1987, the same Prime Minister, probably before he even talked to his Minister of Immigration—he has not even seen one of these individuals, he has not even participated in debate and he called the emergency—said: "These people by and large are illegal aliens". He also said: "I am not going to be pushed around or kicked around by these people". That was the summer of 1987. The summer of 1986 was radically different.

No one is suggesting that this Government be pushed around. No one in this Parliament would subscribe to that. We are all proud of protecting our shores, our sovereignty and our independence. However, that does not mean the Government has to prove its macho image. It does not have to prove how strong it is after giving up to the United States on lumber and free trade. It does not have to prove how strong it is by pushing around a boatload of people looking for a home.

The real dichotomy I wanted to address is the confusion of the electorate who are asking what our policy is. In 1986, in a very *ad hoc* way, the Government accepts. In 1987 it rejects, fabricating a crisis and bringing Parliament back, giving the whole situation an unreal and very fictitious air.

Which is real, the Prime Minister declaring the aliens illegal back in June, or his speeches at the various ethno-cultural picnics this past summer where he talked about tolerance and opening the door to immigration? Canadians want to know, and this Parliament should know, which is the policy of this Government and of this country. This is the confusion we have to address and eradicate. The Government has to be confident its policies are secure, that they have clarity and purpose, otherwise confidence will be undermined and mistrust will be the order of the day.

The first response of the Canadians to the boatload of 174 migrants just a few short months ago was not to call the police. It was not to call the immigration officer, nor to call the Coast Guard to remove these individuals. The very first act was of a Nova Scotian woman who offered the migrants on her lawn tea and cookies. That was the first Canadian response. The first natural reaction was to offer these people tea and cookies and, I believe, peanut butter and jelly sandwiches. Think of it, Mr. Speaker for a moment. We have gone from that natural and beautiful knee-jerk reaction of a Canadian woman, to Bill C-84, and we know what happened in between.

In terms of Bill C-84, we have to ask ourselves two questions, what and why. What is in Bill C-84, and why are those clauses drafted the way they are? Again, I preface my remarks by suggesting that if the objective of the exercise is to curb abuse, that is fair. If we wish to say that our country is open to asylum seekers and we wish to honour our obligations and responsibilities to legitimate refugees, but not to others, that is fair, legitimate and expected and no arguments will be offered from any quarter of this House. But does Bill C-84 do that? Who are the targets? That is why the Hon. Member for Spadina (Mr. Heap) and I, who attended those committees, moved the amendments. We tried to clarify the objectives with the reality, with the law. We tried to move amendments so that the Bill would actually do what the Government purports it will do.

I would like to take a moment to go over a number of the major clauses in the Bill. One clause heralded by the Government is that it gives new power to turn boats back. The Government wants to tell Canadians it is going to be tough, that it is going to put into its legislation the power to enable us to turn boats back. It expects applause for that bravado. But let us analyse what that will mean. What will that do to the process of our refugee system? How will you and I, Mr. Speaker, ever know who was on that boat? If that boat contained 100 passengers, how many were true refugees, 59, 73, 100 or none? How many had passports and proper visas, 6, 12, 14? What were their circumstances? Where were they coming from? What were they fleeing from? What were their circumstances in terms of the actual persecution they faced?

The answer, of course, is that we would not know. They would not be provided due process. There would be no hearing where they could go into details of their persecution. There would be total disrespect in this regard for any processing of that unknown passenger, and we may be participating in sending 100 persons, 15 or one person back to the country of origin to be tortured, to face imprisonment or to face death. I

do not think Canadians really feel comfortable about that possibility.

The second aspect we have to analyse is that if the Government really wants to deter, is this the proper way to do it? Is it proper to simply say: "We are going to turn the boat around and that will end it"? Or do we need something else? I believe the latter. If I were a captain who was prepared to set sail from Europe, what would I be thinking if I knew the policy of Canada was simply to turn the boats around? I would do the following. Perhaps I would have room for 100 individuals. I would charge them each $10,000. I would pocket the money and I would say, "There is a 50 per cent chance that I am going to get in in the middle of the night, dump the passengers, return and perhaps fill up the boat again and go somewhere else or return to Canada. Or there is a 50 per cent chance that even if the Coast Guard finds me, the only thing that they will do, or the Minister will do, is simply to turn my boat around". Perhaps the captain of the boat will dump the passengers beyond the 12-mile limit. Perhaps he will dump them off in another country or bring them back to their country of origin. We must not forget that he has the money and the boat. He has made a profit. Thus the captain wins. He wins in all situations, whether or not he is turned back.

• (1640)

In an amendment we suggested that if there is a boat approaching our country that we board it and escort it into port, which will allow us to do two things. First, it will allow us to determine who the passengers are, whether or not they are refugees. If so, they will be determined as such, and if not, after processing, they will be asked to leave. Second, we will have the captain's boat. We can impound it or sell it. We can charge the captain or fine him. We can imprison the captain. In answer to those who suggest that it is not the captain who is the real organizer but someone else in another country, let me say that we can use the evidence that we obtain from the captain and the crew to try to track down that operator, smuggler number one, and use any powers that we have to extradite him or, through the use of pacts with other countries, ensure that we bring to justice those who are smuggling.

If one really wanted to deter the captain of a boat from leaving that European harbour, would it not make sense to try to approach it and escort it into port rather than turning it around, remaining ignorant of who is on board, who did the organizing and where these people come from? Ignorance and political darkness do not help us define what we are trying to stop. That is why we moved an amendment which would provide for escorting a boat into port rather than turning it around at sea. That would not discourage any captain or smuggler. It does not offer process. So we lose and we come up with a fat zero in terms of processing and in terms of dissuading people from smuggling.

The other factor, of course, is that it would create two types of refugee claimants. It would allow the person who comes in other than on a boat to have a processing system while those who arrive by boat may not have one. For example, if my family were fleeing a country facing political persecution and I left by boat and my brother left by plane, my brother would arrive through Pearson International Airport, declare his refugee status and would have a hearing. He would be processed and he could stay. Since I came by boat I could be turned away and I would not be able to tell my story. There is one policy which creates two classes of refugees.

As a policy we cannot suggest that it is the mode of transportation which will dictate the decision-making process. One cannot say, "If you take a bus, we will process you this way. If you take a plane, we will do it this way. If you take a boat, we will do it another way". There has to be one system for each refugee claimant. A person is either a refugee or not. Either the country provides processing or it does not. If we create two different types of refugees and a person wants to come here and abuse the system, do Hon. Members not think that those people will now take a plane rather than a boat until we deal with all transportation vehicles in the same way if we wish to curb abuse? I think it would be logical. Again, an amendment by my Party to achieve that end was defeated.

The third aspect of this point is this. What about the Geneva Convention and our international obligations? At the outset of my remarks I mentioned the two responsibilities that we enjoy as a country under the United Nations Convention. There is the policy of *non-refoulement* which is a very classy technical word which simply means that we will not send people back to a place unless we can guarantee or be certain that it will not be problematic, hazardous or fatal for that person. That is clear. The policy of turning back a boat will not guarantee the process of *non-refoulement*. So we would be violating very seriously that responsibility.

We asked the Government, "If you no longer believe in the conventions of the United Nations, if you do not believe in the agreement we signed in 1951, then tell Canadians that you want to break that agreement and that you want another configuration, that you do not believe in it any more, that you are going to go your own way". At least the Government should have the courage of its convictions to tell Canadians clearly and to allow Canadians to judge for themselves whether or not they would like to pull out of this United Nations pact. The Government should not do that in a backhanded way by trying to insert a clause in a piece of legislation which will do that very thing.

With respect to turning back boats, we moved amendments that would in fact curb real abuse while protecting the rights of claimants to tell their stories. That was rejected.

Another proposal in the Bill suggests that travel companies have to play the role of immigration officers. It is suggested that travel companies in Canada must confiscate all travel documents, all visas and all passports from incoming passengers. The representatives of companies who testified before the committee said that this proposal is unworkable. They said

that they do not have the ability legally to confiscate documents belonging not only to a person but to the country of that person's origin. They argued with respect to liability, for example, if passports or visas are stolen, lost or misplaced. Whose responsibility would that be? Would it be the responsibility of the Canadian Government or of air transportation companies such as Air Canada or Air France?

They talked about the possibility of terrorist activities. They said that if there were a terrorist on board who wished to terrorize an individual of a certain denomination, sect or religion, it would be easy for such an individual to get a stewardess and go through all the documents in order to identify by picture the individuals belonging to that creed or denomination. They did not want to elicit or encourage terrorists by making life easier for those individuals who want to bring harm to passengers on board an airplane. They also talked about the inconvenience of collecting and then redistributing at the end of flights passports and other travel documents. The other message was that all passengers would run the risk of losing their documents for a period of time, including Canadians coming back to this country, unless there was an exception, and there was not.

Therefore, Canadians must ask themselves what kind of regulation would require the confiscation of all documents on airlines coming into Canada. Not even the Soviet Union or Iron Curtain countries ask that of their national airlines. Canadians and witnesses asked us as members of the committee, "Do you want to legislate that type of legislation which would place us in a very unique class all our own? Or do you want to set a standard of which we can be proud and try to work to curb abuse without infringing upon our values, our temperament, our way of doing things in this country?" The Government refused. It persisted and said, "No, all passengers, Canadians and non-Canadians, will have their passports confiscated. Airlines will be fined". The airlines are not paying fines now. I doubt that even Air Canada will pay fines, and it is the national airline owned by the Government which would actually fine its own airline, which probably would not pay. Is that a logical, workable policy? Are we to be proud of that policy? I think not.

• (1650)

Another area is the powers to detain individuals. My colleagues and I do not argue with the fact that if a person comes to Canada without identification, without proper documentation, does not co-operate, and perhaps there is information that that person is possibly a threat to this country, of course all Canadians would want the country to protect itself and assure its citizens that there is due regard for that potential threat. That is why in the present system there are automatic detainment powers for 48 hours. A Minister or officials can detain a person for 48 hours. After that time there can be an application to an adjudicator who, based on further evidence and information, can allow a further detainment of seven days which would follow for every seven-day period. That was passed by a former Parliament, and approved by the government Members who were then in opposition. It also met with the approval of Canadians who felt it was a good compromise to allow for the detainment powers and for the adjudicator to make the decision on whether there is proper evidence, not only suspicion, to detain a person. We are not only talking about the infringement of rights of potential new arrivals, but of the possible infringement of the rights of other Canadians and the manner in which the courts interpret them.

The Charter clearly specifies that no Canadian will be detained unreasonably without proper grounds and without a process where an adjudicator makes the determination. If the Government provides the adjudicator with well-founded reasons, evidence, and documentation, the adjudicator says, yes, we will detain. If the Government has a hunch or a suspicion that that person is an undesirable, that hunch or suspicion is not good enough in this country. No one would want to be locked up on a hunch or a suspicion.

Therefore, we suggested that the current law was adequate. It was doing the job. There were no problems. If there was evidence, there was a detainment. The Government proposes in Bill C-84 an automatic detainment of seven days, rather than the 48 hour detainment. After seven days, there can be an additional 21 day detainment without the adjudicator being in a position to say yes or no. The adjudicator would merely stamp the approval, because there is no flexibility in the Bill. There is no discretion that the adjudicator may not grant the detainment. The legislation clearly states that the adjudicator "shall" offer his or her approval. We must underline the word "shall". The adjudicator is a rubber stamp. In that case, I do not know why there would be an adjudicator. It gives excessive powers that the Government on a whim, a hunch, or a suspicion can detain a person for 28 days with no questions asked, no representation, no legal remedies, nothing.

I am suggesting that this is an infringement on those rights, and it is an infringement of the Charter. It is an infringement on Canadians' sense of justice and fair play. If detainment is needed, it can be granted, but it cannot be granted on a hunch or a suspicion. It will be a sad day if we allow this proposal to go through unchallenged. It will end up in the courts. Legal experts and witnesses have suggested that it will be challenged in the courts because it contravenes the Charter of Rights and Freedoms. Of course, if this clause is challenged together with other clauses, the Bill will be dragged through the courts. It will die a slow and agonizing death. Perhaps in a year or two we will have a policy that is paralysed. Then what will the Government tell Canadians? Will it say, "We were in a rush. We thought we could have done it. We now find out that the Supreme Court has said no. We have to return to the drawing board"? Is that the manner in which the Government should proceed?

If there is a hunch or a suspicion that a person may be an undesirable, there is the possibility of making a determination that that person should not enter the refugee process. That is very dangerous. What information will be relied upon? If

Nelson Mandela arrived here, and the Government had information that he is considered an undesirable in South Africa, or was in prison in South Africa, which would therefore make him a criminal under South African law, and he is accused of the crime of standing up for human rights and democracy, does that mean that that information will be used against an individual? There is not one international code of law. That is the reason people flee and become refugees. A person standing up for democracy in Chile may be thrown in prison. A person standing up for democracy in Canada may be elected as a Member of Parliament. That information, and that recognition of our law compared to other laws has to be taken into account. The Government would rely on information provided by the government of a country from which that person is fleeing in order to fabricate an undesirable clause.

I am suggesting that this is not the manner in which to proceed. If there is information provided by that government or country, the refugee body should be allowed to make a determination. The commissioners can decide that the information is faulty and in fact that it proves that the person is a political refugee, or the refugee commissioner can say that the information is legitimate and it should be used against the person. We must allow the person the discretion to defend himself from information from a country or a government which states that he or she is guilty of a crime, which crime may have been to stand up for democracy, or to throw a rock through someone's office window.

We received enlightened testimony with respect to those excessive over-kill powers in this clause. Mr. Borovoy, the Chairman of the Canadian Civil Liberties Association, stated:

> It is a violation of democratic principle to create a power of jailing people—on the basis of a unilateral, essentially unreviewable decision of a politician . . . consider the incongruity this creates with our criminal law.

He went on to say:

> The powers created by this Bill are excessive, repressive, and needless. No less gratuitous is the rush to get it enacted yesterday.

If the Canadian Civil Liberties Association is suggesting that this measure is repressive, why is the Government moving ahead? If the Canadian Civil Liberties Association and the Canadian Bar Association say that this will be challenged in the courts, why is the Government moving ahead? If the Government wishes to respect the reality of people who are fleeing and who are charged with so-called crimes because they wish to be free and have human dignity, why is this reason for detainment or refusal into the system? Is that not the reason that we have a refugee process? Are refugees not extradicted from their country because they cannot be free, they do not have freedom of choice, speech, assembly, all the things that we have in our Constitution? That is the very same Constitution that we patriated only a few short years ago. We brought it home and created a Charter of Rights and Freedoms that is the envy of the world.

We made amendments to clarify, refine, target, and bring it in line with our justice system. A right infringed upon today with respect to the 174 migrants is a right that infringes upon all of us. That is the manner in which to look at human rights.

• (1700)

The fourth area of concern is the powers given to immigration officers for the first time. On a whim or a suspicion they can kick down the doors or jump through the windows of any organization and seize any document without a warrant. They do not even need a tele-warrant, which is used when the officer concerned cannot get to a judge and so makes the request by telephone. These officers do not need to do even that. No warrants at all are required. We are going to have immigration officers playing Rambo on suspicion.

We in this Party said that at the very least the Government must accept the need for a mandatory warrant. The only exception would be when someone's life is in danger. Other than that, should we allow immigration officers to break down doors at whim? Will Canadians accept that? Or do Canadians accept that there should be checks and balances so that a warrant is required? That is what Canadians voted for in the past. That is why we have a Charter of Rights. We are protected from search and seizure without a warrant. Why should immigration officers be given the power to ransack a place because they have a hunch that a particular person is not a refugee? As the Canadian Civil Liberties Association said, it goes far beyond what is needed.

The Canadian Bar Association and professors of constitutional law have said that if this legislation is passed, it will be challenged in the courts. It will be eaten up by the courts. It will render our policy unworkable. Therefore, why do it? Requiring a search warrant is reasonable, moderate, in keeping with Canada's sense of justice, yet the Government turned it down.

The fifth area of great concern is that of proposed Sections 95.1 and 95.2. Those sections epitomize the over-kill this Bill represents. According to those sections, any Canadian, whether a priest, a nun, a student or a farmer, who assists a refugee who may not have a document in his pocket showing he is a legitimate refugee, is liable to a fine or imprisonment. Imagine that. We are passing a law that would allow a priest to be imprisoned or fined for helping a refugee. What is the role of churches and non-governmental organizations? What has their role been in the food banks of this country? I do not think there is anything more embarrassing and undignifying for a human being than having to line up to ask for food. Imagine your feelings if you were in that position. What has been the reaction of the churches to the poor, those who do not have clothing, the homeless, those who are addicted to drugs or who are involved in prostitution? The reaction has been to try to complement government action in a humanitarian and compassionate way. We accept that. What would be the price if we did not have that network of volunteers? Yet now, all of a sudden, the church or individual who helps a refugee is liable to a fine or imprisonment. That is repugnant.

Is that the kind of law we want? Is it the kind of law we should be proud of? Or should we recognize that the action of a priest in helping a refugee is different from the action of a smuggler, a manipulator, or a consultant who trafficks in human beings for profit? Are we suggesting that the two actions are the same? Of course not. Canadians do not want that. The churches do not want that.

I am not suggesting that churches or any other group should be above the law. I am suggesting that the law is wrong and immoral and the target should not be those who aid refugees. The target should be those who circumvent our laws for profit. The churches came before the committee and said they have never, ever counselled fraudulent claims. They never tried to suggest to claimants that they rip up their documents. They never suggested that claimants arrive in the middle of the night. The Ministers responsible have said for two weeks now, "Do not worry, Member of Parliament for York West, we made the law such that it will get the real smugglers. Do not worry, our intentions are not to imprison or fine a priest or the organization involved".

• (1710)

If those are their intentions, why are their intentions not reflected in the law? If those are the speeches, why are they not the law of the country? You cannot say that the intention is not to fine a priest while at the same time you provide a law that allows a priest to be fined. It is either one or the other, Mr. Speaker. This country is not governed by speeches or intentions, it is governed by law. This law will create a new offence which is not there now. In 1987 or in any other year we cannot be proud of finding in our legislation a Bill that can fine and imprison individual Canadians who legitimately help refugees. What kind of a country do we want to become? Do we want to be like the United States where priests have to hide refugees in basements? Do we want to make the actions of a priest acts of civil disobedience? Are we suggesting that a priest who helps a refugee is a potential criminal, as that sort of law would imply if he were caught and charged? I do not think Canadians want that. They did not want it this summer, they did not want it 10 summers ago, and they will not want it in 10 years to come.

We tried to move an amendment to suggest that it should not be a crime for a priest to help a refugee but that it should be a crime to counsel fraudulent claims, to suggest tearing up documents, to smuggle people for profit and dump them in the seas. Let us fine people and put them in prison if we have to, but let us not create a law that suggests that we make the net so large and so encompassing that we can catch everybody potentially under the law. Again, intentions are one thing and laws are different. Intentions are useless when the law allows you to prosecute individual innocent Canadians.

With respect to the clause, we had a very moving brief presented by the Inter-Church Committee on Refugees. I would like to select what two individuals said. First, George Cram said:

> In our opinion Bill C-84 does not help the process.
>
> I do not want to be guilty of committing an offence for doing humanitarian work. I do not want to feel inside myself that what I am doing is illegal, and I do not want to be liable for prosecution. The offence is what you are creating, not the prosecution.

With him was Nancy Pocock, a member of the same Inter-Church Committee, who said:

> If my Government tells me it is a crime to help these people, I will have to say I am obeying a higher law and I am going to continue to help them when they need me.

Why are we making it an act of civil disobedience for the George Crams and Nancy Pococks of this country to do what they have been doing legitimately for years? We tried to suggest to the Government that there are words and clauses that one can use in the legislation under the law to distinguish very clearly between the act of a consultant or a smuggler and the Nancy Pococks and George Crams of Canada. We suggested the words "non-profit", "voluntary", "humanitarian", which have been used 38 different times in our federal statutes. What about the definition of churches? This was not only to make the intention known but to allow these individual Canadians not to have their legal rights infringed upon and not to lose their civil liberties for assisting people they had been assisting for years. Those phrases were all possible. We have the best legal minds in the Justice Department, I would think, or at least access to the best legal minds, and yet we were unable to get from the Government agreement to amend proposed Sections 95.1 and 95.2 to state clearly that it is not the law in Canada to allow for prosecution of individuals who aid, abet or assist a refugee without a visa.

Government members were stubborn and inflexible, and the Minister, in his final address to the committee, has stubbornly refused to heed all the witnesses who had cited proposed Sections 95.1 and 95.2. They said, "For goodness' sake, clean it up. Amend it. Make it clear in law that we are not your targets". Those sections are on the record, on the books, and they are about to become law. That type of drafting is irresponsible and unnecessary.

The international community passed judgment on this refugee Bill. We had not only witnesses from within Canada but representatives of the United Nations High Commissioner for Refugees who said very clearly that they were concerned with the direction of Canada's policy in Bill C-84. A letter was sent to the Government two days after the emergency was called. The concerns were outlined very clearly. In a letter from the United Nations High Commissioner for Refugees, Mr. Jean-Pierre Hocké, to the Government of Canada we find the following stated:

> Certain provisions of the proposed legislation, however, give rise to serious concern inasmuch as lack of procedural safeguards could risk exposing *bona fide* asylum seekers and refugees to forcible return to territories where their lives or freedom would be threatened—
>
> As you are no doubt aware the situations now being faced are not unique to Canada. Institution of the procedural safeguards referred to above would serve as an important example to the international community and help preserve the principle of asylum throughout the world.

What the United Nations High Commissioner for Refugees was saying was, do not set a bad precedent, a bad example, which other countries will equal. If Canada has been a leader in the international community, as it has, this will allow the Great Britains, the Switzerlands and the United States of the world to say that if Canada can do it, we can do it. If everybody does it, what happens to the international solution to the problem? What happens to the 15 million people who are searching for a home who obviously cannot all come to Canada? If we have an international solution, it will allow Canada to breathe a little easier. If we have an international corridor of locked doors, Canada will be the worse for it because the desperation and the attempts to come in through our back door will be all the more aggressive. The human spirit never dies. If the human spirit has to select between torture, imprisonment, death and a bold attempt to get away at any cost, what will it be? Which one would you pick, Mr. Speaker, if you were in the same position? The answer is a very clear one.

We even have Stephen Lewis, the Ambassador to the United Nations, who was unable categorically to support Bill C-84. He refused, on the steps of the House of Commons when scrummed by the nation's media, to say very clearly, "I support the Bill and I will defend it and promote it at the United Nations, if I have to". Instead, he couched his language. He said, "Well, I hope the Bill will be amenable, be in keeping and made to be in keeping with our international obligations". He was suggesting very clearly between the lines that amendments were needed to make it acceptable, that it would be embarrassing for the United Nations Ambassador to go to the United Nations and be proud of Bill C-84 when Canada is thought to be a leader. Why follow the worst examples? Why not set the best examples?

• (1720)

If the Ambassador to the United Nations cannot sell this policy at the United Nations, I am not sure that it will work. What can Canadians conclude if one day the Minister says it is a great policy and the very next day the Ambassador to the United Nations refuses to give it a categorical and clear vote of confidence?

We must look at the responsibilities of parliamentarians, and there are many, as there are in any other job. What are the two most important responsibilities with which we in this Chamber are entrusted? The first is to ensure that Canadians' tax dollars are spent wisely and prudently. We try to do that through the checks and balances that exist and through accountability sessions with the Cabinet. The second responsibility is to draft the laws of the country, to create laws that will govern and administer the citizens of the land.

We have been told, and it has been clearly seen, that it is irresponsible to pass legislation that is poorly drafted and clearly subject to court challenges as soon as it is pronounced law. In this case, the Canadian Bar Association has said that every junior lawyer could take a shot at this Bill. The Civil Liberties Association has said that there will be challenges based on the liberties of Canadians. The Canadian Jewish Congress and the Inter-Church Committee on Refugees have said that they will challenge proposed Sections 95.1 and 95.2 in the court, and if they do not, others will take up the battle cry because the law tries to suggest that people who help legitimate refugees should be fined or thrown into jail.

We have heard that there will be challenges. However, what was the response of the Government? We asked the Government to make public the legal argument provided by the Department of Justice indicating that this legislation was in conformity with the Charter, but it did not. This legislation was drafted by officials of the Justice Department, but the Justice Department has refused to provide a legal rationale that would clarify the confusion surrounding the Bill and whether or not it is in keeping with the Charter.

One must ask oneself if the Department of Justice is in favour of this Bill. There have been reports that the Department of Justice was overruled by the Department of Immigration. Perhaps we will never know if that is so. However, I think part of it was given away when Justice officials were the only ones who refused the committee's invitation to appear before it.

I raised the matter on the floor of the House of Commons during Question Period by asking the Minister of Justice (Mr. Hnatyshyn) why he would not allow his officials to testify before the committee in order to defend the Bill. I asked that question on Friday, and on Monday Justice officials arrived at the committee, but they were not prepared to say whether they agreed or disagreed with the drafting of the Bill or whether or not they had a legal opinion on it.

I am not confident that the Bill is legally foolproof. I am not confident that the Department of Justice is confident that this rambling legislation will make it through the courts.

Since the Government did not want to make public the legal opinion, we asked it to refer the legislation to the Supreme Court for a judicial review as soon as it is proclaimed. That has been done in the past and the objective of that is to have the Supreme Court of Canada give us a constitutional review on it rather than allow it to be challenged step by step through the various courts. At such a review, the Government could argue its case and the court would say whether it finds the legislation in keeping with the Charter or in violation of the Charter. If the Supreme Court decided that it violates the Charter, it would be sent back to the House and we would correct it. That would be better than having this piece of legislation challenged bit by bit in the courts, thus paralysing the policy, making it unworkable and putting the Government in the position of trying to explain to Canadians why it is in a mess again.

If I were at home watching the Government, I would hope that the Government would finally get it right. I would hope that the Government would have the courage to stop the delays and give us a refugee determination system that works, one in

which we can have confidence. I would tell the Government that it has my confidence and that it should do what it has to do under the law to ensure that real refugees are protected and that fraudulent ones are kept out. I would think that that would be the reaction of any Canadian.

What would be the reaction of the average Canadian in two years' time when he reads in the paper that the policy which was approved by the Government is now paralysing the courts and we cannot do a darn thing about refugees because the court has ruled the legislation to be unconstitutional? Canadians will ask what happened two years ago. Parliament was called together in an emergency session. There was a debate. Canadians trusted the Government to move properly, but it abused that trust. It did not fulfil one of its more urgent responsibilities, which is to enact laws that are in keeping with the Constitution.

Canadians would have to ask themselves why the Government moved in an unconstitutional way. A judgment can only be made by the Canadian people. In addition to making judgments on elections or by-elections, judgments which are trivial in the larger scope, Canadians will react to a more progressive immigration policy. Would Canadians be confident in the Government's immigration policy? Would they want it to be progressive? Would their patience have run out? Would their frustration and anger not turn from the Government to the policy itself? I think there is a possibility that that may happen.

Many of my constituents are hoping that we finally come up with a system that works, but they do not want to see a policy that does not work two years down the road. What will we do then; call back Parliament again for another summer? Two summers in a row we have been here for emergencies. Every summer there is an emergency. If it is really an emergency, we should do it right.

There is an onus on the Government and on Members of Parliament to deal swiftly with abuse, to ensure that we target the real abusers. However, we should not pass into law the clauses for which I have concern and then allow those clauses to be subjected to the courts. The courts will say: "What kind of legislation is this? Why did you create a Charter of Rights in 1981 if you wanted to abuse it in 1987?"

• (1730)

It is very discouraging and disheartening that the Government has not listened, that it has not allowed the input of Members, churches, legal experts, civil libertarian groups and members of the Canadian Bar Associations who want to work with the Government to ensure that this is a good piece of legislation. Civil liberties groups do not have vested interests in putting down a policy for the sake of putting it down. They do not want to threaten or suggest that if a policy is not successful they will be heroes. These groups are interested in legislation which will work. Canadians have those interests as well, but they have not been listened to or heard.

Canada is a very privileged country. It is a great nation by all estimations. It is a tolerant and compassionate country. I do not think any Canadian would trade his or her place with anyone in any other country. Although the United States of America is our friend and ally and is more powerful and perhaps richer in certain respects, I do not think we would trade places with an American on any day of the week.

As my Leader has suggested quite articulately on many occasions, there is a price to be paid for being a Canadian, but it is a price worth paying. We do not mind paying that price for being a Canadian, enjoying the fruits of this country, and ensuring a certain type of life for our families and others who wish to come here.

I think we all aspire to make our country bigger and better. We should not rest on our laurels or those of former Governments which did noble things or enacted progressive legislation. We should always strive, whether in government or other spheres, to improve and to enjoy a lifestyle and reputation which is the envy of the world.

Canadians want to take our place in the international community in a forceful way. We believe that we have the dynamism, youth and vigour that goes with a youthful nation and the independence and ability to strive for an influential place in the world. We could be a moderating force on the international stage. Canada is not isolated from the world in a vacuum. When Canada speaks, we want other countries to have respect for our country, our Prime Minister and our institutions. That is the third characteristic of being a citizen of this country.

We have had that role with regard to the refugee policy which we are discussing. We have been a leader on the international stage. The people of Canada received the Nansen Medal. It was the first time that the Nansen Medal for assistance to refugees was awarded to a people rather than a person. That is international leadership and international respect. That is salesmanship of our country abroad.

We live in a global community. We interact, communicate and influence each other with every act and every word. The Nansen Medal speaks for our country. We are proud when we go abroad—

Mr. Riis: Mr. Speaker, I appreciate the comments of my hon. colleague and have for some time. I am always quite prepared to listen to my hon. friend at any time. However, to facilitate the business of the House, it was my understanding that there was an undertaking by the Hon. Member to speak for some time. Would he do us the courtesy of indicating whether he intends to wrap up his comments before six o'clock or to continue indefinitely? I ask this only to make life easier and more businesslike for his colleagues in the House of Commons.

The Acting Speaker (Mr. Paproski): I do not think there should be negotiations in the House. Perhaps the Hon.

Member for York West (Mr. Marchi) will be concluding his remarks very soon. I would have to let him answer that.

Mr. Friesen: Mr. Speaker, I rise on the same point of order. I would like to point out that witnesses have been waiting to be heard in committee for some time during this time. I want to thank the Hon. Member for Spadina (Mr. Heap) for adjusting his schedule in the House to go to the committee and spend time—

The Acting Speaker (Mr. Paproski): I am sorry, that is not a point of order. Under Standing Order 55(1) the Hon. Member has unlimited time. The Hon. Member has the floor. If there are to be negotiations, they should take place behind the curtains or in the lobby.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, I rise on the same point of order. I would like to reinforce what you said, Mr. Speaker. The Hon. Member has unlimited time under Standing Order 55(1). I do not see why Members would object to him taking advantage of his time. He has worth-while remarks to make. If Members want to learn something they may wish to be patient and listen to him.

The Acting Speaker (Mr. Paproski): I have heard enough points of order. This is not a point of order but a point of debate. If there are to be negotiations with regard to the Hon. Member's time, they can take place among House Leaders behind the curtains. The Hon. Member has unlimited time under Standing Order 55(1). The Hon. Member for York West has the floor.

Mr. Marchi: Thank you very much, Mr. Speaker. I do not think the House Leader of the NDP deserves an answer because that was an improper question. The Parliamentary Secretary is following the hypocritical tendencies of the Government which tries to deal with two Bills at the same time. He will pay the price and not Canadians. I had wanted to complete my remarks before six o'clock and I hope, notwithstanding the interventions of the NDP and the Parliamentary Secretary, that I will. If I do not, I do not.

I was speaking about the three characteristics of our citizenship and perhaps nationhood. The first one was with regard to the greatness of our country, the second was with regard to the desire to build it bigger and better and to improve it, and the third was with regard to our desire for a role of influence and respect in the international community. The fourth point is that we are a society which bases itself on orderly systems of procedure and the premise that our rules and laws should be respected.

I believe that while it is legitimate to cut out abuse and keep from our borders those who wish to smuggle in other human beings, that desire is not incompatible with the four characteristics which should clothe our citizenship. Helping refugees and attaining the other three characteristics does not detract from each other.

The only real solution to this problem is for the Government to get moving on a new refugee system which would recognize the transition of which I spoke earlier in my remarks. That is the only solution. We have had three years of inaction by the Government which has ignored the requests, pleas, suggestions, reports, commissions, studies, media, facts and figures. It is time that the Government made it a priority. That is what Canadians are demanding and that is what we, as the Opposition, are trying to ensure.

• (1740)

While we may lose every vote and every amendment, I do not think our arguments will be lost on the country. The debate we are trying to encourage throughout the country concerns the value of our amendments and our words.

While the Parliamentary Secretary and others on the government side may be smug in knowing that they have the numbers, the more important question concerns the attitude and the vision of this country. Canadians will not pay attention to whether Motion No. 4 lost or Motion No. 8 won; they will be looking at who speaks for them and for the type of country to which they want to belong. Is it the person who advocates making it illegal for a priest to help a refugee, or the person and the Party who supports that action as a noble one which has been part of our society for years? Will they support the Member who wants to turn away the boat without due process for the passengers, sending them back to probable death or persecution, or will their support go to the Member who would escort the boat back to port and allow the passengers to disembark so that we may know the stranger, look him in the eyes and make a determination while, at the same time, find the captain who dumped 174 people in the ocean at two in the morning and put him in prison if necessary? Which Member will Canadians listen to?

Is it the Member who suggests that immigration officers should play Rambo and break into church organizations without warrants, or the Member and Party that advocates that if there is reason to search and seize and there is a warrant, we should do so. If human life or safety is in danger, then it is not necessary to have a warrant. If it is not possible to get a typewritten warrant, then use the tele-warrant.

Which Member and Party will Canadians listen to? Is it the Party that advocates that all documents be confiscated on the airlines, putting us in a class not even equalled by the Soviet Union, or the Party that believes airlines should not confiscate all passports and documents? It is not right to remove the documents of a Canadian who returns from Florida after the winter. There must be another way.

Will Canadians listen to the Party that suggests people should be locked up for 28 days on a hunch, with no questions, or the Party that believes that if there is a substantial basis, proper documentation, and the adjudicator has numerous reasons for detainment, then there should be detainment?

The issue is not a question of Motion No. 4 versus Motion No. 8 and the fact that Liberals lost the amendments. It may warm the hearts of government Members that the Liberals presented 20 amendments and not one of them passed. Liberal Members may say they are depressed that they lost all 20 amendments. Neither reaction presents the real story. The real story is the vision of Canada that those amendments embodied. The real story is how legislation approved in this Chamber affects Canada, our people and our society.

Whether the legislation involves refugees, budgets, tax reforms, senior citizens or the Meech Lake Accord, the question is: how does it affect the lives of Canadians in our ridings and those wishing to come to our shores?

Is there not a responsibility for immigrants who are now Canadian citizens not to close the door after coming to Canada? Would I be responsible in suggesting that now that I am in Canada and enjoy the privileges of my society we should close the doors out of some fear?

We are not talking about abuse, because abuse should be eliminated in a very forceful way. However, under the laws and provisions of our Constitution, do those of us who are immigrants really want to close the doors behind us? Rather, as a privileged society in the world, should we not say that we cannot close the door? It was open when I came, there were regulations that I met, why cannot those same regulations apply to strangers wishing to come to our shore?

Is there not a price worth paying to be Canadian? Would you not rather live in a country that understood a refugee as a person who goes through disorder? There is a concept that the system would work better as a neat, tidy little package in which crystal-clear decisions can be made within two or three weeks. But what is the world of a refugee? It is one of disorder, disunity and cloudiness. They have no home or orientation. A refugee's world is one of fear and apprehension.

While we must have a system that curbs abuse and accepts legitimate refugees, we cannot believe that the system will be foolproof, tight, and inflexible. Perhaps that is a price we pay as Canadians.

Perhaps those of us who were born here and have the privilege and rights of citizenship in this country should imagine that we were born in another time or another place in the middle of a war or during strife. What would we do to come to this country?

Who are refugees? Do we make it a crime if someone does not have a document when he arrives? Should we not allow that person to explain why he or she fled without a document? Is it a crime for a priest to help a refugee who does not have a document? According to the Civil Liberties Association, someone who kills, rapes and steals in broad daylight has more rights than those afforded to a claimant under Bill C-84. Is that balanced and proper? Is that acceptable? I do not think it is.

The intention of the law should be to discourage those who wish to abuse the system and allow a fair processing for those who wish to enter and apply for refugee status.

I began my speech by quoting Gunther Plaut who suggested that we should not forget about these strangers because at one time we were all strangers. Perhaps that is the way I will close the remarks at third reading.

• (1750)

To be a Canadian means many things to many people. To be a new Canadian means to have been a stranger, to have come from the old to the new, to have left the familiar for the unfamiliar. Those of us, particularly we legislators, who deny the stranger also deny Canada and its future.

I would like simply to close my remarks with the hope that the Government will change its mind at the eleventh hour and modify some of the clauses in Bill C-84, or at the very least accept a sunset clause. If this legislation is an emergency, let us treat it as an emergency. Emergency by its very definition does not last forever. Emergencies are temporary. They are short term. Why should we have emergency legislation become permanent legislation? Why not have this emergency legislation specific and fixed, but when we deal with Bill C-55 and the real solution, Bill C-84 should become redundant, null and void. At the very least, I appeal to the definition of "emergency", temporary, short term and short lived. There is no reason we should have these legislative scars on the books of our laws. They should be stricken from the laws of a progressive Canadian society in 1987.

Perhaps the challenge is that we look at it in terms of the year 2000. What do we think now of the actions of a former Government which, in 1939, turned away the boat called the *St. Louis* carrying 900 Jews who were escaping the horrors which faced them in their countries? How does the Government's actions in 1939 stack up against this Government's actions in 1987? I think the first reaction must be to ask, why? Why would a government turn away a boatload of 900 Jews, most of whom never saw the light of day after they touched the shores from whence they came?

These 900 people could have made their homes in Canada. Some of them might have become Members of Parliament. Others could have been teachers, judges or scholars. They were denied that opportunity. We can make up for the actions of the Government in 1939 and live up to the expectations of those who will replace us here in the year 2000, so that they can be proud of the compassion demonstrated by the Government and the Parliament during the summer of 1987.

Let us not be the Government which is the architect of a piece of legislation about which in the year 2000 and beyond, the then Member for York West will rise and ask how the Government in 1987 ever passed Bill C-84? Let us find a better place for ourselves and for our country in the annals of history.

I simply want to conclude with the following comments of Rabbi Gunther Plaut to the committee:

> I think that Draconian and emergency legislation gives the wrong signal, not only to the world but it gives the wrong word to our own people in Canada.
>
> I think the Bill was drawn in undue haste. This is why I think we need just a little more leisure to write legislation that makes sense.

He then pleaded with the committee saying:

> I ask you to look carefully at some of the amendments suggested. Do not follow the worst instincts of people, follow the best instincts.

If we follow the best instincts of Canadians, their aspirations, feelings and their desire for our nation, we will not go wrong and the world will not get the wrong message. If we follow the worst instincts, we will pay a bigger price and that price will bring us shame.

BUSINESS OF THE HOUSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there has been discussion among the Parties. I think you will find that there is unanimous consent for the following motion. I move:

> That on Thursday, September 3, 1987, the hours of sitting and business of the House shall be as set out in Standing Orders in relation to a Friday sitting day;
>
> And that when the House adjourns Thursday, September 3, 1987, it shall stand adjourned until two o'clock p.m. Wednesday, September 9, 1987.

The Acting Speaker (Mr. Paproski): The House has heard the motion of the Hon. Minister of State. Is it so agreed?

Some Hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mr. Paproski): It being 6 p.m., this House stands adjourned until tomorrow at 10 a.m. pursuant to the special order just adopted.

The House adjourned at 5.58 p.m.

HOUSE OF COMMONS

Thursday, September 3, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Wednesday, September 2, consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

Mr. Dan Heap (Spadina): Mr. Speaker, I regret the duty of speaking out against this very bad Bill. However, I am proud to speak up for refugees and for the many thousands of Canadians who have been supporting refugees and have indicated that they will continue to support refugees regardless of whether, as it appears, the Government has changed its policy.

I want to talk about the objectives of the Bill, with which I happen to agree. The objectives as outlined in Clause 1 are:

> (a) to preserve for persons in genuine need of protection access to the procedures for determining refugee claims;
>
> (b) to control widespread abuse of the procedures for determining refugee claims, particularly in light of organized incidents involving large-scale introduction of persons into Canada to take advantage of those procedures;
>
> (c) to deter the smuggling of persons into Canada and thereby minimize the exploitation of and risks to persons seeking to come to Canada; and
>
> (d) to respond to security concerns, including the fulfillment of Canada's obligations in respect of internationally protected persons.

Not only do I agree with those objectives, more important, they are in agreement, in conformity and in harmony with Canada's international undertakings to the United Nations, to the 1951 Convention relating to the status of refugees and the 1967 enlargement of that, which Canada helped to draft.

Let me refer to two sections of the convention for those who have not had the opportunity to study and become familiar with it. There is a general definition of a refugee as a person who, "owing to well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or, owing to such fear, is unwilling to avail himself of the protection of that country". In other words, that is an asylum seeker.

In later articles, Canada undertakes with about 100 other countries several obligations. The most important of them is in Article 33, prohibition of expulsion or return, which internationally is called *refoulement*. It states that "no contracting state shall expel or return (*refouler*) a refugee in any manner whatsoever to the frontiers of territories where his life or freedom would be threatened on account of his race, religion, nationality, membership of a particular social group or political opinion". In other words, Canada has solemnly contracted not to return a refugee in any manner whatsoever. That means even indirectly, even by sending him to another country that will then send him back to the country where he was persecuted.

• (1010)

Canada, like many other countries, has developed a system for examining people who come to our borders claiming to be refugees to see whether, in fact, they are real refugees. Our obligation is not to return a real refugee. Therefore we cannot exercise that obligation, or we cannot keep that pledge unless we find out whether the person arriving at one of our airports, an American border-crossing point, a sea port or on our shore is a real refugee or not. We must not send him back directly or indirectly to the country where he claims he would be persecuted unless we have found out to our satisfaction and according to our laws that he is not a refugee. That is what is at issue in the Bill. Unfortunately, those good objectives which I read are not carried out in the rest of the clauses of the Bill.

With respect to preserving access, what the Bill does is limit access. With respect to controlling abuse, the Bill falls far short, even after the Government accepted some amendments originally proposed by members of the Opposition. Deterring smugglers was mentioned in the Minister's press statement of last month. He made much of smugglers. Smugglers are mentioned in the objectives yet they are nowhere mentioned in the Bill. There is no adequate provision action to be taken against them. With respect to security, yes, there is action. However, it is not the security of those international persons called refugees who we are obligated to protect but, rather, some other unnamed persons, as well as the security of Canada. Given the evidence, and the lack of evidence, about the dangers, I would say that the Government's provisions greatly over-react on that point.

How does this Bill limit the access of people to our refugee determination system? It does so mainly by threatening detention and deportation on suspicion of terrorism. We have been through a clause-by-clause study of the Bill. Therefore, what I will say in general is that there is provision for an enlarged use of the Minister's permit and for a different type of permit use.

Instead of the matter being referred to the security review committee, it is to be referred to the Federal Court, which is not experienced in handling decisions on security matters. Its expertise lies in finding out whether or not a correct procedure has been followed as opposed to examining the contents of a procedure. Therefore refugee claimants may be held, as is stated in the Bill, on suspicion, if the Minister certifies that he has reason to suspect them of being security risks.

They may be detained. They may be deported. They may be denied the opportunity to make a refugee claim, contrary to our obligations under the provisions of the United Nations Convention which states that no matter what, every person must have his refugee claim examined, even if we decide we are not going to let him stay for whatever reason, perhaps for security reasons. If we are going to send him away, then we must send him away in the knowledge that he is a refugee, if that is what has been decided by refugee determination, and we must notify the United Nations. The Government has refused to accept our amendments which would have implemented that part of the Convention which we signed.

Thus it is clear that the Government wants to send out the message, "Refugees not wanted in Canada". The message is that refugees are not wanted unless our overseas officers have selected them and they are economically and politically considered advantageous to Canada as immigrants. Otherwise, refugees are not wanted. The message is, "Do not come to our shores if you are in trouble, we intend to shut the door". That is the message being given to refugees, in violation of the first objective of the Bill.

As a matter of controlling abuse, the Bill could have used the expertise of the Justice Department and the Immigration Department to devise a clause which would punish people who plan to help bogus refugee claimants or bogus immigrants to evade or deceive our immigration authorities. We have had a great deal of trouble in that regard. In fact, the law now provides for that.

The Government has said that there needs to be bigger penalties. It could have simply imposed bigger penalties and allowed for different grades of penalties, depending on whether or not an offence is trivial or major. The Government did not do that.

There is already in the Act, Section 95(a), a provision that every person who comes into Canada at any place other than a port of entry and who fails to report to an immigration officer for examination as required is guilty of an offence and liable to punishment. The Act, Section 95(e), also states that every person who knowingly induces, aids or abets or attempts to induce, aid or abet any person to contravene any provision of the Act or the regulations is guilty of an offence.

What the Government undertook to do instead was to introduce the proposed Section 95.1 which does something quite different. What the Government undertakes to do is attack people who directly, honestly and openly bring a refugee claimant or advise a refugee claimant of the truth of the Canadian laws, to come to a border point and to offer himself as a refugee claimant to our immigration authorities. That is the right way to do it, as the Minister has said in the House. But that is not what the Bill states. It states:

> Every person who knowingly organizes, induces, aids or abets or attempts to organize, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offence—

In other words, what this is saying is that if a person is on the run from the death squads in El Salvador and knows from the experience of his friends that he is not safe in the United States because that country sends back all but 2 per cent or 3 per cent of refugee claimants to El Salvador, where some of these people have been killed, and if that person decides to ask for safety in Canada and any Canadian helps him, then he is liable to two years in jail or a $5,000 fine. That is what the Bill states. The Minister promised he would never do that. Yet we do not know who will be the Minister of Immigration tomorrow. The Minister of Immigration often does not know what his officials are doing until it is too late to do anything about it. Therefore we should not write a law that the Minister says he does not intend to enforce most of the time. Thus the Bill does not do a good job of controlling abuse.

As I have said, it does a smashing job on security. But I think it over-reacts since the RCMP told us that there is no evidence that any of the undocumented people who came in over the past year, about 6,000 of them, were security risks. As the RCMP agreed, security risks do not come in as refugees and ask for their documents to be examined. They come in as expensive visitors with expensive forged documents. Those people are whisked right through, as any expensive visitor happens to be, unless there is some information against him.

Members of the public came to oppose the Bill. They came on as little as one-half a day's notice. There were members of churches, civil liberty associations, the Jewish Congress, the Canadian Ethnocultural Council, the Coalition for a Just Refugee and Immigration Policy, Rabbi Plaut, who is at this moment in the next building speaking against Bill C-55 and who spoke against this Bill as well, *la Coalition de Montréal pour les réfugiés*, and the Canadian Bar Association which asked for amendments.

The Canadian Bar Association asked that the Bill be withdrawn and rewritten, but at the very least that it be amended. The two members of the Opposition who sat on the committee moved quite a number of amendments and then moved still other amendments at report stage earlier this week. I will mention just one of the amendments which I moved. It

concerns proposed Section 95.1, of which I have spoken. The amendment that I asked for was turned down.

• (1020)

My amendment suggested that the clause be rewritten to say that everyone commits an offence "who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet a person to make a manifestly unfounded or fraudulent refugee claim". That is the situation we are talking about where 3,600 people came from one country and falsely claimed to be refugees, because we know that Jehovah's Witnesses are not persecuted in that country. Those 3,600 people made fraudulent claims, and they were organized to do so. That is what we are talking about, and as it stands that is what this Bill did not address.

I requested an amendment that would make it an offence to assist people to make a manifestly unfounded or fraudulent refugee claim with these larger penalties, and the Government would not rewrite proposed Section 95.1 in that way. The Government added it in as an extra offence. But not in the manner in which it would clarify the law, as suggested by the Hon. Member for Nanaimo—Alberni (Mr. Schellenberg) in his speech on second reading, as between honest people who are helping refugees and shysters. I quote the actual words of the Hon. Member for Nanaimo—Alberni on page 8017 of *Hansard*. He stated:

> We should ensure that those who traffic in illegal refugees for profit are separated from those who deal with refugees out of conscience. I believe that is one of the first amendments we should bring through.

The Hon. Member earlier stated that he "hoped to have the opportunity to sit on the legislative committee, and that this would be one of the first amendments we could make". For whatever reason, the Hon. Member was not put on the legislative committee on that Bill. However, he is on the legislative committee on Bill C-55. But in dealing with the amendments on that Bill, his colleagues did not listen to him.

There is another clause which also limits the country's response to our obligation to refugees. In Clause 8 the Minister is given the power to turn ships away. After we raised the point, as did many others, the Government did make an amendment which somewhat blunts the bad effect of that clause.

It now states that the Minister will have due regard, not only for the safety of the ship and the passengers but for the Convention, and it defines the Convention as the one from which I have read. If that clause is implemented, we will see how it stands up in court, and whether the phrase "having due regard" is a strong enough commitment to not turn away refugee claimants until it is determined whether or not they are refugees, and then not sending them back to the country from which they have fled.

Today we have news of the brief from Renaud Paquet, the National President of the Canada Employment and Immigration Union, to the committee studying Bill C-55 in which he states, among other things, that the members do not believe it is right to ask the immigration employees to do the things that would be required of them under Clause 8; for example, to board the ships, cause them to turn around, and search and seizure.

There is a labour problem with implementing it, which would have been averted if the Government had accepted our amendment to not turn the ship away and let the captain do what he wants with those people that he was paid to transport to Canada. In the south seas that has resulted in thousands of drownings. The ship should not be turned away, it should be escorted into port. The captain should be charged with whatever offences are outlined here or in other law, and a determination made as to whether the passengers are refugee claimants and, if so, if they are real refugees. That would ensure the safety of human lives, and it would be a big deterrent.

We received no response on the most important requests for amendment, therefore, we must ask what the Government is trying to do? The Canadian Ethnocultural Council gave us a clue in the brief that they presented to committee a couple of weeks ago, and a letter sent to the Prime Minister (Mr. Mulroney) on August 10, 1987, in which they state:

> We are deeply concerned that the result of the information campaign of the Minister and Department of Employment and Immigration has had ruinous effects well beyond C-55.

This was prior to the announcement of Bill C-84. They further state:

> Many critics have suggested that the purpose of the campaign was to silence criticism of, and gain support for C-55. If that is the case, the Government may well win the short term battle, but in the process will have done monumental damage to the harmonious race and ethnic relations in Canada.

They further state:

> Unlike the hospitable reception by the residents of Charlesville, Nova Scotia, the treatment and internment of the claimants has been mean.

They then list some of the actions that form a pattern. I will not read them all. They point out that reporters were warned not to take pictures in Charlesville. That, Mr. Speaker, is an innovation in Canadian law. They further point out that the arrivals were disallowed contact with the media or community people. They were not informed of their legal rights to see a lawyer. Access was only allowed after Toronto lawyer, Mendel Green, began proceedings for a court injunction.

The Acting Speaker (Mr. Redway): I am sorry to interrupt the Hon. Member, but perhaps he could bring his remarks to a conclusion as his time has expired.

Mr. Heap: Mr. Speaker, I would ask for unanimous consent for a further five minutes.

The Acting Speaker (Mr. Redway): Is it the consent of the House to allow the Hon. Member five minutes longer?

Some Hon. Members: Agreed.

The Acting Speaker (Mr. Redway): It is agreed by unanimous consent to allow the Hon. Member five more minutes.

Mr. Heap: This list should be listened to. It is from the Canadian Ethnocultural Council. They also point out that when processing of the claimants began, the first and most controversial case, Mr. Amrik Dhinsa, a person earlier deported, was brought forward and made public. This smacked of the most blatant attempt at creating negative reaction.

When processing of claims began media were disallowed, in a further attempt to control information, and again court proceedings became necessary to gain access. A confidential report of the Task Force on Security and Enforcement of the Department, suggesting problems in recruiting clearance of immigrants for security, was leaked to several papers.

Information of another Sikh in a totally different case, dating back several months, which was received confidentially, was leaked by unidentified sources to *The Globe and Mail*. Other false information on the 174 claimants was leaked to *Maclean's* Magazine to the effect that 33 claimants had criminal records. The information has subsequently been proved to be false.

Throughout the time the 174 individuals were not called refugee claimants, but rather illegal aliens, illegal immigrants, migrants, Asians, Sikhs, and East Indians.

At the end of July, rumours persisted that another refugee carrying ship was coming to Canada and the Canadian navy, air force, and coast guard were dispatched, giving the image of an apprehended invasion. Hysteria was climaxed.

The Ethnocultural Council has made its point very well, that there was a campaign by the Government to misrepresent what was going on by wild exaggeration. The effect of that was to produce public hysteria which would force passage of this Bill.

One unfortunate effect of the Bill when it is put into law will be what was noted in yesterday's *Globe and Mail* and *Citizen*, that now our immigration officers in Europe are jammed with people who are seeking papers—people whose papers are considered false—airlines seeking information about possibly false visas, or officials who complain that they cannot do their regular work because of all the paper work they are asked to do now that Canada is busy shutting out every refugee claimant who does not have a visa to Canada.

The Bill will not only fail in its stated purposes, but it will help to further disrupt the immigration service of Canada. It is very unfortunate that the Government has taken such a hard-nosed line on it. I hope that Parliament will have the Government reconsider.

• (1030)

Mr. Manly: Mr. Speaker, I would like to thank my colleague, the Hon. Member for Spadina (Mr. Heap), for his comments. I would like to ask him a question about the process of developing law which will be applied selectively.

The Minister has said that he will not be prosecuting churches or other agencies which are involved in helping genuine refugees, that the intent of the law is to focus on people who are engaged in wrongful activities, in bringing refugee claimants into Canada under false pretences. However, the law still targets church workers and workers with refugee aid societies. The Minister may say that they will not be prosecuted, but the law is still there.

Could my colleague expand on the concept of developing law which has blanket coverage but, according to the Minister, will be applied very selectively? What are the implications of that for the rule of law in a country like Canada?

Mr. Heap: Mr. Speaker, it was pointed out by some officials that the decision to prosecute under certain laws is left to a senior official, such as an attorney general or a Minister, in order to avoid cases of mistake. That usually happens in very sensitive or politically related offences which are very difficult to define.

With regard to the immigration matter, the Minister seems to be terrified by the thought of a loophole. We now have loopholes through which elephants could march, but the Minister seems to be terrified of the slightest loophole, period.

The Minister and the Conservative Members of the committee would not make any attempt to make enquiries from legal experts in order to define in law the people who organized the Portugal scam, the Turkey scam, the Brazil scam, the Sikh scam, and whatever other scams of which the Department has been aware. They would make no attempt to define those they wish to prosecute. Instead, they defined a whole class of people comprised of thousands and thousands of Canadians and said that the Minister, in the privacy of his office, will decide which few of those he will prosecute.

Everyone who spoke to the committee, including the Civil Liberties Union and a professor of constitutional law from the University of Toronto, said that it was upside down to write a law to catch thousands when you only want to catch half a dozen. It is a bad precedent for Canadian law that a person cannot read the law to find out what is legal or illegal but will have to guess what the Minister would do in a particular case. That is not the rule of law in a democracy.

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we were graced until a few minutes ago with the presence of the Minister of Employment and Immigration (Mr. Bouchard), who finally decided that it was time to show up and defend his Bill. I see that he is now hiding behind the curtains; I am glad that he can hear me. He came into the House yesterday and delivered a 10-minute speech from a well prepared text. He then disappeared again without taking the trouble to defend his own legislation. The Minister of State for Immigration (Mr. Weiner) who usually sits behind him is afraid to get up and say one word about this piece of legislation. I have never seen, in the history of Parliament, such cowardly behaviour by any Minister. This has never happened before. The Minister

came into the House for 10 minutes yesterday and informed us of a number of interesting things.

Mr. Bouchard: We know what you are.

Mr. Caccia: He told us yesterday that Canada's refugee determination system is under siege. I ask you, Mr. Speaker, to cast your memory back to the summer of 1986 when a boatload of people arrived in Newfoundland. The Minister has the nerve to come into the House 13 months later, one year and one month later, and tell us that the system is under siege and this legislation is urgently needed. Where was the Minister during the year and one month since the first boatload arrived?

Mr. Boudria: It is a slow siege.

Mr. Caccia: What nerve he has, to come into the House and make the kind of speeches which he made on second and third reading. He told us that the system is under siege. If that is the case, why did he not act before? He had plenty of time to come forward with a thoughtful piece of legislation which would have the support of all Canadians, rather than being criticized as it has been.

In order to illustrate that criticism and the reputation which this legislation is gaining in our learned community, even before proclaimed, I will quote from Professors Angus and Hathaway in the *Globe and Mail* of August 25. They say:

> The problem with Bill C-84 is that it effectively guts this most basic international obligation by allowing the minister, acting alone, to decide that a ship should be forced back to sea without giving those on board a chance to show why they deserve protection.

What do you say to that, Mr. Speaker? Yesterday the Minister said:

> —Subclause 103.01 of the Bill empowers the Minister either to order a ship captain to sail into port or to send him back.

Why does the Minister not make a clear-cut decision? Why turn the ship around? Why not allow it to be taken in so that the captain can be fined and those who are benefiting from this trade can be brought to court rather than creating an ambiguous situation? If the Minister and the Government are serious about preventing the arrival of people who are not legitimate refugees, why not go to the root of the problem, bring the ship to port, and prosecute the captain and the owner of the boat? This ambiguous position leaves everyone wondering what the Minister really intends to do.

Professors Angus and Hathaway make the following observation about the Bill. They say:

> This Bill C-84, however, would make it impossible to sort out the real refugees from the bogus ones, and thus would put Canada in breach of international law.

What do you say to that, Mr. Speaker?

There are many observations in this article which I must skip over, but I will bring to your attention another one which struck me as being important, coming from learned legal people who certainly cannot be accused of having legal preferences. They say:

> —the law may make illegal the work of church and other humanitarian agencies that assist undocumented refugees to apply for status under Canadian law.

Why would we make illegal the work of organizations and individuals who are engaged in humanitarian work?

• (1040)

Professors Angus and Hathaway conclude here that the Canadian Government "has engaged in a form of legislative overkill". In all fairness, the Minister dealt with this matter yesterday. He rejected the notion that people will be prosecuted, that is, the prosecution of churches and humanitarian groups. You can find that on page 8708 of *Hansard*, Mr. Speaker.

But these are new sections in the Act. They were marked as new in the Bill itself by the department. The Minister cannot get away by saying, "Actually this is not a new measure, it always existed". If they existed, they cannot be new. If they are new, they are there for a purpose, to be invoked, and you as a lawyer, I suppose, appreciate that, Mr. Speaker.

If the Government does not intend to use these clauses, people cannot just rely on a promise, on the verbal reassurance given in committee, "Don't worry, it will not apply to the humanitarian engaged refugee organizations". You know very well that the Minister of Employment and Immigration is here today, but tomorrow it will be someone else who will have a different outlook and who will not be bound by the words of the present Minister.

What kind of business is this on the part of the Government, legislating one way and giving promises in the opposite direction, saying "The law is there, but do not take it seriously because we do not mean it for you." Is that your concept of law, Mr. Speaker? Are you then surprised why we are upset about this measure, why we have such a low respect for the Minister, who is not even here to defend the law on this matter, who is telling us that what is new is not new?

There must be some competence here and some way of sticking to what one really means. If the Minister does not mean what is in the proposed legislation, why not accede and accept the motions that emerged here at report stage and delete the clauses that are so offensive?

The two professors, Angus and Hathaway, went on in their analysis to conclude that:

> —Bill C-84 is a misguided and uninformed response to the legitimate concerns of Canadians . . . Yes, abuse should be deterred, but this can be done without violating international law, without infringing the Charter of Rights and Freedoms and without making a mockery of Canada's strong commitment to human rights.

This is heavy stuff appearing in a newspaper that is known across the nation. It puts into jeopardy and casts a shadow of doubt on the validity of this Bill. Will it be challenged on constitutional grounds?

At the conference of the Canadian Bar Association last week some of your colleagues, Mr. Speaker, I am told, were talking about the necessity of sending Bill C-84 to the Supreme Court of Canada for a constitutional reference to establish whether the Bill will work. Perhaps this Bill will be in the courts for a long time, thus making void this whole effort of allegedly protecting Canada from boatloads of refugees. What kind of reputation does the Government want to have with this kind of behaviour?

I am profoundly surprised, puzzled and upset, because yesterday the Minister in his speech did not clarify his points at all. He actually gave a set 10 minute speech in which he attempted to reply to days and days of submissions in committee and to days and days of debate here, and he then disappeared behind the curtains.

The Canadian Bar Association suggested that instead of the preamble we have now, it should be amended to read that the Bill is intended to ensure that genuine refugees are protected from removal to a country where their lives and freedom may be threatened. What did the Minister say to that? He ignored it. He did not say a word about it.

The Inter-Church Committee for Refugees came forward and said, determine the refugee status first and then decide the security issues, as it is done at the present time. First establish whether or not a person is a bona fide refugee. I think the vast majority of Canadians would find that sensible, desirable and a much quicker way of doing things. Then decide about security. But what did the Minister say about that? He said nothing. He just gave a short 10 minute speech.

We have already dealt with arresting a boat and escorting it to port to permit prosecution. Again, there is an ambivalent statement by the Minister in yesterday's speech which seems to come halfway at least in that direction. What upset us very much was that the Minister would not draw a distinction between racketeers and humanitarian groups. The Canadian Ethnocultural Council made that point, as did other organizations. Yet that input was ignored by a Government which made it a point in the 1984 election to proclaim that it would listen, consult and govern as a result of consultation and listening.

Here we are not talking of dangerous, radical organizations or extremist movements. We are talking of well established respected groups of Canadians, such as the Canadian Civil Liberties Association, the Canadian Jewish Congress, the Canadian Ethnocultural Council, even that august body of radicals to which you belong, Mr. Speaker, the Canadian Bar Association, not dangerous, subversive types.

They came forward, but not one of their amendments or suggestions has found its way into Bill C-84 in its final form. What a sham. What a disappointment. What a poor performance, particularly when, as I mentioned to you a moment ago, there is a high degree of danger that this piece of legislation once proclaimed will be challenged in the courts and then the whole process will come to a grinding halt. How would you like to see that happen to you if you were the Minister of Employment and Immigration, Mr. Speaker? You would not, I am sure, and no one else would, because it would make this bunch of Ministers look like fools for having insisted on proceeding with measures shaky in substance alone.

This is why your colleague, the Hon. Member for La Prairie (Mr. Jourdenais), on August 13 when we were debating Bill C-84, raised a signal of warning. He had the courage to do it. As you know, he is the Chairman of the Standing Committee on Employment and Immigration. He made three very important points which must be repeated. He said some major changes must be made. It took a lot of courage for him to say that, being a backbencher in the Party in Government. He said:

> The changes in the refugee determination process which are proposed in this Bill are such that it would be practically impossible for a great number of legitimate refugees to apply for refugee status.

How do you like that, Mr. Speaker. That did not come from a Member of our Party or of the NDP, but from a Tory backbencher who is the chairman of one of our standing committees. The Member for La Prairie went on to say:

> There are, I am sure, other rational and appropriate solutions to this problem, solutions that would not have us break an international agreement on refugees and that could not be challenged in court on the basis of the Canadian Charter of Rights and Freedoms.

That was the Hon. Member for La Prairie speaking in the House of Commons on August 13.

• (1050)

He made another observation which I thought was not only dead-on but very sensible. He said:

> The best way to put the smugglers out of business is to dry up the demand for their services. The best way to stop the queue-jumping is to shorten the queue. In short, if we want more orderly borders, we need more liberal borders.

I am sure he meant liberal, of course, in the small *l* sense. He has made good, sensible points. Evidently, they were not taken into account and that is very distressing.

The fact is that one year and one month after the ship landed in Newfoundland we are debating a measure which is called an emergency measure. We have been told that the refugee determination system is under siege. The Government had plenty of time to prepare something in a thoughtful manner in consultation with all those involved in the refugee movement. It had the time to produce something that would get the full support of the House, rather than produce panic legislation. It is panic legislation and that is what makes it so objectionable.

The legislation caters to fear. It caters to the lowest instincts in society. It is not funded on the advice of those who were in this business long before this Minister was appointed and who will be there long after the Minister, who has finally come to the House to hear the music, is gone. This kind of stuff will still be on the books, unless it is stopped in the higher courts.

It is legislation by pretending not to legislate. Earlier I gave the example of proposed Section 91(1). The Minister said that the Section is not new, yet it is new. Then he said that it is there, but he will not use it. He will not prosecute those who are engaged in refugee work. He will not make criminals of Canadians who have been active in that kind of work for years and years, as have the churches. That is legislation by pretending not to legislate.

It is legislation that is blind to international organizations. That is a matter that the Minister did not have the guts to touch upon even once yesterday. Not once in his 10-minute speech did he deal with Canada's international obligations. That kind of weakling is the kind of guy who does not even have the guts to come to the House to defend his own legislation.

Mr. Bouchard: You are as bad as you were when you were a Minister. You are not interesting.

Mr. Caccia: He can raise his voice and make empty noises because he is a bully, but he will not be a bully for long.

Mr. Bouchard: I was here for Heap because he's interesting, you're not.

Mr. Caccia: We put forward amendments saying that even though it is bad legislation and we don't like it, we will try it for six months and give it a sunset clause. I felt very uncomfortable with that because the sun will not set on this legislation. However, the sun will set on that Minister and the Government. It will take care of reactionary, backward measures like this.

I shall continue now with my intervention, after the interruption of the Minister. This is legislation by loopholes. It closes the loopholes surrounding those who arrive here on boats but, as my colleague, the Hon. Member for York West (Mr. Marchi), so eloquently put it yesterday afternoon, it allows for the same old process for those who arrive here by air or by land. If your brother, Mr. Speaker, is a refugee who arrives by boat, the boat on which he is travelling is likely to be turned around. However, if you are a potential refugee, Mr. Speaker, and you arrive by air, then you will not be treated the same way as your brother who came here by sea. How do you like that for equality of treatment?

It is also legislation by absenteeism, not on the part of one but on the part of two Ministers who chose to stay away when it got too hot in the kitchen. The poor Parliamentary Secretary was left here to steer this matter through in a rather compassionate and competent way. Perhaps the Government was served better by not having these two strange Ministers in the House to defend it.

In the end, it is legislation by cosmetics. It is smoke-and-mirror legislation which does not go to the root of the problem. It damages Canada's world reputation. It has said no to the thoughtful input of a number of organizations which appeared before the committee, the very same constituency that this Government said it would listen to—

The Acting Speaker (Mr. Redway): I regret that the Hon. Member's time is up. There is time for questions and comments.

Mr. Manly: Mr. Speaker, I was interested in the comments of the Hon. Member. I think we can agree that there has been a consensus across Canada that there have been abuses in the refugee system. This consensus across Canada calls for changes to correct those abuses. The consensus is based on public opinion and on the advice and concern of churches and organizations that are specifically involved in helping refugees.

Certainly Members of all three Parties in the House want to see the abuses of the refugee system corrected. There is no question that that consensus exists in Canada and in this House. Yet the Government chose not to proceed in a moderate, intelligent, deliberate manner to correct the abuses. Instead, it brought in such poorly drafted legislation that there is great concern among church groups and refugee-aid groups. It has certainly aroused the opposition of the two opposition Parties as well as a significant number of members of the Conservative Party, although only one or two have had the courage to speak out.

Given the fact that there is this consensus, why has the Government not proceeded in a more deliberate, rational, intelligent manner to correct the abuse? Why has it brought in such poorly drafted, Draconian legislation?

Mr. Caccia: Mr. Speaker, I wish I had the answer to that question. Usually a Minister who proposes a Bill answers that question, not only out of courtesy but out of a desire to explain why the legislation, no matter what it is, appears before the House. Usually the Minister defends it at report stage and third reading, and extensively so, and submits himself or herself to questions of this kind. It is regrettable and more than just unfortunate that this Minister would not do that.

Evidently, as the Hon. Member just said, there is a consensus across Canada for changes and improvements. The Government has chosen not to proceed in a competent and thoughtful manner. I hope that in the course of debate later today, Members on the government side will come forward with answers to the very thoughtful question put by the Hon. Member, because I am not in a position to give a full and comprehensive answer to it.

* * *

Mr. Speaker: We are just about at the stage of beginning Statements by Members, but I have a short announcement to make. I wish to alert Hon. Members of the House to the fact that no notice of Private Members' Business has been published for today. I have received a letter from the Hon. Member for New Westminster—Coquitlam (Ms. Jewett)

indicating that she is unable to proceed with her Motion M-61. Since it was impossible to arrange an exchange, the House will continue with the business before it prior to private Member's hour pursuant to Standing Order 39(3)(b). I am instructing the Table to drop this item of business to the bottom of the order of precedence.

It being eleven o'clock a.m., pursuant to Standing Order 19(4)—

[*Translation*]

—the House will now proceed with Statements by Members pursuant to Standing Order 21.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

SOCIAL SECURITY

GOVERNMENT PERFORMANCE

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, September 4 will, unfortunately for the Canadian population, mark the third anniversary of this Conservative Government. During these three years, the most neglected group in Canada has been low and middle income Canadians, including senior citizens and families.

Everyone recalls the de-indexation of family allowances and the child tax credit; everyone recalls the lowering of the limit set for being eligible to the full amount of the child tax credit; everyone recalls the one billion dollar cut-backs in these two programs; and everyone recalls the refusal of the Conservative Government to develop an effective child care program.

Moreover, senior citizens remember the de-indexation of Old Age Security Pensions, the refusal of this Government to provide the spouse allowance to single, separated or divorced claimants, the discrimination against older workers who are not entitled to full unemployment insurance benefits, and the five million dollar cut-backs under the New Horizons Program. The only thing that has been done for those people has been to give them a Minister.

Mr. Speaker, I shall close with these words, and I trust that the Conservative Members will wake up, otherwise they will all be defeated at the next election for not defending the interests of families and senior citizens.

• (1100)

[*English*]

SENIOR CITIZENS

APPOINTMENT OF MINISTER WELCOMED

Mr. Terry Clifford (London—Middlesex): Mr. Speaker, Thursday's appointment of a Minister of State for Seniors is a clear signal of the Government's commitment to a very important segment of society, our seniors. The newly appointed Minister, himself a senior, a veteran, a distinguished parliamentarian and, above all, a great Canadian, brings to this position a wealth of successful experience in areas such as housing and health care for veterans. His exemplary work is endorsed by all parliamentarians, indeed by all Canadians.

Seniors applaud this Government for continuing to recognize their concerns and needs. The Minister has started meeting with seniors and their organizations, including the National Advisory Council on Aging. I know he feels very strongly that his new Ministry should be shaped by the citizens concerned, the seniors of Canada. I look forward to working closely with him as he begins yet another challenge in his distinguished career of serving Canadians. I know all Canadians will benefit.

* * *

IMMIGRATION

STOPPING OF SHIPS AT SEA—UNION'S OPPOSITION

Mr. Dan Heap (Spadina): Mr. Speaker, the Government is almost finished with a Bill which will include the interdicting of ships at sea when the Minister thinks there are bogus refugees on board. I am sure the Minister has seen the brief from the Canada Employment and Immigration employees' union which says in part:

> On the second aspect, that of the interdicting of ships, we would oppose these provisions because of the commitment we have to the clients we serve.
>
> We do not believe that ships should be turned away from Canada without allowing passengers to make a claim to refugee status—if that is their desire. False claimants can be quickly removed.
>
> Ships can be seized, ships crews and captains can be fined and/or imprisoned. By turning away ships, Canada would run the risk of rejecting refugees, and the men and women who work on the front line would have to bear the public anger, which would no doubt ensue.
>
> We want to work in a system which is open and fair. We want to enforce Canada's immigration laws in a just and equitable manner. We believe that this can be met easily without the interdicting of ships. In any event, the number of such claimants coming by ship is such a small percentage of the overall "refugee" movement that this provision will not significantly alter the work-load and will only serve to exacerbate the tensions surrounding this Bill.

I hope the Government will listen to its employees on the front line.

BANKRUPTCY ACT

NEED FOR REVISION

Mr. Jim Jepson (London East): Mr. Speaker, as the Minister is aware, the Bankruptcy Act was passed in 1949 and is hopelessly outdated.

In my constituency of London East I have a constituent who recently paid $1,000 on account at a furniture store, leaving a balance of $90 which he said he would pay upon picking up the furniture in two weeks. Upon returning to pick up the furniture and pay the final $90 he found the store closed and the bailiff's lock on the door, the store having declared bankruptcy. It is incidents like this, and many others, which clearly tell us that the bankruptcy laws must be changed to protect innocent victims so they are not taken advantage of by unscrupulous businessmen.

As well, I encourage the Minister to take measures in the new legislation to protect Canadian suppliers and wage-earners. I commend the Minister for reviewing this outdated legislation and urge him to move as quickly as possible in bringing the new legislation to the House.

* * *

THE ECONOMY

TRIBUTE TO ROLE PLAYED BY LABOUR

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, labour in Canada has fought a long and tenacious battle to attain today's work standards. In that battle the working men and women stuck together through thick and thin, often in the face of insurmountable odds, to gain a better life for themselves and their families. In doing so there was often suffering, both mental and physical, deaths, hunger and breakdowns, and at the time many a good man or woman would have been unable to stand these pressures without the support of other workers. It is for those reasons that labour has grown so strong and united over the years.

To appreciate the role that labour plays in the running of our nation, try to imagine a Canada without coal produced by coal miners, steel manufactured by steelworkers, fish caught by fishermen and processed by fish plant workers, food grown by farmers, and taxis driven by taxi drivers. The list goes on. With this thought in mind one can easily appreciate the havoc, mass confusion and total breakdown which would occur if our labour force suddenly disappeared or stopped working. Therefore, let us pay tribute to the contributions of the labour movement both in the past and to come in the future, and focus our appreciation of labour on Labour Day next week.

S. O. 21

THE LATE GERARD LAHAIE

Hon. Bob Layton (Lachine): Mr. Speaker, I rise to salute all those individuals who make us proud to be Canadian. There are many, from national heroes such as Rick Hansen, Terry Fox and Norman Bethune, to our honoured veterans, and those who so bravely fought and died for us, and as well, the many local citizens, those often unsung heroes, who give so much of themselves every day.

One such individual who deserves our special attention is Mr. Gerard Lahaie who this summer was tragically killed on the west island of Montreal when he stopped to help a stranger, a woman, repair a flat tire at the side of the highway. Gerard, said one of his co-workers, died the way he lived, helping someone else. He would have chosen no other way.

I know all Hon. Members, who are often so busy and hurried that they have little time for personal thought and reflection, will join me in saluting Mr. Lahaie and all the other great Canadians of their neighbourhoods. We appreciate their efforts and are proud of what they have done for their community and their country. To Gerard Lahaie and all local heroes, thank you.

Some Hon. Members: Hear, hear!

* * *

FORESTRY

BRITISH COLUMBIA—USE OF SOFTWOOD LUMBER TAX REVENUE

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Government of British Columbia will receive revenues in excess of $200 million this year from the recently imposed export tax on softwood lumber destined for the United States. It was intended that these new tax revenues would be used to maintain and nurture the forest resource. Yet in B.C. the funds continue to disappear into general revenue while the expenditure for forest management continues to be woefully inadequate.

Provisions for basic silviculture are still below the level required to regenerate all currently logged areas within a reasonable time. Insufficient restocking of newly logged areas is increasing by tens of thousands of hectares per year. Intensive forest management programs, including thinning and spacing, have proceeded by and large under federal government job-creation schemes. In the Kamloops forest district they have accomplished less than 15 per cent of what should be done, leaving a shortfall of more than 8,000 hectares per year. As well, tens of thousands of hectares of forest land are falling before the onslaught of pest infestation.

If we were managing and husbanding our forests as we should, not only would our forest reserves be expanded significantly, but tens of thousands of jobless people would be put to work. I urge the Minister of State for Forestry and

Mines (Mr. Merrithew) to meet with his B.C. counterpart to ensure the $200 million is invested in a forest resource and therefore enable tens of thousands of unemployed to find long-term or permanent jobs.

* * *

• (1110)

SHIPBUILDING

PORT WELLER DRY DOCKS

Mr. Joe Reid (St. Catharines): Mr. Speaker, St. Catharines has been the gateway to the Welland Canal and the Upper Great Lakes from the early 1820s.

Shipbuilding has been part of our heritage for over 150 years with the Port Weller Dry Docks continuing that long tradition.

Rationalization of shipbuilding on the Great Lakes has already taken place to the extent that Port Weller Dry Docks is the only Canadian Great Lakes shipbuilding yard left.

The union at that yard telexed that its workforce is reduced to a skeleton force of 62, the lowest level in 20 years.

While Canada's coastal maritime history is long and rich, let us not forget this great waterway to the heart of the continent and the skilled workers waiting there for work at this last remaining yard on the entire Canadian Great Lakes.

I encourage the Government to recognize the importance of maintaining an inland shipyard. Award a contract now to Port Weller and keep some 300 experienced yard workers off the unemployment rolls.

* * *

CANADA POST CORPORATION

HIRING OF REPLACEMENT WORKERS DURING LABOUR DISPUTES

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): I want to read a letter addressed to the Minister of Fisheries and Oceans (Mr. Siddon) concerning the Post Office:

> As a taxpayer I must protest the way in which the Conservative government is handling the recent disputes at Canada Post. I am also dismayed to see the government allow Canada Post to privatize mail services.
>
> The government knows that violence will occur if Canada Post uses replacement workers, but the government is allowing it to happen. I believe these replacement workers have the right to work, but the Government should provide them with full-time employment instead of using them as pawns in labour disputes.
>
> Service has already decreased because of the privatization of mail services. To pick up a parcel or register I now have to stand in a long line-up—

The Government already created a strike in the Post Office last month. It is doing everything in its power to have another strike by the end of this month. That is the record of three years of Progressive Conservative government.

* * *

TRADE

LUXEMBOURG—PROSPERITY RESULT OF FREE TRADE AGREEMENTS

Mr. Bob Hicks (Scarborough East): Mr. Speaker, the fast-track approach to a free trade agreement with the United States is quickly approaching and with it a genuine desire to secure the best deal possible for both countries.

Support for a free trade agreement between Canada and our American neighbour was echoed yesterday by Prime Minister Jacques Santer of Luxembourg who said: "It seems to me, from the purely economic point of view, Canada can only benefit from a free trading system with the U.S. and the rest of the world".

Luxembourg, with a population of only 367,000, has free trade agreements and prospers as a result. It has the highest standard of living in the European Community, the European Community's lowest unemployment rate of 1.3 per cent, and the lowest level of annual inflation at 0.3 per cent.

Luxembourg has historically forged trading ties with its neighbours while maintaining its cultural and political sovereignty. I hope the same will result for Canada.

* * *

FISHERIES

FRASER RIVER—EFFECT OF DREDGING OPERATIONS

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, fishermen on the West Coast are concerned about the many dredging operations that occur each year during openings on the Fraser River. The dredging performed by the Department of Public Works seriously hampers the gill-netting process and at times has cost the fishermen the loss of important income and the loss or damage of fishing gear.

Gill-netters on the Fraser River have asked the Minister of Public Works (Mr. McInnes) to consider rescheduling dredging operations from the current Monday to Friday schedule to a Tuesday to Saturday schedule for those few weeks each year that there are openings on the river.

In view of the fact that our fishermen contribute millions of dollars each year to our economy, I urge the Minister and his Department to review this situation immediately with an eye to reducing the impact that river dredging has upon fishing activities and fish habitat in the Fraser.

POLITICAL PARTIES

CRITICISM OF NEW DEMOCRATIC PARTY POLICIES

Mr. Bill Attewell (Don Valley East): Mr. Speaker, where will the isolationist policies of the NDP end, and on how many international obligations will the NDP turn their backs?

First, Canadians heard the NDP policy that they would pull out of NATO and pull out of NORAD. NATO has been the expression of collective western defence since 1949, a multilateral deterrent that provides a stable framework for the management of superpower relations across Europe and the Atlantic.

As French Prime Minister Jacques Chirac said this week: "Isolationism is not desirable for any country in this era".

This week during the Ontario election, the NDP Leader said that an NDP provincial Government would pay up to 40 per cent more for Canadian-made goods over imports and require hospitals, school boards and libraries to do the same, at substantial public expense.

Recently, another isolationist policy emerged from the well-known NDP strategist, Gerald Caplan. He advocates Canada should withdraw from the Group of Seven industrial nations and presumably would have Canada forfeit its hard-won position as a member of the G-7 Finance Ministers as well.

This fortress or bunker mentality emerging from the collective minds of the NDP leaders needs to be seriously understood by Canadians. The NDP's true international allies are starting to emerge. Yesterday the Soviet news agency Tass accused Chirac of "harsh attacks on Canada's New Democratic Party" and also said he had accused the NDP of "dangerous neutrality".

Mr. Speaker: Order. The Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria).

* * *

THE ADMINISTRATION

THIRD ANNIVERSARY OF ELECTION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, tomorrow will mark the third anniversary of the election of the Tory Government. If one word can be used to summarize these three years, my choice would be "disastrous".

Time constraints would not permit me to enumerate all of the blunders of the Government, but I am willing to give it a try. Ministers have resigned, were fired, or demoted. The Prime Minister (Mr. Mulroney) has given new meaning to the word "patronage", making it a relative expression. There were thousands of appointments, so many that we have lost count.

Two banks have gone under, for the first time in 63 years. There has been abuse of power, conflict of interest, criminal charges, unprecedented waste of taxpayers' dollars for the lifestyle of the rich and famous, such as the Prime Minister, his friends and cronies.

This scandal-ridden Government will be remembered as the worst Government in the history of Canada. Luckily, time is running out and the country will once again, very soon, have the opportunity to elect a good, efficient, honest Liberal Government to replace this awful regime. It will do so under the distinguished leadership of the Right Hon. Member for Vancouver Quadra (Mr. Turner).

ORAL QUESTION PERIOD

[*Translation*]

TAX REFORM

TAX ON FOOD—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister.

Canadians have a long memory. This Government got elected by promising lower taxes. Yet, after three years of this Conservative Government, on average a Canadian family pays $1,000 in additional taxes every year. In spite of all that the Minister of Finance is still talking about taxing food.

Yesterday, Mr. Speaker, he told the House he wanted to consult Canadians. The one thing I can tell him is that Canadians did tell me how they feel about this issue, and they do not want a tax on food.

I would ask the Deputy Prime Minister why is the Government hiding behind this so-called consultation when it knows full well that Canadians do not want a food tax?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I thought that yesterday the Minister of Finance quite accurately outlined the process of tax reform and the necessity of tax reform. I think he also dealt with the suggestions of the Right Hon. Leader of the Opposition with respect to a tax on food. He said very categorically, as reported at page 8700 of *Hansard*:

> Let me make it absolutely clear. There is no proposal in this document or any other document in Canada to tax food. That is a fact.

The right hon. gentleman says he speaks on behalf of all Canadians, who suggest that there should not be a tax on food. I note that he is on record as stating that there should be a consumption tax. Most normal Canadians consume food, so I would assume that the right hon. gentleman is, in fact, advocating a tax on food.

Mr. Turner (Vancouver Quadra): This side of the House will not tolerate a tax on food.

Oral Questions

PROJECTED COST TO FAMILIES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I say to the Deputy Prime Minister that we gave the Minister of Finance every opportunity to deny that he was proposing such a tax. We have reminded the Government that a tax on food at current rates of sales tax would amount to an extra $453 on the yearly grocery bill for an average Canadian family. That is one month of groceries. Is the Deputy Prime Minister suggesting that Canadian families eat only 11 months of the year?

• (1120)

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Minister of Finance, the Prime Minister, and myself have all attempted to clear up the confusion that is being created by the right hon. gentleman and by some of his Members. I repeat what the Minister of Finance said yesterday:

> Let me make it absolutely clear. There is no proposal in this document or in any other document in Canada to tax food. That is a fact.

In response to the question posed by the right hon. gentleman, as well as one asked by the Leader of the New Democratic Party who has selectively taken a phrase out of context, I said on September 1, in answer to the Leader of the NDP, as reported at page 8659 of *Hansard*:

> The tax reform proposals do not contain any provision for the inclusion of a tax on food.

On August 24, 1987, in response to a question asked by the Hon. Member for Ottawa Centre the Prime Minister said:

> Mr. Speaker, the Hon. Member has just, no doubt inadvertently, misled the House with the direct statement that the Government is considering a sales tax on food. That is false.

I do not know how much clearer one can be. I wish that the Hon. Member would listen carefully to those answers rather than trying to confuse the issue by suggestions which are erroneous.

REQUEST FOR GOVERNMENT ASSURANCE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, we have listened carefully to what the Deputy Prime Minister has said and to what the Prime Minister has said. But the Minister of Finance refused to close the door yesterday on imposing a tax on food. He said that with all his tax reform proposals he wanted to consult the Canadian people before making any changes.

On Monday, before the committee hearings on the tax reform proposals even started, he issued an eight-page statement of tax changes to those reform proposals without any prior consultation with Canadians. If he can make those changes without consultation, why can he not make the simplest, easiest change of all? Will the Deputy Prime Minister stand up and give us the categorical statement: "There will not be a tax on food from this Government"? That would be the best three-year anniversary present he could give the Canadian people.

Some Hon. Members: Hear, hear!

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Minister of Finance made it very clear yesterday that there is no proposal in this document or in any other document in Canada to tax food. That is a fact. The right hon. gentleman advocates a consumption tax, as does his colleague from Westmount. Perhaps his Members on the Finance Committee are contemplating in the consumption tax the inclusion of a tax on food. If that is the case, then we will wait to see where they stand when the report comes out.

I repeat, Mr. Speaker, the tax reform proposals have been referred to a standing committee, and 300 or so briefs have already been submitted. The matter is under consideration. We will be interested to see where his Members stand on the whole issue of tax reform.

[*Translation*]

TAX ON FOOD—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is for the Deputy Prime Minister. Mrs. Denis and other senior citizens remember the Minister of Finance stating in this House when the old age pension de-indexation issue was making headlines that all the elderly Canadians he had met were in favour of de-indexation. As we recall, this statement prompted the Prime Minister to apologize publicly.

Here is my question to the Deputy Prime Minister. It says so in so many words in the document, complete with explanations. In consultations on the Blue Paper the Government made commitments to the effect that universality was not debatable. Why does the Deputy Prime Minister or his Conservative Government refuse to promise that their Party will reject any suggestion that bread, milk and butter be taxed? Why not make that committment? Why maintain that option?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I simply want to refer the Hon. Member to my previous answer. May I also point out that he has sent a letter to *La Presse* indicating that the Government is advocating a tax on food. That is absolutely false.

[*Translation*]

REQUEST THAT DEPUTY PRIME MINISTER PROVIDE CLARIFICATION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): A supplementary question, Mr. Speaker. Who in this Party is stupid? The Quebec Conservative caucus got together to study

the documents of the Minister of Finance, and they told the Minister of Finance that imposing a tax would be a stupid move. Is the Deputy Prime Minister implying that Conservative caucus Members are completely off course, that they were mistaken when making their recommendation?

I would ask the Deputy Prime Minister whether the Conservative caucus, including the Minister of Energy, Mines and Resources, were mistaken and did not know how to read, or would it be quite simply that the Deputy Prime Minister does not want to tell the truth?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I have attempted here this morning to clear up the confusion that is in the mind of the Hon. Member.

Mr. Lapierre: How about the Quebec caucus?

Mr. Mazankowski: The Prime Minister, the Minister of Finance, and myself have all said the same thing.

Mr. Lapierre: We don't trust you!

Mr. Garneau: The Quebec caucus does not trust you either.

Mr. Nunziata: Would you buy a used car from the Prime Minister?

Mr. Speaker: Order, please. The Hon. Minister.

Mr. Mazankowski: Mr. Speaker, I simply reinvite the Hon. Member to read the response that the Minister of Finance gave yesterday. I will repeat it. I am quoting from page 8700 of *Hansard*.

> Let me make it absolutely clear. There is no proposal in this document or in any other document in Canada to tax food. That is a fact.

FOOD TAX QUERY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also for the Deputy Prime Minister. It relates to the matter of whether to tax food or not.

Some Hon. Members: Oh, oh!

Mr. Riis: When the question was put by my colleague, the Hon. Member for Ottawa Centre, back on May 28 of this year, he asked the Minister of State for Finance a question which ended this way: "What about food?" Regarding the sales tax: "Is food in or out?" The Minister of State for Finance responded by saying: "You will find out on June 18" whether food tax is in or out. It is now September 3 and we are still asking the same question.

My question to the Deputy Prime Minister is as it was asked on May 28 by my colleague. Is food being contemplated? Is food being considered? Is it in or out of the proposals for a national sales tax?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I have answered that question.

WEEKLY FOOD BUDGETS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, we have seen the Deputy Prime Minister take a number of positions. He takes the position of Wayne Gretzky stickhandling around this issue. There is now a new position. It was not the New Democrats who raised this matter first. It is in the White Paper on Tax Reform which states:

> If food and other basic goods are taxed, they would cost more . . . If food and other basic goods are not taxed, their prices would be lower.

This is in his document. He raised it. Are the people of Canada now to expect that, unless there is a statement to the contrary, they can expect their weekly food budgets to be increased, because there is no comment that this tax is not being considered?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, that is using the scare tactics that are quite customary of Members from that side of the House. The author of the White Paper on Tax Reform is the Minister of Finance. He made it very clear yesterday. I repeat again, for perhaps the fourth time, as reported at page 8700 of *Hansard*:

> Let me make it absolutely clear. There is no proposal in this document or in any other document in Canada to tax food. That is a fact.

What could be more clear than that?

EXCLUSION OF FOOD FROM SALES TAX

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I want to make the point that we did not raise this issue. The Minister of Finance raised the issue, and it is right here. There are diagrams, pages and pages which talk about a food tax. It was not we who talked about a food tax; it was members of the Government who talked about a food tax and who are considering it. Why raise it in the first place?

My question, then, is directed to the Chairman of the Finance Committee who has been studying this issue. My question is very straightforward. Do other countries which have a national sales tax—

Some Hon. Members: Order, order!

Mr. Lewis: That is not in order and you know it.

Mr. Speaker: I regret that under the circumstances it is not in order to put the question to the Chairman of the Finance Committee. Perhaps the Hon. Member could find another way to put the question to ensure that a Minister does respond.

• (1130)

Mr. Riis: Mr. Speaker, my question is once again directed to the Deputy Prime Minister.

Is he aware that countries that have imposed a consumption tax have, in fact, excluded food? Today the provincial Governments that have a sales tax exclude food. A person going to the grocery store pays tax on certain goods but not on food.

Is the Deputy Prime Minister aware that the chairman of the finance committee has a plan under way so that, when the Government does impose a consumption tax on the people of Canada, food can be excluded?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): I do not know what plan the chairman of the finance committee has. I know that he is a very capable and competent chairman. I know that he will be vitally interested in all points of view relating to tax reform. That is the job that he is challenged with, and that is the job that he will discharge with the greatest of effectiveness.

* * *

SOVEREIGNTY

BEAUFORT SEA—OIL AND GAS DRILLING—UNITED STATES' CALL FOR BIDS

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, yesterday we learned to our great horror that the federal Government had abandoned any defence of Canadian trade interests under the trade and commerce clause, and is now leaving it up to the provinces to represent Canada when it comes to the export of our resources.

My question is directed to the Deputy Prime Minister on another issue relating to the abandonment of our sovereignty.

On August 20 the Department of the Interior in the United States issued invitations for bids to drill on the Continental Shelf in the Beaufort Sea, including areas of Canadian territory. That is a clear transgression of every agreement. As the chief minister of the Yukon has said, it is a total abandonment of Canadian sovereignty.

Considering that those bids will be considered in four months from now, as of January 1, 1988, has the Canadian Government any intention to represent Canadians' interest in this steal of our territory?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): First of all, I do not agree with the premise of the question, the allegations, and the shrill rhetoric that the Hon. Member is advancing.

I am not fully up to date on this particular matter. I would be glad to take the question as notice, and I could provide a comprehensive answer to the Hon. Member. I regret that I am not up to date at this time.

REQUEST THAT PRIME MINISTER ISSUE PROTEST

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): My supplementary question is directed to the Deputy Prime Minister. There is nothing shrill in trying to represent the integrity of Canadian territory against incursion by another country which is now issuing bids to companies within its own jurisdiction to drill in our territory and in our jurisdiction.

I am surprised that the Deputy Prime Minister is not more conversant with this matter. When asked about this several months ago the Secretary of State for External Affairs said that the federal Government would not be taking any direct action until such time as the environmental hearings were over, and bids would be considered. That point has now been reached. There is now an opening of bids on Canadian land by the U.S. Government.

I ask the Deputy Prime Minister specifically if he will be in touch with the Prime Minister and ask him to issue immediately a notice of protest to the President of the United States against this unacceptable action by the Department of the Interior and the U.S. Government.

Some Hon. Members: Hear, hear!

Hon. Tom McMillan (Minister of the Environment): I will take the Hon. Member's question as a representation. I will be raising the matter with my cabinet colleagues, including the Prime Minister.

* * *

SOCIAL AFFAIRS

FAMILY BENEFITS—GOVERNMENT POLICY

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is directed to the Minister of National Health and Welfare.

Predictions that we made when family benefits were reviewed have come true. Will the Minister now admit that the evidence from the National Council of Welfare, CCSD, NAC, the Economic Council, and Tristat Resources all proves conclusively that families have lost significant income as a result of the Government's past tax policies? Those associations also predict that families may lose over $1 billion by 1991 as a result of new reforms, if implemented.

Is this evidence correct or not? The Minister should know.

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, the evidence that the Member puts forward is

obviously selective on the one side, and in that respect it is not clear nor is it correct.

I wish to indicate to the Member that when she refers to these issues, she does not refer to the increases in the child tax benefits. She does not refer to the fact that today 860,000 Canadians are working who were not working three years ago on this anniversary. Obviously, that is a change.

The Deputy Prime Minister also indicated the other day that there are more taxpayers, and those are some of the reasons why. I should also say to the Hon. Member that when she looks at some of these papers and uses that in her own question in terms of predictions, I don't think one should stay with predictions, but one should look at actual facts. Those actual facts state that today 263,000 Canadians are above the poverty line who were below the poverty line three years ago.

INDEXATION—MINISTER'S POSITION

Ms. Margaret Mitchell (Vancouver East): I would direct the Minister to *Hansard*. I was quoting five authorities on social policy, and the facts which primarily were concerned with family benefits. The Minister should know this.

Rather than defending his Government's anti-family tax policy, I wish—

Mr. Speaker: The Hon. Member is straying into argument and going beyond the usual preamble. I would ask her to put her question to the Minister.

Ms. Mitchell: Since deindexation has the most negative impact on families, I wonder if the Minister would reverse his tax and become an advocate for families. Will he advocate full indexation of the family allowance, the child tax credit, the sales tax credit, and also the cut-off thresholds, as a beginning step toward greater tax fairness for families?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I have been an advocate for that, that is why the Prime Minister and the Government have advocated increased credits, which we have already implemented—

Ms. Mitchell: Full indexation.

Mr. Epp (Provencher): —earlier payments of the increased child tax credits. The tax reform paper also looks at that question.

The last point I would make to the Hon. Member is that if she wishes to be an advocate, could she go back to Manitoba and ask the socialist Government why, when we increased the Canada Pension Plan benefit for disability, that Government does not forward it to the very poorest?

HEALTH

AIDS—TESTING OF IMMIGRANTS

Mr. Jim Jepson (London East): Mr. Speaker, my question is also for the Minister of National Health and Welfare.

Canadians are increasingly aware of the alarming growth in AIDS cases in Canada, and indeed in North America. In fact, in the United States it is projected that by 1991 there will be 23 million cases or carriers of the virus.

In light of recent legislation in the United States regarding AIDS tests for immigrants and refugees, will the Minister tell the House whether he is contemplating similar measures for Canada?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, in respect to mandatory testing of any type, specifically for immigration, the Minister of Employment and Immigration, and myself, along with our cabinet colleagues, are working very closely on this issue. On the surface when one looks at that issue, many people would say that it is a policy that we could implement, as some other countries are now considering, such as the United States, on December 1 of this year. There are a number of issues, whether medical, ethical, or administrative, and relating also to the type or the manner in which medical examinations are presently taking place in respect to immigration applications. The Immigration Medical Review Board had indicated previously hereto that mandatory testing was not recommended. It has now re-examined that policy and recommended that it in fact be implemented.

• (1140)

The World Health Organization, to which Canada has adhered very carefully, has so far not changed its policy from a voluntary system. I know Canadians are interested in this issue. We are considering the present policy but I am not yet in a position to change it and the status quo remains.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, the past three years certainly have been the darkest in the history of regional development—the first Minister, the Hon. Member for York-Peel, was fired because of conflicts of interest; the second one, the Hon. Member for Langelier, was fired for incompetence; and the third one, who inherited a $350 million hole, now heads a department that is being phased out. In the circumstances, I would like to ask the Deputy Prime Minister—

Mr. Speaker: Order, please. Perhaps the Hon. Member could now ask his question?

Mr. Lapierre: Does his Government intend to issue a clear policy statement on regional development rather than taking makeshift measures or announcing piecemeal programs?

[*English*]

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, the people who were fired as a result of the failure of the Regional Development Act were fired on September 4, 1984, by the people of Canada. We have put in place a regional development incentive which is regionally oriented. It will build on the strength of western Canada and establish a basis for regional development in the east. It will be very successful.

[*Translation*]

FUTURE PROSPECTS

Hon. Jean Lapierre (Shefford): Mr. Speaker, the Minister is fully aware that right now, as far as regional economic development is concerned no one who is involved has the slightest idea of the Government's direction and we even wonder whether the Government itself knows where it is going. My question to the Minister is this: Does this Government intend to come up with an overall policy, a policy enabling us to put an end to this situation of two Canadas, one rich and one poor? Does his Government have any vision of Canada and any idea about its responsibilities as a federal Government?

[*English*]

Hon. Frank Oberle (Minister of State (Science and Technology)): Mr. Speaker, I thought I saw the pleasant face of the Hon. Member across the aisle. I do not know where his mind was when we announced a western diversification initiative of $1.2 billion over the next five years, an Atlantic Opportunities Agency with $1.2 billion over the next five years, and specific programs for regions in Quebec and northern Ontario. I wonder where the Hon. Member has been.

* * *

CANADIAN BROADCASTING CORPORATION

CAPITAL ASSETS

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my question is directed to the Deputy Prime Minister. As the result of the Government's initiative Canada's only national public broadcasting system, the CBC, has had major budget cuts, contracting out, and the decimation of production crews.

Some Hon. Members: Hear, hear!

Mr. Riis: The record will show that the Tories applaud.

Ms. McLaughlin: In her official response to the standing committee the Minister has now indicated a willingness to consider selling off the capital assets of the CBC as well. How does the Deputy Prime Minister reconcile the Minister's proposal with earlier commitments of the Prime Minister that the CBC is not for sale?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I believe that question was dealt with in the House a couple of days ago. I believe the Hon. Minister indicated that we want better synchronization of the private and public broadcasting systems. We are aiming at ways and means of delivering the best services to the people of Canada at the lowest possible cost. I think the Minister was speaking of certain aspects which may very well be achieved through the private sector.

In terms of privatizing the CBC, I think that statement was taken out of context. At the present time the Minister is putting together a new broadcasting policy which will be presented to the House in due course.

INTRODUCTION OF NEW BROADCASTING ACT

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, since the new Broadcasting Act that the Minister mentioned will reflect the real intentions of the Government, when will the Government fulfil its Throne Speech commitment to introduce the Broadcasting Act?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, as I indicated earlier, the Minister is presently working on that and taking into consideration the report of the standing committee. I believe she has asked the standing committee for some further background work on the matter. As soon as that is completed I think you can expect a definitive policy statement, hopefully coupled with legislation.

* * *

PUBLIC SERVICE

EMPLOYMENT OF VISIBLE MINORITIES

Mr. Alan Redway (York East): Mr. Speaker, my question is directed to the new President of the Treasury Board. One year ago the Government put in place, for the very first time in this country, employment equity legislation. At the same time, for the very first time, it introduced in the Public Service a program of affirmative action for visible minorities.

Will the President of the Treasury Board advise the House whether the Public Service of Canada now accurately reflects Canadian society as far as visible minorities are concerned? If it does not, is it his intention to introduce targets for hiring and promotion in the same way as has been done for women in the Public Service?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I thank the Hon. Member for that

question. That is clearly the desire of the federal Government. Numerical target-setting quotas have been established by the Government. I think that was proven in August of 1987. This initiative would put the visible minority target group on an equal footing with other target groups in the Public Service.

That has been coupled with a series of measures, including a $10.5 million, 300 person-year special employment program, a visible minority employment office, a network of visible minority co-ordinators, special training modules and, as of June 30, 2,650 members of visible minority groups were registered in the Public Service's applicant inventory. Therefore, there is clearly progress which is the result of a deliberate policy of the Government.

* * *

IMMIGRATION

ALLEGATION CONCERNING GRANTING OF IMMIGRANT STATUS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Deputy Prime Minister. I have a copy of a confidential letter written to the Prime Minister from Mr. Renaud Paquet, the President of the Immigration Union.

The letter alleges that the Deputy Minister of Immigration has flagrantly breached immigration regulations by forcing his officials to grant landed immigrant status, contrary to the Immigration Act, to a visiting professor so that he may remain in Canada in order to teach the children of the Prime Minister and the Deputy Minister at the Claudel Lycée in Ottawa.

As it is vital I will read into the record that which the President of the Employment and Immigration Union had to say:

> The employees at H.Q. Canada Immigration, are flabbergasted that, on your behalf, or on behalf of Mrs. Mila Mulroney, are abusing the queue jumping on behalf of Mr. George Grossman, who was given very favourble treatment on orders from Mr. Gatean Lussier, a close personal friend of Mr. Grossman, to accommodate the education of your own children at the Claudel Lycée in Ottawa.

These allegations are very serious and imply that the Prime Minister and Deputy Minister are above the law. Therefore, will the Deputy Prime Minister immediately order a full and public investigation into this affair so that Canadians may know the details and the appropriate action may be taken?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, until further notice it is my view that when Mr. Paquet has charges or comments or allegations to make, I suppose he will direct them where they belong.

Second, we will check the allegations behind that. Now, again, until further notice, this is part of the usual package from the Liberal Party.

[*English*]

REQUEST FOR INVESTIGATION

Mr. Sergio Marchi (York West): Mr. Speaker, my supplementary question is also directed to the Deputy Prime Minister because we have received an unbelievable answer. We have a grievance—

Mr. Speaker: The Hon. Member had a very lengthy preamble to his first question. I know he would want to be as concise as possible in putting the supplementary question.

Mr. Marchi: I subscribe to your orders, Mr. Speaker. This serious allegation is not made by opposition Members but by the President of the union and a grievance has been filed with the union suggesting that officials were pressured into sidestepping the law. In order to clarify the situation and in order to ensure Canadians that no one is above the law, I ask the Deputy Minister again whether he will order a full investigation so that we may in fact know the details and take appropriate action when necessary?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, same question, same answer. We will investigate.

* * *

• (1150)

[*English*]

CANADA DEPOSIT INSURANCE CORPORATION

COVERAGE OF REGISTERED RETIREMENT SAVINGS PLANS

Mr. David Orlikow (Winnipeg North): Mr. Speaker, in the absence of the Minister of Finance I would like to direct a question to the Deputy Prime Minister. Tens of thousands of Canadians have been persuaded that they could help to provide for their retirement years by putting savings into RRSPs as permitted by our income tax laws. Now because of the collapse of the Principal subsidiaries which were not covered by CDIC insurance, these Canadians will lose most of those savings.

Since so many of these people reside in the Deputy Prime Minister's province, isn't it time that the income tax law with respect to RRSPs was amended to require that such funds be invested in plans covered by CDIC coverage?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the issue which the Hon. Member raised is indeed regrettable but I think the Minister of State for Finance has responded to this issue.

The Principal Trust issue is regulated by provincial authorities to the extent that the Canadian Deposit Insurance

Corporation was involved. The federal Government has covered those losses.

I might also take this opportunity to point out that when we experienced the collapse of the CCB and the Northland Banks the federal Government undertook to compensate those unsecured depositors, I must say to the objection of the New Democratic Party, which was most unfortunate. We have been clearly on record as demonstrating that we are serious about this.

We have tried to encourage provincial authorities to take whatever steps are necessary to accommodate these people, but in terms of the actual suggestion of the legislative changes which the Hon. Member has put forth, I will certainly advance that to the Minister of Finance and perhaps he can get back to the Member himself.

REQUEST FOR AMENDMENT TO LEGISLATION

Mr. David Orlikow (Winnipeg North): Mr. Speaker, when people put money into RRSPs, they do not have to pay income tax at that time. They supposedly will pay the income tax when they begin to draw their benefits. These people have lost that money. They will not get their benefits and the Government of Canada at that time will not get the income tax which people would have paid. That money has been lost.

When will the Government change the law so that this kind of rip-off and fleecing of the public will not continue?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I appreciate that the Hon. Member is advancing a serious proposal that probably deserves serious attention. I will take that as a representation.

* * *

[*Translation*]

CANADIAN NATIONAL RAILWAYS

MONCTON—WORKFORCE SEPARATION PROGRAM

Mr. Fernand Robichaud (Westmorland—Kent): Mr. Speaker, my question is directed to the Deputy Prime Minister.

[*English*]

After the massive lay-offs announced by CN in Moncton and all hopes of saving those jobs were lost, CN and the railway unions agreed to a workforce separation program. All of this was done in good faith. However, CN has unilaterally accelerated the lay-offs and the workers feel they have been double-crossed. Is the Minister aware of this situation and what is he planning to do to protect those workers, the very few who are left in Moncton?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): No, Mr. Speaker, I am not aware of the so-called accelerated lay-offs to which the Hon. Member has referred. The Minister of Transport is in Moncton today, I believe, and I am sure the matter will be raised. Perhaps he may very well be dealing with that issue on the occasion of his visit.

[*Translation*]

LAY-OFFS AT GORDON WORKSHOPS IN MONCTON—GOVERNMENT POSITION

Mr. Fernand Robichaud (Westmorland—Kent): Still along the same line of thought, Mr. Speaker, CN management continue to lay off people in Moncton even though there is more work than the workers can handle, particularly at the Gordon workshops. So why would the Conservative Government let CN act this way? Is it not the responsibility of the Government and the Minister of Transport to protect the jobs of workers, no matter where they are in this country, and to prevent these jobs from being transferred elsewhere?

In recent years the regions of Canada have been left to die a slow death. Is that the real regional development policy of the Conservative Government, Mr. Speaker?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Hon. Member knows that the Government does not manage or run CNR. It is run by a Board of Directors, and a management team which is very competent and very effective. The Hon. Member would be the first one to criticize us if we were seen as unduly interfering with the management and operation of a Crown corporation. I know there has been a program put together funded by DRIE to support workers suffering dislocation.

I should also remind the Hon. Member that if he had been so concerned about the welfare of the workers of Moncton he would have done his bit to support the establishment of the General Electric locomotive manufacturing shop which would have provided long term jobs, jobs into the future. The Hon. Member chose to ridicule—

Mr. Robichaud: What did you do?

Mr. Speaker: The Hon. Member for Windsor—Walkerville.

* * *

RAILWAYS

ONTARIO-MICHIGAN TRAFFIC—SAFETY INSPECTIONS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, Windsor has become a paradigm of railway safety under the Government's deregulation policy and, in part, the deregulation policy in the United States.

My question is for the Deputy Prime Minister, in lieu of the Minister of Transport. Is the Government aware that railway safety inspections have virtually ceased on international traffic between Ontario and Michigan? A great many cars have been found to have unsafe brakes, unsafe truck bolsters, defective wheels, many have had their safety cards removed, there have been some 20 derailments in the CP yard in Windsor, and a dangerous situation exists in the tunnel.

Mr. Hicks: Is that where you get your tunnel vision from?

Mr. McCurdy: Is the Government aware of this situation which not only indicates what has happened in international traffic but presages what may happen in railways across the country?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): The Hon. Member may not be aware of this but Bills C-18 and C-19, the regulatory reform proposals in the new National Transportation Act, do not take effect until January 1, 1988.

SAFETY INFRACTIONS

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, deregulation has existed in the United States. This traffic is going to the United States. I have cited a number of instances of safety infractions of a very serious nature. They represent a danger not only to the workers but to the people of Windsor respecting the possibility of toxic spills.

Will the Government take a look at this situation and see whether there is a solution to the problem that is being created? Will the Government also look at the potential for similar problems in Canada as a result of Bills C-18 and C-19?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, primacy of safety is always first and foremost in the minds of this Government in any transportation policy, and it is clearly outlined in the preamble to the new National Transportation Act.

I think it is very clear as it applies to the air administration. We moved very quickly on the tightening of the Aeronautics Act. I believe there is a new railway safety Bill that is being considered. There have been a number of areas where safety in the railway system has been tightened up. Certainly if the Hon. Member has some specific cases I will be pleased to draw them to the Minister's attention. Let me assure the Member that we take this matter very seriously and advise him that a lot of progress and tightening up has occurred in the last two or three years.

Mr. Speaker: I would advise the House that there will be two more questions. The Hon. Member for Saint-Léonard—Anjou and then a single question from the Hon. Member for Kamloops—Shuswap.

[*Translation*]

CANADA POST CORPORATION

LABOUR RELATIONS—DECISION OF CANADIAN LABOUR RELATIONS BOARD—GOVERNMENT POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, the Canadian Union of Postal Workers said yesterday that the Canada Labour Relations Board's decision paves the way for an early settlement of their current negotiations with Canada Post, yet the Minister expressed disagreement with this decision. Why is the Minister intent on having a postal strike at any cost? Could he not tell Canada Post to accept the decision and bargain in good faith, thus giving Canadians the hope that there might not be a breakdown in postal services?

• (1200)

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, I can assure the Hon. Member that no one on this side of the House wants a strike. No sensible Canadian would want a strike. However, I can also tell the Hon. Member that the worst thing I could do is to follow his suggestion that I involve myself in the items that are at the table and under negotiation now. In fact, it is contrary to the advice of the former Postmaster General, his colleague, the Hon. Member for Papineau, who has suggested that the Government should cut the umbilical cord of Canada Post Corporation. That was a decision made by the House in 1981 and we are trying to do that. Why is the Hon. Member suggesting that we go back to the bad old days?

CANADIAN LABOUR RELATIONS BOARD RULING

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, since Canada Post became a Crown corporation in 1981 there had been no strikes until the one last May which was caused by the Government. Why does the Minister not tell Canada Post to accept the ruling of the Canada Labour Board and avoid the next strike? Why does the Minister want a strike?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, this Hon. Member and other Hon. Members on both sides of the House complained for literally decades about the service provided by Canada Post. Through franchising, the post office will be able to increase service to Canadians dramatically.

Why is the Hon. Member suggesting Canada Post should not carry through with this attempt to improve services to Canadians? Why is this Hon. Member being a mouthpiece for J.-C. Parrot?

TAX REFORM

FOOD TAX ISSUE—COMMITTEE EXAMINATION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I have a short, quick question for the Chairman of the Finance Committee. I wonder if he could indicate whether the Finance Committee has any plans to conduct an inquiry into a food tax or whether the Finance Committee plans to conduct any study into exempting food from a consumption tax.

Mr. Don Blenkarn (Mississauga South): Mr. Speaker, at the present time the committee is working on Phase 1 of the White Paper dealing with income tax and the relevant sales tax measures on the federal sales tax as it presently exists. After the first of the year, I expect the committee will take a look at Phase 2 and what may have occurred between now and then. Of course all items that might be taxed will be looked at, and how a new tax proposal might be put together will be examined in accordance with the proposal in the White Paper.

* * *

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I would ask the government House Leader to give us a statement of the business the Government expects to present to the House during the coming days.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, in reply to my colleague's question, I would advise that the House will continue with debate on Bill C-84 today and, if it is not completed today, we would anticipate calling that Bill next week until it is completed.

If a message is received from the Senate requiring further debate on Bill C-22, we would then proceed to take up that item. As a backup to that would be second reading of Bill C-68 respecting the Bretton Woods Agreement and, if time permits next week, we would then move to second reading of Bill C-61, a Bill respecting measures dealing with the proceeds of crime.

ROUTINE PROCEEDINGS

[*English*]

INTER-PARLIAMENTARY DELEGATION

PRESENTATION OF NINETEENTH, TWENTIETH, TWENTY-FIRST AND TWENTY-SECOND REPORTS OF CANADIAN NATO PARLIAMENTARY ASSOCIATION

Mr. Bob Hicks (Scarborough East): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House the Nineteenth, Twentieth, Twenty-first and Twenty-second reports of the Canadian NATO Parliamentary Association, in both official languages.

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PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my honour and pleasure to present a petition on behalf of a number of Canadians who recognize that there are troubles in many parts of the world causing people to seek safety in Canada from persecution.

Recognizing that Canada has established standards of refugee status determination but that existing procedures have broken down under the unexpected strains, also understanding that the Standing Committee of Parliament has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force and has the support of the Canadian Council of Churches, the Canadian Bar Association, the Canadian Jewish Congress and other groups and individuals, they are asking that Parliament enact legislation that will embody the principles involved in this report.

They also recognize that the report encourages fair and quick oral hearings for refugee claimants before a refugee board independent of the Immigration Commission, and provides universal access to such hearings for every claimant in Canada and adequate opportunity to arrive in Canada to make this claim.

[*Translation*]

OPPOSITION TO TAX ON FOOD

Hon. André Ouellet (Papineau): Mr. Speaker, considering that the Conservative Government intends to consider the possibility of saddling Canadians with a tax on goods and services, food included; and considering that the Leader of the Liberal Party (Mr. Turner) and the militants are against this tax, I have here a petition signed by residents of my riding who urge Parliament to reject any measure designed to levy a sales tax on food products.

I have another petition signed by residents of my riding, this time from the southern or lower region of the riding, who also urge Parliament to reject any measure designed to levy a sales tax on food products.

[*English*]

ENTRENCHMENT OF MULTICULTURAL HERITAGE IN THE CONSTITUTION

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I have the honour to present a petition from a number of people associated with Mosaic, a multiethnic service in Vancouver.

They ask that, whereas one-third of Canadians speak neither English nor French and are of neither English nor French ancestry, and multiculturalism has been an official national policy since 1971; whereas multiculturalism is one of the four cornerstones of Canadian society and has not been recognized as a fundamental characteristic in the Accord, they call upon Parliament to urge the Prime Minister (Mr. Mulroney) and the Government to amend the constitutional Accord by entrenching our nation's multicultural heritage in reality as a fundamental characteristic in the opening clause of the Constitution.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, it is my privilege and responsibility to present a petition from a number of Canadians who point out that troubles in many parts of the world cause people to seek safety and asylum in Canada and that Canada in the past has established refugee status determination procedures, that these have broken down under the strain of recent years and that a committee of the House has proposed a new procedure which is quicker and fairer than the one now in place and that this procedure has the support of all Parties in the House as well as a number of organizations. However, the Government put in place procedures which turned refugees away.

• (1210)

Therefore, the petitioners call upon Parliament to bring in legislation which embodies the principle of fair and quick oral hearings before a refugee board independent of the Immigration Commission, universal access to such hearings, and adequate opportunity to arrive in Canada and make the claim.

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, I am proud to present a petition on behalf of a group of citizens from Quebec who are concerned that Bill C-55 threatens the traditional commitment of Canada to assisting refugees. They suggest the Bill be withdrawn and legislation fair to refugees reaching our shores be substituted instead.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board): Mr. Speaker, I ask that all questions stand.

The Acting Speaker (Mr. Paproski): Is it agreed?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

The Acting Speaker (Mr. Paproski): When debate was interrupted at eleven o'clock the Hon. Member for Davenport (Mr. Caccia) had six minutes remaining in his question and comment period. I will entertain further questions and comments.

There being none, questions and comments are now terminated. Debate.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I appreciate this opportunity to make a few comments on Bill C-84. To begin with I would like to say a word of appreciation to my colleague, the Hon. Member for Spadina (Mr. Heap), for his hard work on this issue in committee as it dealt with Bill C-84, as it is working now on C-55, and for his continuing interest in this entire issue. In the spirit of non-partisanship, I should also say a word of appreciation for the work done by the Hon. Member for York West (Mr. Marchi).

Similarly, I would like to have been able to say a word of appreciation for the work that the Hon. Member for La Prairie (Mr. Jourdenais) would have done on this Bill had he been permitted by the Government to sit on the committee. As we all know, the Hon. Member was the chairperson of the Standing Committee on Labour, Employment and Immigration. Over the past few months, as he became more and more aware of the concerns of refugees and the problem of refugee status determination, he took a very active interest. At the same time he saw the Government going in a direction diametrically opposite to what his committee recommended and to that which is considered to be fair and just to the refugees.

The Government brought us back to deal with this legislation. It is the main item on the agenda. This is what constituted the crisis which justified the Government's calling the House back in August. Some 174 boat people landing off the coast of Nova Scotia constitute a crisis. There is a crisis but it is not in Canada particularly. It is a world crisis. It exists because there are over 13 million refugees around the world as defined by the UN Convention. If we look at other kinds of refugees, including those refugees from famine, ecological disaster, and internal causes, there would be many millions more. It has been pointed out that every day, 365 days a year, for the last 30 years, an average of 700 people have become refugees. Yet we create a crisis because 174 of them waded ashore in Nova Scotia.

I would like to share a few figures with you to give you some idea of the magnitude of the problem. In Central America today there are 1.5 million refugees. There are two million Palestinian refugees in the Middle East. Some of these refugees are second and third generation. Some three million Afghans have fled to Pakistan and Iran since the Russian invasion of 1979. Some two million people were displaced in Vietnam, Kampuchea and Laos over the last 10 years. Between 1980 and 1985, 400,000 people were forced to flee from Uganda. Millions of Africans have been displaced by war, internal oppression, famine and ecological disaster such as the advance of the Sahel. In the tragic split of the India subcontinent of 1947, at the time of the partition, over 14 million Muslims, Hindus and Sikhs were displaced. Some of them moved south into India from Pakistan and others moved the opposite way. This is the magnitude of the problem our world has faced in the last few years.

While we in Canada think we have a crisis, the heaviest impact of this crisis has fallen on Third World countries. There are 25 Third World countries where more than 50,000 unassimilated refugees live in camps. The 20 countries with the highest ratio of refugees to local population are all in the Third World, and those countries have a per capita annual income of less than $700.

Sudan is perhaps a particularly outstanding example of the pressure this puts on a poor country. Sudan is under stress politically, economically and ecologically. It has had to create a special department with more than 1,500 people to look after the more than one million refugees who flooded into Sudan from Chad, Ethiopia and Uganda. In some of its refugee camps in the south the mortality rate is about 285 per 1,000. In a 12-month period 285 refugees out of 1,000 would die. That is the tragic condition of refugees in some parts of our world today. Yet we feel we have a crisis in Canada because of 174 boat people.

In May of 1979 there was a special conference on refugees in Africa. President Nyerere of Tanzania spoke to that and I would like to share some of his words. He was speaking particularly to the African situation, but I think it applies to all of us. He said:

> Even if there was not a single new refugee in Africa from this day forward, it is relevant to remember that a refugee stays a refugee for up to 70 years if we do not make provision for his or her integration into our societies. Either we make arrangements whereby refugees can become self-supporting or they have to be fed for a lifetime . . . Refugees have only one thing in common—that they have fled from their country. Even the cause of their flight will be different. It may be persecution, or social upheaval, or war, or it may be famine which causes a disregard of borders. The refugees are usually, but not quite always, without property or means of earning a living.
>
> But apart from the fact of seeking refuge they are as varied as Africa's people are varied. They will be of many ideologies or of none, of many different religions, and many different cultures. They may be nomadic or pastoral, just as they may be agriculturalists or urban workers. They will have different levels of education; they will be different in ambition, and in character.
>
> All refugees are certainly victims, but they do not consequently lose their individual ideas about life and their own purpose. They will include the ambitious, the optimist, the pessimist, the honest hard-working man and the sly delinquent; the person who will make the best of things, and the man who will grumble about everything. And so on. Generalizations about refugees are very dangerous; all that can safely be said is that they have sought refuge.

• (1220)

He goes on to point out how refugees often create large problems for the countries in which they seek asylum. This is particularly the case for Third World countries. Then he says:

> Yet refugees are in no position to consider the problems of the country they flee to.

I suggest we should think about that as we debate this legislation; refugees are not in any position to think of the problems of the country to which they are fleeing because they are so preoccupied with their own desperate struggle for some kind of freedom and dignity.

Nyerere talks about the very slow progress that has been made in dealing with the problems of refugees. Indeed, on a world basis, we have fallen back in the last few years. Speaking of Africa, he asks why this is:

> I do not believe it is a result of ill will, but rather that all the governments of Africa are busy and hard-pressed, trying daily to perform the miracle of the five loaves and two fishes. They are subject to many pressures from their people and on behalf of economic interests elsewhere. And there is no countervailing pressure in support of the refugee victims of injustice and oppression. The only pressure is our own awareness of Africa's unity and of our common humanity with our brothers and sisters. It appears that this is not a very strong pressure in comparison with others to which we are subject.

I believe we can apply to our world what he said about the common awareness of Africa's unity. The only countervailing pressure to completely closing all doors to refugees is our awareness of our unity as humankind and our obligations as human beings to our brothers and sisters in our common humanity. The question we must ask, with Nyerere, is whether or not in Canada in 1987 it is enough to keep our doors open.

There has been less funding by the United Nations High Commission for Refugees to deal with long-term solutions for the refugee problems. Indeed, of the funding available to the UNHCR in 1970, 80 per cent was going to long-term solutions. However, as the result of the pressure of immediate problems in 1981, that had fallen from 80 per cent to 20 per cent. Last year it had risen again to 40 per cent, but we are still devoting far too little money to the long-term solution of the refugee problem. We then wonder why it is snowballing onto our doorsteps.

There is an important role for affluent countries in the north, such as Canada, to play in helping Third World countries cope with the refugee problems within their own borders. Instead of doing that, we are shutting the door. We are applying more restrictive measures.

Bill C-84 is supposed to deal with an emergency, but the Bill has been hastily drafted, rushed through committee, and the Government has refused to consider some of the well thought out amendments that were presented by opposition Parties. It has refused to listen to the kinds of interventions that have been made by a wide variety of Canadian organizations that

appeared to give their testimony. These organizations included representatives of our churches, the Canadian Jewish Congress, the Bar Association, and refugee aid organizations. The Government has refused to listen to these considered, well thought out concerns of people who want to correct the abuses but do not want it to create an unjust situation.

The only conclusion one can reach is that the Government is playing on the fears of Canadians. While the fears are real and there is a concern among Canadians, I do not believe that these fears can be justified by the facts. If the Government was responsible, instead of playing on those fears it would attempt to deal with the situation, seek to allay those fears and explain the real facts about refugees.

Canadians have nothing to fear from the number of refugees who have come into Canada over the last 40 years. In the late 1970s and early 1980s we received some 60,000 boat people from Southeast Asia. They have not destroyed the fabric of Canadian society.

Since the 1940s we have received almost 500,000 refugees. They have made an invaluable contribution to Canadian society. We do not have to fear the contribution that refugees will make.

The attitude that we bring to refugees is one of those issues that will determine what kind of people and society we will be in the future. We can either have a society that is open, multiracial and a model for the kind of world we must create if humankind is going to live and prosper on a globe with very finite resources, or we can react as this legislation seems to suggest and move back to a more closed society that characterized the societies of our ancestors.

In early times it was a trait to be afraid of the people who lived in the next village or community, afraid of people who belonged to a different tribe or spoke with a slightly different dialect. Do we want to move back to that kind of closed society?

We have often thought about the kind of contribution refugees and immigrants from different parts of the world have made to Canadian society. We often emphasize the economic and business contributions, but I would like to think about the contribution these people have made to our level of tolerance and understanding. Perhaps I could use an example from my own ancestry to illustrate this. Some of my ancestors came from Ireland over 100 years ago. Like many other people who came from the old country, I presume they brought their prejudices with them. We know that there was a good deal of prejudice between Protestants and Catholics in the early years in Canada. However, 140 years later, that prejudice is left far behind us in Canada. The very idea of Protestant and Catholic bigotry seems sadly outdated, but when we consider the history of Ireland and the current events there, we see that it is still happening. Canadians cannot understand why.

I suggest that we have moved beyond this kind of prejudice and bigotry because, with so many other people coming to our nation, it just did not make sense for two Irishmen to fight over obscure points of religion.

Today, there are interchurch committees on refugees, consisting of Protestant and Catholic churches that come before the House of Commons to request a more open refugee policy. Even 30 years ago, a United Church moderator would complain that there were too many catholic immigrants coming to Canada. There has been a tremendous change in some of our thinking.

I suggest that we owe that change to the fact that so many people have come to Canada and created a multicultural kind of society. Some people have developed new prejudices, but that is another matter. There is still a fear of the stranger, a kind of latent racism.

• (1230)

I would like to share a poem with you, Mr. Speaker, a poem written at the time of the rise of Hitler by W. H. Auden, the English poet. In the poem we see that all the concerns that we have today for documents, committees, politicians, racism, and the fear that refugees will take away our daily bread were there 40 and 50 years ago. The poem is entitled *Refugee Blues*. The poem is either a Jewish couple talking to each other or a Jewish parent talking to his or her child. The poem reads:

Say this city has ten million souls,
Some are living in mansions, some are living in holes:
Yet there's no place for us, my dear, yet there's no place for us.
Once we had a country and we thought it fair,
Look at the atlas and you'll find it there:
We cannot go there now, my dear, we cannot go there now.
In the village churchyard there grows an old yew,
Every spring it blossoms anew:
Old passports can't do that, my dear, old passports can't do that.
The consul banged the table and said:
'If you've got no passport you're officially dead':
But we are still alive, my dear, but we are still alive.
Went to a committee; they offered me a chair;
Asked me politely to return next year:
But where shall we go to-day, my dear, but where shall we go to-day?
Came to a public meeting; the speaker got up and said:
'If we let them in, they will steal our daily bread';
He was talking of you and me, my dear, he was talking of you and me.
Thought I heard the thunder rumbling in the sky;
It was Hitler over Europe, saying: 'They must die';
O we were in his mind, my dear, O we were in his mind.
Saw a poodle in a jacket fastened with a pin,
Saw a door opened and a cat let in:

But they weren't German Jews, my dear, but they weren't
German Jews.
Went down the harbour and stood upon the quay,
Saw the fish swimming as if they were free:
Only ten feet away, my dear, only ten feet away.
Walked through a wood, saw the birds in the trees;
They had no politicians and sang at their ease:
They weren't the human race, my dear, they weren't the human
race.
Dreamed I saw a building with a thousand floors,
A thousand windows and a thousand doors;
Not one of them was ours, my dear, not one of them was ours.
Stood on a great plain in the falling snow;
Ten thousand soldiers marched to and fro:
Looking for you and me, my dear, looking for you and me.

The situation is that refugees look to Canada, yet it is a country which is closing its doors to them. They are aware of the pressure that comes upon them from everywhere.

The objectives in the Bill are objectives which we can support. However, the measures which the Bill enshrines do not meet those objectives. Therefore we cannot support those measures. I urge the Government to try to look at this Bill from the perspective of refugees around the world who are in desperate need. I urge the Government to look at the issue from the point of view of an open and honest consideration of what Canada can do, not try to trump up more fears, not try to build upon those fears but let us have a sane, honest, open and fair refugee policy.

Mr. Caccia: Mr. Speaker, in his very thoughtful intervention the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) made a very strong case, revealing how this piece of legislation is based on fear and how it really does not go to the root of the problems that Canadians would like to see solved in an expedited and thoughtful manner.

The comments we have heard in committee, as well as in the debate at report stage, have been varied. However, one thing keeps recurring. It is a criticism that is being leveled at us by international organizations. It has to do with the fact that Canada has subscribed to a number of conventions that deal with refugees and that this piece of legislation, Bill C-84, is one that is likely to infringe upon our international obligations concerning refugees. That is likely to put Canada into the position of being criticized for not keeping our word with respect to these conventions.

These are of course very serious criticisms which were made as recently as a couple of weeks ago by the United Nations High Commissioner for Refugees. I would be interested to hear the Hon. Member's comments on this particular aspect of the legislation as it affects our reputation in the world.

Mr. Manly: Mr. Speaker, unfortunately, I think that Canada is not alone in developing this type of restrictive legislation. What we are doing with this legislation is jumping to the head of the pack. We are right in there with countries such as the United States, which is now shutting its doors to refugees. This legislation must certainly make groups such as the United Nations High Commission for Refugees, which awarded the Nansen Medal to Canada last year for our open door policy to refugees, wonder what impact awarding the medal had. It is like when parents praise a child for doing something good the child feels that it somehow has to compensate by doing something bad. The child does this to show that it is really not as good as what the parents had said it was. Canada was complimented for a good policy toward refugees and we now turn around and show that we are really not as good as what the Nansen Medal would indicate.

I am not a lawyer. I cannot say whether or not this law specifically violates the international covenants. I think that is a question in which the legal fraternity can engage. However, it certainly violates the spirit of those covenants. The spirit of those covenants is that Canada has a fair refugee determination process. That is being broken by this legislation.

The concept of being able to turn boats back, a provision which is contained in this Bill, violates the tradition that Canada had which spoke out against other nations which turned boats back when faced with a much more serious problem than was Canada. I refer to countries such as Malaysia and the Philippines. In those countries there was a steady flow of boat people arriving on their shores. To its credit Canada spoke out against that practice. We said that the boats should not be turned back, that that action put the lives of potential refugees in danger. We are now doing the same thing. Not only are we violating our commitments but we can also be accused of a form of international hypocrisy. We say one thing to Third World countries such as Malaysia and then we do the same thing ourselves.

Mr. Althouse: Mr. Speaker, the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) has just outlined the difficulty that Canada is placing itself in internationally, in that it appears to be a hypocrite by saying one thing and then changing its policy with regard to refugees. Can the Hon. Member comment on the Bill from the standpoint—not as a lawyer, since he has disclaimed being a lawyer, but from the point of view of a minister of the church? Ministers also tend to learn something about the law and respect for the law. I wonder what his assessment is of the type of Bill that we have before us in Bill C-84. It lays out some very harsh penalties for people who aid and abet human beings who are seeking refuge in our country. How does the Hon. Member square that with the comments and the only defence from government Members when they say that they will blink their eyes at this particular law? What type of signals does that send out to Canadians from the standpoint of obeying and recognizing the law?

• (1240)

Mr. Manly: Certainly, it must be a confusing signal. In the past the Government has urged churches and refugee aid committees to help refugees. Now a law is being passed that makes helping people who have no proper documentation to be accepted as refugees an offence which carries severe penalties. We have encouraged them, and now we are passing a law that states it is illegal.

Then the Minister states, "We are not aiming this law at you, we are trying to get at the agents who are doing this for profit and commercial purposes". What are the people in the churches to think of this whole situation? On the one hand they have been encouraged to be involved in this activity, and now they are told that it is illegal, but not to worry, they will not be prosecuted. It puts the churches in the same category as young people who smoke dope. They never know when the heavy arm of the law will come down on them. It is a law that will be selectively applied. It is a bad law. It should not be accepted by any Government that has any respect for the rule of law in a free and democratic society.

[*Translation*]

The Acting Speaker (Mr. Paproski): The time for questions and comments has expired. Debate. The Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria).

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I am pleased to take part in this third reading debate on Bill C-84. Mr. Speaker, I did not have the opportunity to join the debate on second reading nor in the parliamentary committee which examined this issue over the past few weeks. Still I should like to make a few very brief comments in the House today—I do not intend to prolong the study of this legislative measure even though I do not agree with it—to let Hon. Members know that I am against the Bill as presented by the Government.

Mr. Speaker, I do not support the Bill, but nobody should conclude that I condone the activities of people who arrive here by circumventing the law. You know very well that I have no sympathy for people who break the laws of our country and that, like all other Canadians, I too wish Canada had the legislation required to curb such abuses, as I said a moment ago.

[*English*]

We should all remember that the situation brought to the attention of the Canadian public, largely because of the Tory Government, is not something new. It did not happen one day this summer. Indeed, a boatload of refugees arrived in Canada over one year ago. The Government did nothing. A year later, a second boatload arrives with 174 people from the Indian subcontinent. This time the Government is trying to cling to power desperately; it is right at the bottom of the public opinion totem pole, it is scandal-ridden, and defective in every single way, shape, and form, it has lost the confidence of the Canadian people, and it just happens that the Government decides that this second event is going to be a crisis of large proportion.

The Government failed to tell Canadians that that was not the only day in 1987 when refugees arrived on our shores. In the year 1986, 18,000 people claimed refugee status here. That is 346 people per week. However, 174 show up one day this year and the Government decides, that's it, right now there is a crisis, Parliament must be recalled. It just happens that the Government has this multinational drug Bill it wants to pass as well, but that is not the real reason, of course. It only wants to recall Parliament to deal with this issue, say the Tories across the way.

As you know, Mr. Speaker, being the objective non-partisan person that you are, one can never, ever believe a Tory, because they brought us here under those false pretences. What they really wanted to do was sweeten the pot for the free trade negotiations and pass the objectionable drug Bill. At the same time the Government thought it would use this issue to drum up some support. As the Hon. Member for Davenport (Mr. Caccia) eloquently and correctly stated earlier today, the Government was using in every means possible in a desperate attempt to drum up support.

Earlier this summer the Prime Minister (Mr. Mulroney) told us that it was an emergency and Parliament had to be recalled. The Prime Minister in his deep, serious voice, that few of us believe but with which we are all familiar, stated that Parliament had to be recalled quickly, right away. Two weeks later the Deputy Prime Minister (Mr. Mazankowski) found out that no one had advised the Speaker that Parliament had to be recalled. It slipped their minds. After all, it was only an emergency so one could not think of everything. The Prime Minister and his cronies were busy shining their Gucci shoes and did not have time to think of it. Finally, two weeks later, they advised the Speaker and, of course, Mr. Speaker did agree to recall Parliament within a few days.

The point I am making is that a boatload of refugees arrived a year before, and it is not an emergency. A year later a second boatload arrives, and then it is declared to be an emergency two weeks after the boat arrived, and two weeks later no one tells the Speaker that it was an emergency in order that the Speaker could recall Parliament.

We are supposed to believe that the Government is sincere in its approach? I am sure a few people believe the Government is sincere, but I am not one of them. I do not believe in the things that it does. I do not believe that the Government could decide one day this year that something was an emergency when 346 people per week for the last year have been claiming refugee status. In 1985, 8,000 people claimed refugee status; in 1986, 18,000 people claimed refugee status; in the first five months of 1987, 10,000 claimed refugee status. But it became an emergency in July at the time the Government was in a desperate position, trying to cling to power, at a time when it was in a desperate position trying to salvage its free trade

negotiations, and everything else that was going wrong with the Tories.

Parliament was recalled to deal with this legislation. Many people have brought to your attention, Sir, and to the attention of the Canadian public and the House of Commons that the Bill is seriously flawed. The Bill states that we have to punish people who bring in refugees. I could be punished. In the mid-1970s I participated in bringing the boat people from South East Asia. I was one of the people who participated in Project 4000 under the leadership of the Hon. Member for Hamilton Mountain (Ms. Dewar), who was then the Mayor of Ottawa. At that time as Mayor of Ottawa she directed a very successful project of which I was a member. If I did that today would I be a criminal, according to the Tories? That is what the Bill states. What it ought to do is provide punishment for the criminals or the people who have done something wrong. The Bill should provide for the punishment of people who try to bring others to Canada in a fraudulent manner for profit. That is wrong. I am the first to say that is wrong, but that does not mean that everyone who participates in helping the underprivileged of this world is a criminal. It is obvious that people who give of their time in an unselfish manner are not criminals.

• (1250)

Finally, one must wonder about the Government. For the second consecutive summer the Government has failed so miserably to accomplish its legislative agenda that it had to recall Parliament. What does that tell you, Mr. Speaker? It tells me, and I am sure you will agree, that the Prime Minister and the Government cannot get their act together. The Government cannot get organized in order to get its legislation through before the summer recess. If the Government had gotten things under control Parliament would not have been recalled for so-called emergency situations two summers in a row.

This was the second attempt this summer to recall Parliament on a so-called emergency. You will recall that the first time the Deputy Prime Minister wanted Parliament recalled to deal with the drug Bill. As you know, he was more or less told by the Speaker to get lost, and that did not work out. A few weeks later the second so-called emergency arose, and this time the Government succeeded in getting Parliament reconvened, the real reason being to deal with the so-called first emergency rather than the second one.

[*Translation*]

What I mean, Mr. Speaker, is that for the better part of the year the Government has been wasting the time of the House. Among other things, I would draw your attention to the many hours the House spent on capital punishment, an issue which should not have been brought before the House in the first place.

Mr. Blackburn (Jonquière): Why?

Mr. Boudria: Because the matter had been settled a decade earlier already, as the Hon. Member opposite would know. The Prime Minister was quite reluctant to revive the death penalty debate, but he had made a commitment, one of his 338 election promises, and he just had to live up to one of them.

[*English*]

The Acting Speaker (Mr. Paproski): There will be time for questions and comments after the Hon. Member finishes his remarks. I hope Hon. Members will allow him to finish in order that we can have a very quiet day.

[*Translation*]

Mr. Boudria: As I was about to say, Mr. Speaker, the Conservative Government made 338 promises during the last electoral campaign. I have here a copy of these 338 promises. I shall be quite happy to give one to the Hon. Member opposite, if he has forgotten his own commitments, and to any Canadian listening to us who would like to have one. If they write to my office postage free, I shall be happy to send them a copy of the book containing these 338 promises.

The Government decided to waste the time of the House with the debate on capital punishment instead of dealing with many other serious issues, such as finding a valid solution to the refugee problem, and various other pieces of legislation which would have been useful to improve the lot of the Canadian population, which is now suffering under this Conservative Government, but that is only temporary. The Conservative Government has managed its timetable so badly that it has had to call back Parliament for so-called emergencies two summers in a row. Having done so, it introduced Bills which were seriously defective, at least this year. I indicated earlier some of the weaknesses of this Bill. While I am the first to say that we need new legislation to deal with refugees, we have no right to pass defective legislation under the pretext that we need something else.

We have to offer the Canadian population legislation which is effective and better than what was there before.

Now that the Government has refused all amendments introduced by the Members of this House, including the Hon. Member for York West (Mr. Marchi), whom I would like to congratulate for his excellent work on this issue, and various other Members, such as the Chairman of the Committee, a Government Member, who has had the courage to tell the Canadian people and all parliamentarians that this Bill is defective and could not and should not be supported by anyone, I invite all the Members of this House to reject this Bill and ask the Government opposite to prepare a Bill which makes sense and which can be supported by the majority of Canadians.

We should not forget that it was the Members of the Opposition who demanded one year ago that the Government introduce a Bill dealing with refugees. The Government dragged its feet, and one year later, introduced an excessive,

defective and badly written Bill and refused all amendments which could have improved it.

Mr. Speaker, I therefore invite all Members of this House to reject Bill C-84 because the Conservative Government has refused the amendments which could have made this Bill more acceptable. In its present form, the Bill is totally unacceptable for the great majority of Canadians.

[*English*]

Mr. Sergio Marchi (York West): Mr. Speaker, I listened with interest to the Member for Glengarry—Prescott—Russell (Mr. Boudria). The refugee legislation which we are debating today, Bill C-84, and the other Bill that is in committee, Bill C-55, will become the refugee determination system. The Member quite rightly pointed out that we need legislation which stops abuse, but not on the backs of legitimate refugees; legislation which makes that clear in legal terms.

There are many parts of Bill C-84 which will be challenged in the courts because they do not live up to the Charter of Rights and Freedoms within our Canadian Constitution. All Canadians are equal under the law. That is why I was very disturbed this morning to read a letter from the President of the Canada Employment and Immigration Union who alleges that the Deputy Minister of Immigration and others would have violated the immigration laws of this land for a personal return or as a personal favour. That allegation must be investigated. If it is left unaddressed and swept under the carpet it will give a very clear signal to Canadians that there is one law for the Deputy Minister and his friends and another law for all other Canadians and claimants.

I would like my hon. friend to address for a moment that very dangerous signal which can be sent out. At the very time the Government is talking about curbing abuse, we have heard an allegation by a union president that abuse is taking place in the higher offices of the Government. Would the Hon. Member share his comments on this issue with the House?

Mr. Boudria: Mr. Speaker, I first want to thank my colleague, the Member for York West for that excellent question. He is very rapidly becoming one of the most knowledgeable experts in this House on immigration and refugee issues. Very clearly what the Member is indicating to us is that the allegations made, albeit not thoroughly investigated yet, do give an indication at this very delicate time to many Canadians that certain individuals appear to act in a manner which suggests they are above the law. There is one law for ordinary Canadians in immigration policy, and there is another law for my constituent who is trying to get her mother and father into Canada. Some have to wait endlessly in a line—two years in one case of a constituent from Orleans to whom I spoke this morning. There is another law for those who want an individual to be here for what appears to be some form of personal reward. That gives a very dangerous signal to Canadians. Compound that fact with the two things I have just described, plus the two following issues: one, the arbitrary piece of legislation with which we are dealing now with its tremendous failing. Second, this country is not even meeting its immigration quotas it now has. As a matter of fact, Mr. Speaker, we are short by tens of thousands—I believe the number is somewhere in the order of some 40,000 or 50,000 people short of meeting the quotas—

• (1300)

Mr. Witer: The levels for 1987 are 115,000, up from 85,000 in 1984.

Mr. Boudria: The Member sitting to my extreme right, which is appropriate under the circumstance, could correct me if he says that we are meeting our immigration quotas. My understanding is that we are between 40,000 and 50,000 short of meeting our immigration quotas.

Mr. Redway: Immigration has increased in the last three years.

Mr. Boudria: Members will have their opportunities to state whether in fact the Government is meeting its quotas. The Government has increased the quota, yes. The target is increasing, but the shortcomings are worse, Mr. Speaker.

Mr. Witer: The number of landings was 100,000 in 1986, up from 84,000 in 1984.

Mr. Boudria: We are desperately short of staff to handle the number of claimants in the area of refugees. We know how badly equipped we are there. We know that it takes a year and a half or so for the refugee determination process, and in the way of applications for immigration it is even worse.

It seems, at least from the allegation made by the union in this case, that if you know the right person at the right time for the right reason, the rest is irrelevant. You can get into Canada very quickly.

Mr. Marchi: Mr. Speaker, the other area of concern I would like to have the Member address is the concern that regardless of what the clauses purport to say, claim or do, many legal experts have testified before the committee that the legislation and the particular clauses are seriously flawed. This piece of legislation will be tied up by the courts, which would have the effect of paralyzing the policy which is the concern of the legal community. Here we have a Government that brought us together under the guise of an emergency only to have in 12 months, 16 months or 18 months this policy which will be made null and void and unworkable because there will be rulings by the Supreme Court or other courts that will make a determination that it is unconstitutional.

In light of that, would the Hon. Member support having the Government send this piece of legislation directly to the Supreme Court for a judicial review so that we can buy some time and alleviate having the legislation travelling a very slow and agonizing death in the courts? The purpose of a judicial review would be to get a Supreme Court ruling immediately so

that we may determine whether this legislation is unconstitutional.

Mr. Boudria: Mr. Speaker, with regard to this Bill, as reprehensible as it may be, as awful a piece of legislation as it is—and we all know that it is that—I think the Hon. Member is quite right in saying that if the Government wants to proceed with a Bill that is bad, we have to disagree with it. However, why not send it to the courts before proclamation and make a commitment now in the House? I invite the Minister to do that. We will not proclaim the Bill but send it to the courts and obtain the necessary rulings first and only then proceed with it. I am expressing a personal view here, with which I am sure my colleague, the Hon. Member for York West (Mr. Marchi), will agree. If the Bill is sent to the courts and the courts determine that it is not only reprehensible but unconstitutional, hopefully the Government will then drop the whole issue, start all over again and draft a proper piece of legislation which we all recognize we need.

[*Translation*]

Mr. Blackburn (Jonquière): Mr. Speaker, I would like to make a comment on the Hon. Member's suggestion. I might remind him that the legislation is intended indeed to end abuses and prevent a massive invasion of illegal immigrants into Canada.

I might remind him that while in 1980 the number of claims totaled 1,600, it reached 18,000 in 1986 and went up to 16,500 for the first seven months of this year.

Mr. Speaker, this Bill is aimed indeed at putting an end to all those abuses and to the entry of illegal immigrants into Canada. What we are proposing is to impose heavier penalties for smugglers and carriers and also possible detention until the identity of the person seeking entry into Canada can be established.

It would therefore seem to me, Mr. Speaker, that these are appropriate provisions in the circumstances, in view of the recent entry of illegal immigrants into Canada. So we have to act as a responsible nation to protect both our borders and the people of Canada.

Mr. Boudria: Mr. Speaker, the Hon. Member opposite just told us himself, no doubt inadvertently, that the legislation was not urgent. He just told us the number of refugee claims has increased gradually. So if there were something like 4,000 claims in 1984, 8,000 in 1985, 18,000 in 1986 and so on, this leads me to wonder, Mr. Speaker, if the increase was gradual, why the Government waited until six or seven weeks ago to decide there was an emergency. Obviously this is hypocrisy. Because the Hon. Member himself admitted the number of refugees or refugee claimants was 346 a week, for every week in 1987. So there was no urgency in any one week in August or July. Such was the case during all the other weeks. He just admitted inadvertently that the Conservative Government has been acting hypocritically, Mr. Speaker.

[*English*]

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I would like to join the debate on Bill C-84. Like the previous Member, I was not in committee but I have listened carefully to the debaters on this motion. Having myself been involved in issues with refugees and having travelled abroad, I think I have an understanding of some of the issues.

First, I would like to congratulate my colleague, the Hon. Member for Spadina (Mr. Heap) who has worked very hard on the committee and before this House to bring to the Canadian public's attention and that of the Members of this House some of the very serious issues related to this Bill. I would have to join others in a non-partisan vote of appreciation for the Hon. Member for York West (Mr. Marchi) who very eloquently yesterday and today addressed the issues. Finally I would like to show my appreciation for the Hon. Member for La Prairie (Mr. Jourdenais).

I think it is significant that Members from three Parties are commenting and raising concern about this Bill. It is particularly difficult, I am sure, for the Hon. Member for La Prairie to make his views known. I believe he has done so because, having heard the evidence, he can see some of the flaws that might rest in this legislation. That is a very significant point because the House was recalled on the basis of the situation being a national emergency. I would mention, if I can comment as a new Member, that that is not always reflected by the number of Hon. Members who are here.

• (1310)

First, I would like to say that—

Mr. Brisco: Mr. Speaker, I rise on a point of order. Far be it from me to chastise the Hon. Member because that would not be fair. Perhaps the Chair might wish to refer the new Hon. Member to the rules of the House as they apply to the presence or absence in the House of all Hon. Members.

The Acting Speaker (Mr. Paproski): The Hon. Member for Kootenay West (Mr. Brisco) is correct in rising on a point of order. The Hon. Member for Yukon (Ms. McLaughlin) is a new Member. I appreciate the fact that she is not quite aware that Hon. Members are not to reflect on who is present and who is not present in the Chamber. I am sure she will accordingly take heed of House rules.

Ms. McLaughlin: Thank you for drawing that to my attention, Mr. Speaker.

I do not assume that government Members have a malevolent view and are trying to do something harmful or be overly repressive. However, I would say that one must observe that in trying to redress an abuse, there seems to be somewhat of an absence of common sense. This reflects a misunderstanding or at least a naive understanding of world politics. I believe it does not address the real concerns of Canadians. I would like to focus on those points.

This Bill will be remembered as the Bill that turned back ships at sea and provided penalties for those church groups and interested citizens who acted in good conscience as world citizens to protect those people whose lives and livelihoods were in danger. We in Canada have been fortunate because for over 100 years, we have not experienced war. Our political process has been free. We have had the right to participate without loss of life or liberty.

I was born in Canada during the Second World War. My family is of Scottish and British heritage. While my family was not rich, we are privileged. We have never had to live in fear of authorities because of our political views. A member of our family has never been taken away in the middle of the night and never seen again. We have never been persecuted because of our religion, our colour, our ethnic origin or our culture.

In 1939, if I had been of a different ethnic origin, of a different religion, from a different country, I may have been one of those Jews who were turned away from Canadian shores to die in a concentration camp. However, I was fortunate. I was a Canadian.

Recently I spent time travelling in South and Central America. I met people who were afraid to speak, people who had been punished for speaking out against their Government, people who lived in fear, people who because they fight for what they believe in were not just ostracized by their society, not simply ridiculed by their peers but were put into a situation that was a matter of life and death. I suggest that very few Canadians can truly know what that means. Some people may feel that it has been exaggerated and that that is not the way it really is in other parts of the world today. Alas, this is not the case.

One of the most difficult challenges faced by citizens of free countries is first to acknowledge that we are privileged and second to acknowledge that this privilege carries with it a tremendous responsibility, a responsibility to understand what not being free means. As legislators, we are free to disagree publicly and to appear on television or in the media challenging the Government. We must accept responsibility and acknowledge that just because we are all right and safe, we should not become smug. Nor can we have the luxury of isolating ourselves from the realities of a harsher world.

We must accept that freedom undefended is freedom lost. Certainly we cannot have control over other countries, but we must do our utmost to give refuge to those who live in peril and fear because of their beliefs. We cannot turn a blind eye to them. I suggest that as Members not only of this House but of the media learn more about political life in countries outside Canada, we are forced to acknowledge that our safe, free world is not the whole world. One is reminded of Marshall McLuhan who wrote that the world is a global village.

Certainly few of us can be isolated. Few of us can simply say: "Just don't bother us because everything is fine here".

For a moment, let us review the history of refugees whose descendants make up part of our safe, free and democratic society today. They are the blacks who fled pre-Civil War America to escape from a system of slavery which was then legal south of the border. They are Irish immigrants who fled the famine in their native country in the 1800s. They are refugees from Marxist Russia, Mennonites, Hungarians, Czechoslovakians and Indo-Chinese boat people. All these people came here because they wanted to be free to participate in our democracy and in many cases, they were fleeing for their lives.

By and large, these people have integrated into society. I am sure many of their descendants are represented on legislatures all across Canada. In fact, one could suggest that for some of us, though not for myself, it might be very difficult to do in one's country of origin what one can do freely and openly in Canada, and that is, to argue against the Government and the Government's policies, something we are doing today in an open and democratic society.

Canadians have long had pride in our international reputation as a host to legitimate refugees. In past decades, refugees from many other places have formed a valued part of our social fabric. The Government's response makes a mockery of the contribution these former refugees have made to our country by offering a type of legislation in Bill C-84 that treats all potential refugees as criminals rather than as prospective citizens. It is based in many instances on a presumption of guilt as opposed to a presumption of innocence until, through a fair hearing, it can be proven whether or not a person is a legitimate refugee.

I suggest that the Government has generated a great deal of misinformation to justify anti-refugee legislation. Let me take a moment to discuss three of the most commonly heard myths used to justify this legislation. First, it has been said that refugee claimants in Canada are queue jumpers who make it more difficult for legitimate refugees to come to Canada. I do not know who first used the term "queue jumpers", but it gives a visual image of a nice, neat line-up of people standing there with documents in hand waiting to get into Canada. Then someone comes along and elbows them out of the way to get ahead. That is an image none of us like, and one can see the public's response. In fact, people who have gone through the immigration process do not see it as a nice, neat line. They waited many years and it is often a very complex process.

• (1320)

Problems in the immigration process certainly contribute to the current refugee question. We believe they are solvable and must be addressed. While the Government has attempted to do this, its tactics and methods are much more severe than necessary.

I have also heard expressed the opinion that Canada has too many immigrants. Other speakers have addressed this point. How many immigrants Canada should have is partly a matter

of personal opinion. We in the north, for example, may have a different view than those in southern Canada. We have had a number of refugees in the north, in the Yukon, and they have been extremely important contributing members of our society. It is certainly not the most hospitable environment for some, perhaps, but I can say unequivocally that these people have contributed a tremendous amount to our society.

About 50,000 people emigrate from Canada to other countries every year. We do have our own out-migration. As other speakers have mentioned, while immigration increased to some extent, we have not reached our set limits. For example, the Government set a target of about 115,000 immigrants this year, and in 1986 there were slightly over 99,000.

The third comment one hears, which really has not been discouraged by the Government, is the suggestion that terrorists use the refugee system to get into Canada. That really does not make much sense because most modern terrorists are well-trained and well-funded. They can easily obtain counterfeit passports and visas, and it is not likely that a terrorist will go through the very uncomfortable process of passage in an overcrowded boat to land in Canada in the middle of the night when they could quite easily come here through more legitimate means.

I would like to address one other area of this Bill and its emergency nature that is, the impression that the Canadian people have been calling for the Government to do something about this problem. I agree, as other members of the NDP have agreed, that there is a need for better refugee legislation. I do not think anyone in this House can accurately say what all Canadians think. We have to form our opinions based on those who contact us, and the media, and so on. Therefore, I would like to share with the House the thoughts of Canadians who have contacted me. I have a number of letters but I will just read some excerpts from a few of them to give the tenor of what they are saying to me. I have not been selective in any way. Being a new Member I have not received a lot of mail on this subject but these do represent the general tenor of the letters I have received.

I have one from Whitehorse, Yukon, and the person talks in some detail about the refugee. She says there has been a lot in the news about the ship people who came to Canada illegally. She says we cannot turn away people who are in danger of losing their lives. There must be a way to control this so the system is fair to everyone concerned. She imagines that people who are trying to come to Canada legally are frustrated, but we cannot deny the refugees at the same time.

I also have a letter from Winnipeg, Manitoba, from someone who writes to express deep concern about the Bill to curb the flow of refugees coming into Canada. If passed, this law will result in thousands of legitimate refugee claimants being deported to the countries from which they fled, where many of them will face unjust imprisonment, torture and death. This person does not believe the Government's assertion that only bogus claimants will be turned away. A look at the provisions of the Bill makes that clear. All refugee claimant applicants will be given only one chance to make a claim when they arrive in Canada. The person goes on to describe some other concerns and summarizes by expressing great concern that we will be denying entry to people fleeing persecution in violation both of our commitment under the UN Convention and of Christian and humanitarian principles. The person is not at all concerned about the few would-be immigrants who might make false refugee claims in order to bypass regular immigration channels. If Canada's immigration laws were liberalized, there would be no need for these persons to attempt such desperate measures. It is ironic that even our present low immigration quotas are not being filled, while thousands around the world are waiting anxiously to come to Canada. He asks as both a Christian and a Canadian citizen that we cause this Bill to be withdrawn, defeated or amended.

I have another letter from Whitehorse, Yukon, again. *Bona fide* refugees should be able to find a safe haven in Canada, it says.

Another letter is from Quebec. Briefly stated, the concerns are as follows. Refugees who may arrive in desperate circumstances and without documented evidence of persecution in their homeland will be required to make a credible plea for refugee status within a very short period of time. If they are denied refugee status, if they give the determination panel the wrong answers out of fear of authority or because they are confused, their grounds for appeal are severely limited. This person goes on to express some other concerns and sums up by asking the Government to withdraw the Bill in order that it be replaced with legislation which will end current abuses.

I have another letter from North Bay, Ontario, which says that the ships landing refugees on our shore, the futile attempts of our Navy to intercept incoming refugees, all bring to mind what happened earlier in our history. It summarizes by saying, "Let these people in. These are lives we are talking about, not just written statistics. Do not let history repeat itself."

While I do not purport to speak for all Canadians, I have tried to reflect what some Canadians are saying, those who have contacted me. They are saying what the NDP is saying. We need good legislation. We do not need abusive or repressive legislation.

There are two concerns I would like to highlight and then speak briefly to some points which we believe would improve the legislation. The present law allows the Minister of Employment and Immigration (Mr. Bouchard) and the Solicitor General (Mr. Kelleher) to sign a certificate saying that someone is a security risk without saying what the evidence against that person is. It is evident to anyone who might be in that position that this is obviously unacceptable in a free society. People have a right to know why they are being turned away.

Another area I would like to refer to is the necessity for documentation. It is quite impossible to have documentation when you are fleeing a country. That is only common sense.

• (1330)

In conclusion, I urge Members to think about improvements to this Bill. We can solve the problem without abusing others and being repressive.

[*Translation*]

Mr. Blackburn (Jonquière): As I was listening to the remarks made by my hon. friend, I felt again it was necessary to remind the House of the reasons behind this Bill C-84 dealing with immigrants and refugees. Mr. Speaker, why did Canada come to the conclusion that it had to pass a new legislation in this area? It is because of the immigrants who were arriving in increasing number at our border points seeking refugee status while not being truly refugees. When you realize that there were 1,600 refugees in 1980, 18,000 in 1986, and as many as 16,500 over the past seven months, it is clear that the Government had to take steps to remedy the situation. It is still more pressing when we see boat people coming to our shores and trying to enter Canada illegally, while other people follow the usual channel, respecting our Canadian laws and regulations, and trying to enter Canada legally.

Faced with this wave of people coming to Canada seeking refugee status while not being necessarily true refugees, Canada had to act to remedy the situation.

Moreover, what the Bill is doing, Mr. Speaker, is to impose heavier penalties on smugglers who are helping people enter Canada illegally. In addition to imposing heavier penalties on them, it will make it possible for immigration authorities to detain these people until they make sure of their identities. I want to remind my hon. friend of this: When someone arrives in Canada without proper documents, we are going simply to detain him or her until we can make sure of his or her identity. It seems to me to be normal for us, as the Govenrment, to do our utmost to protect our fellow Canadians and make sure we know those who are coming to Canada. If they are true refugees, Mr. Speaker, they will be allowed to enter Canada. Otherwise, they will not be allowed to enter this country, and I suggest it is our duty as the Government—and I suggest the Opposition should support the Government in this endeavour—to make sure that the people entering this country do so legally, following the usual channels, and that they submit to the normal process to enter this country as immigrants.

[*English*]

Ms. McLaughlin: Mr. Speaker, I appreciate the Hon. Member's comments. He asks if we should let people in without documentation. I would say yes, because it is very difficult to get documentation, receive a proper hearing and have a proper investigation. Anyone who has visited a country from which many refugees come would be naive to assume that one could simply go to the friendly immigration office or Minister of Immigration to obtain the proper papers in order to flee the country for being outspoken. Those people should simply be given a proper hearing, and if they are found not to be legitimate refugees, proper action can then be taken. However, they should be entitled to a fair and proper hearing.

Second, it has not often been stated that part of the problem may be with the immigration process as it exists. There is not enough processing of immigrants in many of the countries from which they come. Those who could apply under the regular immigration process are frustrated by the lack of personnel and delay in processing, and therefore try to use other routes.

Many refugees in the world are women. This is of special concern because often they are the most disadvantaged, subject to the most physical and mental abuse, and often have dependent children. They are frequently in dangerous situations, with no ability to control their fertility.

While they are perhaps one of the most disadvantaged people, our immigration policies have not looked upon them favourably.

We cannot be naive about the ability of refugees to obtain documents. Second, an improvement to the immigration process would greatly alleviate the problem of refugees attempting to enter by other means.

Mr. Orlikow: Mr. Speaker, the Government introduced a Bill at a time when the House is supposed to be in recess. It says that we are faced with an emergency. The Hon. Member for Jonquière (Mr. Blackburn), voiced a similar sentiment a couple of minutes ago. He talked about the flood of refugees and how we must deal with them quickly.

Does my colleague not find this strange when the Government permitted hundreds of Portuguese people to come to Canada claiming refugee status because they were Jehovah's Witnesses and were being mistreated in Portugal, and permitted hundreds of Turks who, having lived through a military dictatorship were moving toward a democratic system and came to this country claiming refugee status? Yet the Government could not get its act together to pass a simple regulation that those coming from Turkey and Portugal who wanted to claim refugee status would at least need to have a Canadian visa before coming to Canada. If the Government did not believe quick action was necessary in those cases, how can it now say that we are facing an emergency and must pass the kind of repressive legislation it is proposing?

Ms. McLaughlin: Mr. Speaker, I am probably not very qualified to comment on what is and what is not an emergency in the House, having only been here for a few weeks. However, I refer again to the issue of immigration policy and the definition of who is a refugee and who is an immigrant. That has become very clouded, not only in the minds of the public but in the minds of those who are attempting to come to this country.

As a Canadian, I do not want to be seen as repressive and attempting to shut out people who are in fear of their lives while others can apply by jumping the line.

Obviously, the House was recalled on the basis of 174 Sikhs landing on our shores. An article in today's *Ottawa Citizen* dealt with comments from immigration workers who would be implementing these policies if they were passed. We should also be concerned that we are asking these employees to carry out some rather reprehensible tasks, including boarding boats and turning people away. We should consider if that is the way we want to operate in a free, democratic Canadian society.

[*Translation*]

The Acting Speaker (Mr. Paproski): The question and comment period is over. Debate. The Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano) has the floor.

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, I want to take part in this momentous debate because the future and life of Canada are on the line. Anyone familiar with certain polls or certain comments in the media and listening to this debate would get the impression that Canadians do not take kindly to refugees. That is where I beg to differ. Canadians are not against refugees, but they have no sympathy for any individual or group resorting to illegal tactics to enter this country.

• (1340)

Indeed, Canadians are against bogus refugees. Canada is now in a dilemma, Mr. Speaker, and in the 20 minutes I have I will attempt to explain why we have this phoney refugee dilemma. Precisely because our immigration policy makes it impossible for refugees to qualify, those who could very well qualify and contribute to the development of our country, it does not offer them the opportunity to settle here and become good Canadian citizens.

The Conservative approach to immigrants and refugees might be described as selective. Here is what I mean, Mr. Speaker. I would point out from the outset that the total number of immigrants who entered Canada in 1974 was in excess of 200,000, whereas only 86,000 arrived here in 1986. That is a significant difference, Mr. Speaker.

This Government gives greater priority to business-oriented immigrants than the previous administration did. For example, the number of such immigrants rose from 3,555 in 1984 to 5,369 in 1986. In addition, the Government lowered the eligibility criteria for this category.

When the Liberals were in office, business-oriented immigrants had to have more than money, they also had to have the kind of skills which would enable them to make a significant contribution to Canada's economic growth.

Mr. Speaker, we should not throw our doors wide open to these people simply because they bring money with them. I have nothing against money, and it stands to reason that any foreign capital entering Canada and invested in our economy should be welcome because it creates jobs and spurs economic growth to some extent.

Mr. Speaker, one thing to which I object is making money the sole criterion. When someone wants to come to Canada, apart from having some capital to invest, he should also have some ability, something which will allow him to create a new market, develop new products or services, so that we may develop our economy and create jobs without Canadians losing anything by it.

If someone enters Canada with some money and buys an existing store, he will compete with a Canadian business. In selecting immigrant investors, we of course have to look at financial considerations, but we must also look at some rather important criteria, such as their qualifications, capacities, knowledge and the new markets they could create if they came to Canada.

In contrast to the figures I quoted earlier for immigrant investors, the number of family class immigrants decreased by 10,000 between 1984 and 1986, falling from 51,981 in 1984 to 42,798 in 1986.

It should also be emphasized that the Government often refers to the number of immigrants who apply, which is substantially different from the number of immigrants accepted in fact. Many people apply to our immigration offices asking to immigrate to Canada, but they are not necessarily accepted.

Canadians complain increasingly about the system and the fact that the authorities do not allow them to sponsor immigrants. Mr. Speaker, I represent a constituency where 40 per cent of the people come from minority ethnic groups, mostly Italian, of course, but also Polish, Haitian, Greek and Portuguese. The Saint-Leonard—Anjou constituency reflects the Canadian mosaic, with all ethnic groups being represented. Not too long ago, we held a multicultural youth festival. The weather was not very pleasant, but we were there anyway.

It is therefore normal, Mr. Speaker, that, as a Member of Parliament, I often have that frustration. And there lies the dilemma, when Canadians tell us they are against refugees. Not that they are against refugees, simply they do not understand how it is possible for groups to get to our borders. Those people who are good Canadian citizens, who have things of their own, who even have businesses, who are ready to give up their homes, everything they own to have their relatives come to Canada, have to wait a given period of time and in 95 per cent of cases, Mr. Speaker, their relatives are not even allowed entry. So they have to use that illegal way, to claim refugee status. Perhaps this honourable House would be amazed to hear that there are even refugees of Italian origin. It has come to this. Why? It so happens that the doors have been shut so tight in Canada that people who want to come here have to claim refugee status. There is no other way, unless you have money. In order to come to Canada, one must have loads of money or be a refugee.

Therefore, Mr. Speaker, if only we could have a policy that would allow both genuine refugees to come to Canada and enjoy protection, and people who have all the qualifications of a good Canadian, who have parents or relatives in Canada, to come without resorting to unrealistic and often illegal means, all would be well.

This is why, Mr. Speaker, we in the Liberal Party oppose Bill C-84. Because actually Bill C-84 and Bill C-55 fail to solve the problem we are now facing in Canada. Why does the Government not address that immigration policy, the whole matter of immigration that is so vital to Canada? The reason I already gave in this House, Mr. Speaker, at second reading stage. If in 1958 Canada had had the immigration policy or what is proposed in Bill C-84 and then in Bill C-55, I for one would not be here today in Canada and in this House to speak on immigration policy. This is the problem we have, Mr. Speaker. We cannot afford, as a country that is so great, so vast, so generous, to have legislation as restrictive and repressive as Bill C-84.

Of course, Government Members will suggest: You Liberals only criticize. What would you propose? Mr. Speaker, I view Canadian immigration policy as so important, so vital a matter that if I may, I would like to state the Liberal Party's position—a position that is clear and tolerant, that reflects Canada's unique nature.

• (1350)

Let me make it quite clear that we strongly deplore the facts that a few unscrupulous counsellors and other similar profiteers abuse our refugee status determination system. We will support any reasonable measure designed to remove people who take advantage of refugees and of the system. However you should know that the legislation already contains certain provisions under which the Government can take legal action against these people. So we have to make sure that the new measures are an improvement over the existing legislative provisions.

Under Sections 19 to 32 of the Immigration Act, 1976, individuals with a criminal record or likely to indulge in criminal activity are inadmissible in this country. Before being deported pursuant to these sections, the individuals involved must be given a hearing. Subsections 95(i), (j) and (n) also provide that legal action will be taken against counsellors and other profiteers.

Subsection 95(n) under which action had been taken against the captain of the *Amelia* stipulates that the author of a criminal act may be fined a maximum of $5,000, or imprisoned for a term of less than two years, or both. In the case of summary conviction the subsection provides for a fine not exceeding $1,000, or imprisonment for a term of less than six months, or both. Criminal Code sections concerning fraud may also be invoqued.

Well, Mr. Speaker, the Government did have a law to take measures to enforce the legislation on the immigration of refugees to Canada. There is no emergency just because 174 people landed on our shores. In the past, Mr. Speaker, Canada did welcome hundreds of thousands of refugees. However, we never had to call back the House of Commons during the summer. It is not that I do not enjoy being here, but like every other Member of Parliament, I had planned to meet my constituents during the summer. However, we are now here to discuss a problem which the Government could have dealt with. Could there be other reasons? I do not want to discuss these reasons for the moment because I believe that the whole refugee issue is important for Canada and I shall use what time remains to speak about it.

Mr. Speaker, I would like to point out that, as early as in 1980, when our Party was in power, the former Minister of Employment and Immigration, the Hon. Member for Winnipeg—Fort Garry (Mr. Axworthy), had recognized the problems we are facing today. Studies had been made and changes were officially recommended, in 1984 by Ed Ratushny, and in 1985 by Rabbi Plaut, both of whom had been commissioned by the Liberal Government to find solutions before the refugee problem became a real crisis. We Liberals therefore ask for a quicker refugee determination process with universal access. We shall continue to demand two minimum guarantees: First, that there be a hearing for each claimant, which guarantee was ruled necessary by the Supreme Court of Canada in 1985 in the Singh case, and second, that we keep our international commitment as signatory of the United Nations Convention on Refugees never to extradite a claimant to a country where he might be in danger. We cannot give our support to any legislation which does not contain these two guarantees.

We also ask for an broader definition of the family class which better corresponds to the concept of the extended family held by many immigrants. For many of them, it is quite normal for a cousin to live under their roof and be considered a member of the immediate family. We are talking here about cousins, Mr. Speaker, but at the present time, neither the brothers nor the sisters are allowed to come to Canada. Often, even the parents—I shall never forget the first immigration case I had to deal within my riding. I did not even have furniture in my office when a man entered and told me this: I have a problem. My mother is 75 years old, and I have managed to bring her here as a tourist. I was in Italy attending my father's funeral and I just could not leave her all alone over there. I brought her here as a tourist. Upon her arrival, I went to the immigration office. The officer told me: You will have to send her back to Italy. She will have to submit there an application to come here. Mr. Speaker, you can easily imagine the anxiety of that woman. She was 75 years old and all her family was settled here in Canada. She had no one back there. Now, the immigration officer had said she had to go back to Italy.

Those are the policies which the Government should define. I am sure that once it has done so, and properly defined as well the enlarged families of Canadians with relatives abroad, established a system making it possible for these people to submit applications to enter Canada through our embassies and consulates abroad, following a process which is neither too long nor too complex, I am sure we will be able to deal with the false refugee problem, because we would be left only with true refugees. I think that Canada should do its share to help true refugees who are seeking asylum in this country.

Finally, Mr. Speaker, we, as Liberals, are strongly urging the Government to take initiatives, either through the United Nations or a Commonwealth or *francophonie* conference, such as the one which is being held now, to convince the other countries whose refugee status determination systems are experiencing the same problems, to work together to develop a satisfactory and global solution for all countries.

Therefore, Mr. Speaker, the problem of false refugees or refugees generally is an international one which will exist until this Conservative Government takes the necessary steps and shows leadership to call on all other countries, either through the United Nations or such other organizations as the Commonwealth or *francophonie* to develop a global refugee policy, so that Canada, together with a great many other nations, can meet this human and international need. As a country, if we pass legislation like Bill C-84 we will be moving one step back, and everything previous Governments did, whether Liberal or Conservative, will be viewed as a thing of the past and Canada will be moving towards a closed-door policy, becoming in the process a country that does not accept people who have the will, the spirit, and the courage to settle in a new country. People often think that is an easy thing to do. I went through that experience, being an immigrant myself. I can tell you that when you come here, not knowing the language, having no money and having a hard time finding a job it takes courage to stay here to work. Today I am proud of having made that step in 1958. I am proud to be a Canadian. I am proud to be a Member of this House, and I hope we will keep on allowing people like myself to do what I have done.

Mr. Della Noce: Mr. Speaker, I listened to the Hon. Member not only as a fellow Member of Parliament but as a fellow immigrant, but before that I listened to the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria), and I listened to the new Member for Yukon (Ms. McLaughlin). They spoke as Canadians. I can tell you, Mr. Speaker, it was high time this House was recalled because after the arrival of illegal refugees, false refugees and I emphasize false, we as immigrants, we thought that by coming in—

Mr. Boudria: As you are!

Mr. Della Noce: If my colleague from Glengarry—Prescott—Russell (Mr. Boudria) is smart enough to listen . . . did we listen to him a moment ago? He might understand what we are talking about. I am not finished.

Mr. Speaker, people in our ridings were calling us—50 to 60 calls a day—and these people were on the war-path against genuine refugees. I am an immigrant, and when I first came to Canada I considered that I was privileged to be accepted by this country. In return I worked like a good Canadian. But today this privilege no longer means anything because anybody can enter this country.

This is why I say it had become imperative to recall the House, it was urgent. Are we expecting one boat, two, three or four boats? . . . that is the kind of things we did when we were going to school. It had to stop. I agree with my colleague from Saint-Léonard—Anjou (Mr. Gagliano) when he says that we probably have to open certain things.

But I am telling him that all those who apply for their card or their immigrant-refugee status arrive here as tourists. Yet the law states that they must apply from outside the country. This legislation was not passed by the Conservatives, it was already in force under the previous administration and, until further order, I am not a lawyer but as far as I know we have to abide by the existing legislation.

Mr. Speaker, I can assure you that the people back home are glad to see that we are coming to grips with the problem. We are not trying to prevent people from coming to Canada, quite the contrary. We want to give a chance to those who have been waiting for years to become citizens before this privilege is taken away from them by others who come here illegally by boat. I had that privilege myself, and again I express my gratitude to Canada for having accepted me as an immigrant.

Mr. Gagliano: Mr. Speaker, I would like to thank my colleague for his comments and his questions. As I was trying to explain at the very beginning, the difficulty is that you have to differentiate between immigrants and refugees. The public now confuses these two groups.

Mr. Speaker, I can suggest a solution. I am convinced that if we have an open and well-established immigration policy with a faster selection system, there will definitely be fewer refugees and those who do come to Canada will be legitimate refugees.

However, Mr. Speaker, we must not take advantage of the public protests to pass repressive legislation.

As politicians, we have to play a leadership role and determine what type of society we want in Canada. Do we want a Canada with closed doors which will admit only people with money even if they do not have any technical qualifications? That is the issue, Mr. Speaker. Therefore, while I agree partly with the comments of my colleague, I believe that, as politicians, we cannot say: Yes, the public is right and we shall pass repressive legislation.

We have to explain the true situation to the public. The fact is that we find it difficult ourselves at times to differentiate between refugees and immigrants because the legislation is rather complex.

Finally, I would like to say that, naturally, the Government can always try to put all the blame on the Liberals. We were in power for just nine months under twenty years. Everything that has happened can therefore be blamed on the Liberals.

What I can tell my hon. colleague is that, when the Conservative Government came to power, two studies had been made which suggested specific solutions as to what should be done. The Government decided to do nothing and to make more studies. Three years have passed and the crisis continues.

We are now facing a serious problem, but if we could put party politics aside, I believe that we could develop a good immigration policy for Canada.

• (1400)

[*English*]

The Acting Speaker (Mr. Paproski): I will recognize the Hon. Members for York East (Mr. Redway), York West (Mr. Marchi) and Windsor—Walkerville (Mr. McCurdy) for questions within the next five minutes.

Mr. Redway: Mr. Speaker, I would like to direct a question or two to the Hon. Member. On July 17, on *The National* on the CBC the Leader of the Member's Party said:

> That boat might well have been apprehended and could have been turned back because this is not a legitimate refugee process.

The reporter asked:

> Do we know that now?

The Hon. Leader of the Opposition (Mr. Turner) replied:

> Well, we know that the boat apparently comes from Europe and I don't know of any country in Europe that's persecuting people. I mean, this is not a boat that came from a country of origin.

On July 19, on the CBC radio program *Cross-Country Checkup*, when asked by a reporter:

> But Mr. Turner, how do we know that some of these people wouldn't qualify under the Canadian system?

—the Hon. Leader of the Opposition said:

> Well, they're not—if they came from Europe they were not fleeing a situation where they were facing prosecution or imprisonment or death. Well, I think the burden of proof—in situations where you've got a commercial enterprise and obviously a fraudulent effort to manipulate and bypass our regular refugee or our immigration policy—is on the boat.

On *The National* on July 27, he said:

> The people on board could have been examined given some due processing, either at sea, or at port.

Does the Hon. Member agree with those statements by the Leader of his Party or does he, rather, agree with statements by the Hon. Member for York West (Mr. Marchi) who, when asked about those statements on July 20 on CBC's *Newshour* said:

> I have some difficulty in appreciating that position, in its entirety, because our position has been for the last two years, and that he's advocating as, is that there needs to be a processing.

On the same day on CBC's *Newshour* the Hon. Member for York West said:

> I don't concur with that. I believe that processing should be done, and one should be assured of the determination.

Subsequently, on August 1, when asked about the situation, the Hon. Member for York West said that the Leader of the Opposition never checked with him before speaking out.

Now, does the Hon. Member agree with the position of his Party Leader, does he agree with the position of the Hon. Member for York West or, alternatively, does he agree with the Director of Communications for the Liberal Party who, when asked about the situation, said:

> It was very windy that day.

Does the Hon. Member agree with his Leader on this position, does the agree with the Hon. Member for York West, or does he agree with Mr. Raymond Heard,the Opposition Leader's communications director?

Mr. Gagliano: Mr. Speaker, after the way in which the Hon. Member addressed the question I wonder whether I should continue in his vein and ask him if he agrees with his Leader who said that he considers those people to be illegal aliens as if they were coming from the moon.

The Member is trying to create the impression that there is a discrepancy between the statements of the Liberal Leader and those of our official spokesperson on immigration. I would like to take this opportunity to congratulate the Member for York West (Mr. Marchi) for the fight he has been leading on behalf of the Liberal Party and for the speech he delivered in the House yesterday.

This is the Conservative way of doing things instead of standing up and stating a position. The other day the Member got up in the House and said that there were 10,000 Sicilians in his riding. I would like to remind the Member that Sicily is part of Italy, it has not yet separated. I also come from Sicily.

Instead of expressing the concerns of his constituents and proposing a solution to this crisis, he is trying to find a discrepancy among Liberal Members.

The Acting Speaker (Mr. Paproski): I would like to advise Hon. Members that the Hon. Member has exceeded the time for questions and comments, but I will allow the Hon. Members for York West and Windsor—Walkerville to ask questions if they will ease up on the preambles.

[*Translation*]

Mr. Marchi: Mr. Speaker, I followed with much interest and am very proud of the speech made by my colleague, the Hon. Member for Saint-Léonard—Anjou (Mr. Gagliano).

Proud because he spoke in a way that was both very emotional and very practical of his experience as an immigrant, and of the role played by the immigration process in developing and building this country. Because this country's history is based on the immigration process, and he explained in a very moving, very sensitive manner the immigrant's story. He has not travelled all over the world to find his new land. So if that immigrant had not enjoyed the life that is yours and mine in this country, we would have no immigrants in Parliament. But the Hon. Member rightly said that we need an immigration policy in order to make this country bigger and better than it is today.

I would like to ask the Hon. Member for Saint-Léonard-Anjou how he views an immigration policy, at the time when we have many people living in Canada, families with no boys

or girls and a population that is getting so old. How does the Hon. Member view an immigration policy for this country's future?

Mr. Gagliano: Mr. Speaker, I would like to thank my colleague for those encouraging words. In the past, Canada has always had a family immigration policy. It is partly because of this policy that we all came to this country, and without offending anyone, I would like to point out that we all came here from somewhere else, either in the fifties, in the 19th century or at another time.

We therefore have to remember what we were, what we are now and what we want to become.

I believe that, first, an extended family immigration policy would promote family reunion. Second, it would allow a selection of immigrants more appropriate to the development of Canada, and third, it would enable Canada to increase its population. There is a serious decrease in the birth rate. If we close our doors to immigrants, we shall have serious problems in the next century.

Immigration is therefore a development tool for Canada, and not only a development tool, but also a means of survival.

• (1410)

[*English*]

The Acting Speaker (Mr. Paproski): A very short question from the Member for Windsor—Walkerville.

Mr. McCurdy: Mr. Speaker, given that there is before the committee Bill C-55, a piece of legislation intended to speed up the refugee determination policy or process, and there is suggested as an alternative, and has been before the Government as an alternative, one variation or another of the refugee determination process recommended by the Canadian Council of Churches, does the Hon. Member really think that Bill C-84 is, in the final analysis, necessary?

If the Hon. Member regards it as unnecessary, would he be tempted to suspect, knowing that there is a great deal of fear because of unemployment and xenophobia and a measure in some quarters of fear mongering, that this Bill is not really intended to address the issue of abuse, abuse that is based on the extended time period heretofore required for refugee determination? Is it really a transparent effort to take advantage of a great deal of concern rather than to take the time to explain the cause for abuse and to communicate a better understanding, not only of the situation with respect to refugees and immigrants, but perhaps a better notion of where the future of this country lies if we are to continue to have a decreasing birth rate with its implications for the future economic and political stability of Canada?

Mr. Gagliano: Mr. Speaker, I will try to answer the questions briefly. I think some of the Hon. Member's questions I answered in my speech. I asked why we had two or three Bills, such as Bills C-84 and C-55. We need one policy in the global picture of our immigration policy, and without it I do not think we will solve any problems.

As to the birth rate and future population development, as I answered my colleague, the Hon. Member for York West, a good open immigration policy—I spoke about family reunification—is the cornerstone of our future development. If we continue in the same direction we are in now, we will have serious problems because of declining birth rates and fewer immigrants, and I go as far as to say that the survival of Canada might be in danger in future years.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Debate. The Hon. Member for Edmonton—Strathcona (Mr. Kilgour).

Mr. David Kilgour (Edmonton—Strathcona): Mr. Speaker, about 20 years ago it was my honour to represent the Department of Justice and the Department of Immigration for the Immigration Appeal Board, and from that long time interest in immigration matters, I have some comments about why I will not be able to support this Bill when it comes to a vote, I take it, next week. I will not be here to vote in favour of this measure.

First, I fully support the fact that a legislative remedy is needed to the current problem of manifestly patent or bogus refugee claims being made in Canada. They are being made daily and in virtually every city in Canada. Indeed, Sir, the stated purposes of the Bill to protect genuine refugees in need of protection; to control widespread abuse of refugee procedures in light of organized large scale introduction of persons into Canada to take advantage of the refugee procedures; to deter smugglers and thereby minimize risk to and exploitation of persons seeking to come to Canada; to respond to security concerns, including our obligation to protect internationally protected persons, are widely supported, I believe, by people of good will across our nation. They set a good framework for what the Bill should contain.

For the most part, Sir, the objectives do not appear to me to have been addressed in the Bill. I understand—and if I am wrong, I hope I will be corrected—that the Bill was drafted in a hotel over a weekend *à toute vitesse*, and it contains many of its flaws because of that.

Let me give two examples of what I am getting at: first, on the interdiction of ships. Clause 8 of the Bill authorizes the Government of Canada to order ships thought to be carrying illegal immigrants to refrain from entering Canadian waters. If the ship is within 12 miles, the Minister of Immigration (Mr. Bouchard) can order it to leave.

• (1420)

One of my concerns, and I think the concern of many people, is that as worded and despite the accepted amendment of the legislative committee making it subject to the UN Convention, the clause will in practice do little or nothing to stop smugglers and minimize the risk to persons being

smuggled. This, of course, is because the ship's master who is ordered to leave Canadian waters under the Bill will neither have his or her ship seized nor be penalized in any substantive way. Why not instead authorize the arrest of such ships' masters, given reasonable and probable grounds, and authorize the sale of the ships upon conviction if so ordered by a court? It seems to me that that would really deter smugglers from attempting to bring people into Canada as they did in Nova Scotia.

Such a change is especially important, I believe, given the danger under the present wording of the Bill that ships' captains might simply abandon in international waters people they are carrying in their cargo holds after being ordered out of Canadian waters. This might well happen because of a fear that no other country would permit them to land. As Hon. Members know, this has happened in South Asian seas and I see in today's paper that immigration officials are also very concerned about what this Bill might do to their attempts to act as public servants of Canada.

Why not instead amend the clause to say something like the following: "Every person who, being the master or member of a crew of a vehicle used for transportation by sea, disembarks or allows the disembarkation or attempts to disembark or allow the disembarkation of a person or group of persons at sea is guilty of an offence"? Or perhaps the following wording would be better: "Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet a person to come into Canada in a clandestine manner or to make a manifestly unfounded or fraudulent refugee claim is guilty of an offence".

It seems to me that clauses like that would give us the power to seize the ships of those scoundrels who have been doing these things and effectively deter such people from bringing people into Canada.

My second example deals with the questions of penalties for bringing undocumented aliens into Canada. Clause 9 provides large penalties for any person who knowingly helps someone come to Canada who does not have a valid visa, passport or travel document where one is so required. The way the clause is worded, it would not appear to catch the scoundrels who profit in bringing refugees for a fee.

Take, for example, the well-known cases of the Turks, Portuguese and Brazilian men and women who came here to claim refugee status. These people came to Canada with valid travel documents. They did not need visas at the time. They simply reported at ports of entry and applied for refugee status. The people who arranged those scams would not appear to be caught by the wording of the Bill as it is before us today, but they should be. It seems to me that other wording would make the clause deal more effectively with the situation I just mentioned. It is true that Section 95.3 would have caught the people who smuggled in the 174 refugees last month or those who brought the Tamils in last summer, but as I read the Bill, if the smuggling were done other than by ship, it would not be caught by the proposed wording.

It is important that many responsible individuals, including the former Primate of the Anglican Church, Bishop Bernard Hubert, President of the Canadian Conference of Catholic Bishops, and a great many other distinguished Canadians who have spoken against this Bill, feel that the Bill would catch church and other humanitarian or volunteer-aid groups who try to help undocumented refugees make refugee claims at the border. As well, the Canadian Bar Association has protested the Bill.

Many people aided by these volunteer groups do have well-founded refugee claims. Refugees cannot get valid travel documents from their countries. Can a Cambodian get a valid travel document? Can a Chilean who goes to the tenth floor of a downtown office building in Santiago get a valid travel document? Can an Afghan get a valid travel document to leave Kabul?

A great many responsible organizations and individuals have spoken out against this Bill, calling for it to be redrafted. Others have said that it violates the Charter of Rights. I can only say amen to the view voiced by so many citizens of good will that we should refer the Bill to the Supreme Court of Canada for a decision as to its validity under the Charter of Rights.

Let me say a word about the so-called queue-jumping argument in favour of the Bill. As our laws have been, as they are now and as I trust they always will be, immigrants and refugees are in different queues. They do not mix. One does not jump from one line to the other. One is either in the immigrant system or in the refugee system. To argue that this Bill will stop refugee applicants from jumping into the immigrant queue is simply incorrect, to put it gently.

For the reasons indicated, I will not support this Bill when it comes to a vote next week.

Mr. Redway: Mr. Speaker, I was interested in the Hon. Member's comments, as I always am, and took considerable note of them. The reasons he pointed out for not supporting the Bill disturbed and bothered me. I wonder if perhaps he might elaborate on them.

The first reason he has suggested for his lack of support of the Bill is the fact that there is no provision in the Bill, as he says, for seizure of a ship in circumstances such as those we have seen this past summer. I am sure the Hon. Member has acquainted himself with the Bill and with Clause 11 and all that goes thereafter. All that refers to the question of seizure, and I would just like to quote from it. It reads:

> 103.01 (1) An immigration officer or a peace officer may, where the officer believes on reasonable grounds that a vehicle was used in any manner in connection with a contravention of section 95.2 or 95.3, seize the vehicle as forfeit.

Then it goes on to describe all the ways of seizure, all the ways the vehicle can be dealt with and what can and cannot be done as far as selling it goes.

The Hon. Member said that another reason he could not support the Bill was that there was no provision for dealing with unscrupulous consultants. I may be wrong, and I certainly do not claim to have the only legal opinion in the world, but it appears to me that Clause 9 of the Bill would deal with unscrupulous consultants. The Bill reads:

> "95.1 Every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet the coming into Canada of a person who is not in possession of a valid and subsisting visa, passport or travel document where one is required by this Act or the regulations is guilty of an offfence and is liable—

It seems to me that that provision as well as the subsequent provision in the clause could be used to lay charges against people in those circumstances.

• (1430)

The final point he raises deals with the lack of exclusion from the Bill of humanitarian groups, refugee aid groups, churches and others. He indicates this is a major reason for not supporting the Bill. I would not want to suggest that I can cite all of the instances where there have been exclusions of organizations of this sort, but in the Criminal Code of Canada there is a provision for something called theft. We do not exclude, say, a very poor mother from prosecution if she steals a loaf of bread to feed her family. Of course, as the Hon. Member knows from his long and distinguished legal career, the courts have their own way of dealing with those things if ever a charge were laid against such a person.

Given all that, I find it somewhat difficult to understand, and perhaps the Hon. Member could expand on his remarks, why he could not support the Bill for the reasons he gave.

Mr. Kilgour: Mr. Speaker, I have great respect for the Hon. Member for York East (Mr. Redway), as he knows, and I take his question very seriously.

To start at the end, it is true that if a poor person steals bread that person is still liable to be charged. The Hon. Member knows as a lawyer that the court can give an absolute discharge or do all sorts of things. However, my concern is that you have such widespread concern among people in Edmonton, Toronto, in every city, town and probably village in Canada, that this Bill will hit someone in their congregation who tries to help a refugee. They have taken the trouble to come to Ottawa, many of them, to complain that they are being singled out or lumped together with traffickers in human beings, and that indicates there is probably something wrong with that part of the Bill. The library has a file that thick of material from people with concerns about the Bill. I think it is time to take another look at it.

The Hon. Member also referred to the fact that this Bill does not authorize the arresting or seizing of a vessel. He referred to the seizing of a vehicle. I refer to Clause 8 on page 7 where it says:

> Where the Minister believes on reasonable grounds that a vehicle—is bringing any person into Canada—the Minister may—direct the vehicle to leave or not to enter the internal waters of Canada—

That is what I was getting at and I have great concerns about that.

I have attempted only to give examples of my concerns. Perhaps he did not like my examples, but I believe they are true. I am sure he is aware that there are many people of intelligence, knowledge and experience who are concerned about this Bill. We want to be tough but we also want to be fair. This Bill certainly errs on the side of being tough. I am told by people over in the Department across the river that they call it the 3-D Bill: Detain, deter and deport.

As I indicated, I am not going to be here to vote against the Bill, but I have sufficient concerns about it that I am certainly not going to be here to vote for it.

Mr. Marchi: Mr. Speaker, I would like to commend the Hon. Member for Edmonton—Strathcona (Mr. Kilgour) for his position. Given the nature of our political system, it takes courage to back up one's convictions. I believe he is the second member of the Government, the other being the Hon. Member for La Prairie (Mr. Jourdenais), Chairman of the Standing Committee on Labour, Employment and Immigration, to stand up and be forthright on this issue.

I do not say this lightly or in an attempt to take advantage politically of any statement of either of those two gentlemen. I simply wish to commend them because it has been a struggle to try to move the Government and a committee made up of largely government Members to amend the legislation, not to throw it away or go back to the drafting board but to allow those who wish to enhance and protect the refugee constituency and those serving that constituency to work within the system rather than simply stand there as witnesses to a process racing by them. I would like to commend the Hon. Member for being of assistance to that constituency.

I would also like to suggest he was quite correct with respect to Section 95.1. Unlike the example of the Hon. Member for York East (Mr. Redway) with respect to someone stealing bread, we are not talking about one law applicable in general. This is the creation of a new offence. It is similar to creating a separate offence for stealing bread. That is the major difference. We are creating a new offence which places priests and nuns and others helping refugees in the same category. The operative words are "without a visa". We have had thousands of refugees without visas aided by priests and others. I commend the Hon. Member for his articulation of those two points.

Mr. Riis: Mr. Speaker, I, too, want to join with my friend from York West (Mr. Marchi) in expressing our appreciation for the position taken by the Hon. Member for Edmonton—Strathcona (Mr. Kilgour). It is very much a question of ethics

with respect to how we deal with individuals claiming persecution in other countries. We appreciate the leadership shown by the Hon. Member on this issue.

I know that the Hon. Member for a number of years has played a leadership role in a committee dealing with Soviet Jewry. He has for many years made great strides in advancing the goals of that organization. I was moved by his comments about how the Bill would allow the Minister to intercept ships coming to this country. I wonder if in the back of his mind there was not the image of one of the very few dark days in our past, I think it was 1939 when a ship—

Mr. Brisco: You weren't even born!

Mr. Riis: No, I was not.

Mr. Brisco: Of course, then why should we be apologizing for it now?

Mr. Riis: I do not understand, I thought I was asking a straightforward question in response to the thoughtful comments by the Hon. Member. I was referring to 1939 when the Government of Canada decided, in the wisdom of the day, to not allow that ship to dock with its Jewish passengers. Most of those people were killed at the hands of the wicked Nazi regime when they returned to Europe. Was that imagery not in his mind when he was making his comment?

Mr. Kilgour: It was a factor, and there was also a ship which landed in Vancouver that the Hon. Member will be aware of in, what, 1913? It was sent back to India. I am told that most of the people on that ship perished when they got back to India.

• (1440)

In response to the question, I have a bulletin from Amnesty International of which I am proud to be a member. Michael Schelew makes the point:

> The Government states that no genuine refugee will be turned away from Canada's shores. But how can the Government decide who is a genuine refugee if it does not hear the claims of all refugee claimants on the merits?
>
> The Government says that all genuine refugee claimants will be allowed to have a hearing on the merits. Once again this begs the question.
>
> How can the Government determine who is a genuine refugee claimant if the proper decision-making body does not hear the claim on the merits?

I am sure the Hon. Member would agree that the Bill is simply not one which represents the Nansen Medal for the spirit of tolerance and understanding that I believe now exists from Kamloops, to St. John's, to Aklavik.

The Acting Speaker (Mr. Paproski): Questions and comments are now terminated. Before I recognize the Hon. Member for Windsor—Walkerville (Mr. McCurdy) on debate, may I just take this opportunity on behalf of the Speaker and all Members of the House of Commons to express our good wishes to the Pages who have been with us for one of the longest sessions we have had in Parliament. They will be leaving us, and I want to welcome the new recruits.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mr. Paproski): We wish them well. After two or three elections they will probably take some of the seats of Hon. Members who are here.

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, of course, I would like to take a moment of my time to express my own gratitude to the Pages who are departing. I understand that some of them will continue to be around Ottawa, attending school here.

Like you, Mr. Speaker, I hope that some or even all of them will show up here on the right side of the House.

I want to take particular note of the fact that amongst the departing Pages is one Page from the City of Windsor. That person did such an excellent job that this year we will have two Pages from the Windsor area. I feel very proud of that fact.

I listened with great attention to the speech by the Hon. Member for Edmonton—Strathcona (Mr. Kilgour). I hope his colleagues listened to him with equal care because we are facing an issue of extreme and fundamental moral importance.

It is very clear that the Member has struggled with this issue and examined it in terms of his own experience and understanding of others who have worked with refugees, and within the context of what he knows to be a serious refugee problem world-wide.

On the one hand, he asked whether there is a problem with respect to the refugee determination process in Canada and, on the other, he asked whether the remedy sought in Bill C-84 particularly, and in Bill C-55, is commensurate with the problem at hand. I am sure he engaged in a painful and difficult reflection.

I must say that his very dissent draws a rather sharp contrast to what we have experienced in the House in the last several weeks during the debate on this so-called emergency. I looked around the Chamber as he spoke and, no matter how dramatic the character of his intervention, I noticed that virtually none of his colleagues on the government side raised their heads to even listen to what their colleague had to say, in spite of the fact that the Member for Edmonton—Strathcona is not the only Member on the government side who has dealt with his own conscience, wrestled with the issue and expressed dissent.

It has also been mentioned that, as happened a moment ago, we have had thoughtless, mean interventions when attempts have been made to explain those concerns that have worried not only those of us on this side of the House, the Hon. Member and his colleague, but which have bothered a great many organizations, including churches, labour unions, lawyers and civil libertarians across the country.

Perhaps they do not recognize the seriousness of the arguments that have been advanced in opposition to this legislation. One must come to the conclusion that rather than treating this problem as an emergency, as it must be defined by virtue of our being called back to the House, it is being used as an opportunity. There is no question that there are many areas of our country in which there is great unemployment. Not only are people unemployed, they see no hope of ever being employed as a result of inaction by the Government, nor do they see a solution to the employment situation they face in their particular parts of the country. At the same time, it appears to them that others coming to this country from across the seas are getting jobs.

Experience tells us that when people face the kind of emotional stress caused by unemployment they begin to look for scapegoats and usually find them. In this area, the most frequent scapegoat has been the immigrant and the refugee, usually those who look a little different, whose collective behaviour arouses xenophobic suspicion. While these are realities, these episodes should not be mistaken as characterizing our country. I would prefer to believe that our country and its soul is characterized by the recognition accorded to it in the Nansen Medal.

One has to conclude that the Government has chosen to use an episode in Nova Scotia as a means of gaining political points. The Government has said: "Let's do it quick and dirty, never mind the details, never mind the fine points, never mind the Charter of Rights".

• (1450)

Earlier, my colleague cited the fact that although we have created a crisis in the country largely as a result of the failure of the Government to have designed an efficient, fast and fair refugee determination process, there is beyond this domestic requirement for a good process a real refugee crisis building up in the world. As my colleague indicated, there are millions of refugees in the world, particularly in the Third World, who are being produced as a result of any number of factors which include war, famine, and civil wars, which characterize too much of the world.

I cited the fact that ultimately my family and I are products of the flight of refugees, refugees from the United States. There is a lesson in that experience. In that instance refugees were produced as a result of slavery imposed upon a Third World continent. Of course, that terminology was not used then. In other words, the refugees of the 19th century were in large part a product of the actions of those who had to receive the refugees, that is, the western world.

When one looks at the refugee situation in the Third World and counts the number of refugees that are created as a result of wars against oppressive regimes supported by the West; when one considers the number of refugees that have been produced as a result of conflicts resulting from the contrived borders and the colonial manipulation in the Third World; and when one considers the number of countries in the world attempting to pay off their debts by converting vast agricultural areas to the production of exportable food at the cost of producing food for the people of those countries, one can adduce the very strong argument that the western world is in very large measure responsible for the refugees that do exist—not for all but for a very significant number. A large part of the refugee problem has been precipitated by those western nations which now have to deal with their huge numbers around the world. It is certainly clear that there has to be a unified international approach to deal with the causes of refugees and to deal properly with their fate.

There is no one who would suggest that Canada can take all the refugees in the world, nor all the potential immigrants of the world. But in a country with a decreasing birth rate, a country which needs people, a country which can thrive and build a new future for itself only if we increase our population, it is certainly clear that we need not be niggardly in the way in which we treat potential refugees or immigrants. I would suggest that this piece of legislation is both niggardly and unnecessary. It would cast a pall of shame over us all if we do not make the appropriate necessary changes to bring it into accord to those imperatives of morality, equality and humanity which I hope characterize this country in which I have the honour to be a Member of Parliament.

It is quite a contrast to envision the poor and the hungry who come from nations of the world which have so little with the arguments one hears about queue jumping and suggestions that there are those who are trying to weasel their way in by devious means to take advantage of us all. When we hear this from members of the Government we have to pause to reflect on the consistency, the seriousness and, indeed, the morality of those who advocate this sorry piece of legislation.

As you well know, Mr. Speaker, just today we found that among the most privileged in our country, and in order to ensure that their offspring are properly taught in the most exclusive schools, they managed to queue-jump a teacher, in whose stead no one else would do, to ensure that this very prominent individual and his family would not have to settle for something second-rate. Let me be frank. We have in the highest portion of the Government a manipulation of our immigration laws in order to do what? To queue-jump. The Prime Minister (Mr. Mulroney) is more guilty of queue-jumping than any refugee trying to flee death or persecution. I think that that is sad to note.

Many have pointed out that this legislation is, first, unnecessary and fundamentally flawed measured against the criteria set out in the Charter of Rights. I do not want to burden you, Mr. Speaker, because I know that you have heard many times before the various respects in which this legislation is in conflict with the Charter of Rights. It is so fundamentally inconsistent with the Charter of Rights that there is no way to make it right.

There are three choices. The first is to withdraw the legislation altogether, which would not be particularly hurtful. If the Government were to adopt a rapid and fair refugee determination process, as is possible to derive from Bill C-55 with appropriate amendments to bring it into accord with what has been recommended by the Canadian Council of Churches, then this legislation would not be necessary. I know that the Government will not do this because, after all, it brought us back here for an emergency. The emergency was Bill C-84 and Bill C-22 and the Bill dealing with Canagrex, and half a dozen other Bills. But this is part of the emergency.

One will note in the papers prepared justifying this document that there are the most devious arguments imaginable which try to point out that the Charter of Rights does not play a part to those people out in the ships in the middle of the sea. There is here a clear attempt to circumvent the Charter of Rights. In other instances in which there are people on our shores, there are those who say that this matter could be tested in the Supreme Court. There are others, including Members opposite, who have suggested that this sorry piece of legislation should be presented to the Supreme Court to let it adjudicate whether or not it fails in its test when measured against the Charter of Rights. In all of Canada we have only one group of people who see this legislation as consistent with the Charter. That group is made up of members of the Government.

There was an honest way for the Government to approach the situation. But this is a Government that rejects honesty, just as it has rejected the Charter of Rights. If it wants to reject the Charter of Rights, then it has a means of doing so in Section 33, the notwithstanding clause. If Members opposite want this legislation, I suggest to them that they tell the people of Canada honestly that they want it exempted from the Charter and declare to the world and those who vote for—

The Acting Speaker (Mr. Paproski): Order, please. It being three o'clock, pursuant to the order made Wednesday, September 2, 1987, the House stands adjourned until Wednesday, September 9, 1987, at two o'clock pursuant to Standing Order 3(1).

The House adjourned at 3 p.m.

HOUSE OF COMMONS

Wednesday, September 9, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*English*]

ENVIRONMENTAL AFFAIRS

CALL FOR STRICTER LAW ENFORCEMENT

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in 1985 Environment Canada laid 18 charges for violations under Section 33 of the Fisheries Act. There were nine successful prosecutions for a total of $33,800 in fines. In 1986 there were 18 charges, 12 prosecutions and $93,950 in fines. The record of other federal Departments which administer environmental legislation is equally uninspiring. Fines are miniscule. Threat of prosecution is unlikely. Environmental charges are just seen by some as another way of doing business.

This trend must be reversed. Fines for violators of the law must be raised. In addition, the federal Government must make an effort to educate potential violators. It must provide funds for adequate inspectors, enforcers and field personnel, and demonstrate a will to prosecute offenders.

Environment Canada and the Minister have to move with strict enforcement and tougher laws to protect human health and our natural resources.

* * *

[*Translation*]

THE SOLICITOR GENERAL

LITERACY PROGRAM IN PENITENTIARIES

Mrs. Carole Jacques (Montreal—Mercier): Mr. Speaker, yesterday was World Literacy Day. Illiteracy is a serious problem, even here in Canada. In our society, one out of five adults has to face that problem.

In Canadian penitentiaries, half of the inmate population cannot read nor write, a problem to which Solicitor General Kelleher is giving very serious consideration. In an attempt to resolve the problem, he has launched a comprehensive literacy program in penitentiaries. By participating in this program, inmates increase their chances of successfully reintegrating society. They take every available means to learn how to read employment offers, how to answer questionnaires, and how to meet such simple requirements as knowing how to read instructions concerning a job.

In conclusion, Mr. Speaker, allow me to emphasize the early success of Mr. Kelleher's initiative, as mentioned in last Friday's *Globe and Mail*: the number of inmates who were awarded a diploma during the first three months of 1987 exceeds the total number of those who graduated during the twelve months of 1986.

This excellent initiative of the Government deserves recognition, and I take this opportunity to commend the Solicitor General for his interest in this issue.

* * *

• (1405)

[*English*]

HORTICULTURE

PLIGHT OF PRAIRIE BEEKEEPERS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I am sorry to report that things have not been improving for the Canadian beekeeper. Last fall, Health and Welfare Canada introduced a standard of one part per million for the commonly used anti-biotic sulfathiazole. This applies to shipments within Canada and to Europe.

Meanwhile the Province of Quebec has its own limit of just 0.2 parts per million. In early July the standard for U.S. exports was changed to match that in Quebec.

Producers are confused by all these different tolerance levels. They are also confounded by the different laboratory reports coming out of Portage, Calgary, and Ottawa. Prairie beekeepers have been virtually shut out of the U.S. market because of American subsidies. Much of their 1986 honey crop remains unsold. Since it was produced under the old rules much of it cannot meet the new U.S. and Quebec standards. Saskatchewan beekeepers, particularly those in the Nipawin area, seem to be the hardest hit.

I call upon the Government to straighten things out in the industry, while reminding it of the industry's previous request for funding to offset American subsidies.

S. O. 21

WESTERN DIVERSIFICATION FUND

VOLUME OF APPLICATIONS

Mr. William G. Lesick (Edmonton East): Mr. Speaker, when the Prime Minister (Mr. Mulroney) announced the Western Diversification Plan in Edmonton on August 4 of this year the effect was immediate and most welcome. A head office was established in Edmonton, with provincial offices in Winnipeg, Saskatoon, and Vancouver.

The main feature of the plan is that decisions regarding government programs will be made in the West, and Edmonton in particular.

Western Canadians were ecstatic and they responded immediately. In the first week the Edmonton office received 1,500 inquiries, and by today some 400 applications have been submitted. The doors to a federal ministry are open to westerners. My office in Edmonton East was also inundated with inquiries, as well as with applications.

The Minister in charge is the Minister of Indian Affairs and Northern Development (Mr. McKnight), himself a westerner committed to western diversification.

We in the West have a renewed spirit of optimism about the federal Government's commitment to growth and diversification, and about western Canadian participation in Confederation.

* * *

SUPPLY AND SERVICES

CONTRACT TO VIDEOTAPE BUSINESS EXCELLENCE AWARDS FUNCTION

Mr. George Henderson (Egmont): Mr. Speaker, I would like to bring to the attention of the House yet another broken promise of the Government of the Prime Minister (Mr. Mulroney). We all recall the words of the former Minister of Supply and Services, the Hon. Member for Halifax (Mr. McInnes), on February 28, 1986, when he announced the Atlantic Opportunities Program designed to increase the amount of goods and services purchased by the federal Government from Atlantic Canadian firms.

Imagine our surprise to learn that recently three highly qualified Atlantic-based companies, namely, Points East Productions of Charlottetown, Skerrett Communications of Dartmouth, and Sight and Sound Productions of Halifax, were passed over in favour of a Toronto-based company in the awarding of a contract to videotape the Business Excellence Awards slated for Halifax on September 22, 1987.

To make matters even worse we also learned that the Atlantic companies had only three days to complete the proposals while the successful Toronto company apparently had prior knowledge of the contract's details. Not only does this decision contradict the Government's own policy for Atlantic Canada, it also violates the basic rules of equality and fairness.

On behalf of these companies I demand that this competition be reopened now so that Atlantic companies are given an opportunity to meet Atlantic needs.

* * *

[*Translation*]

LITERACY

MEASURES TAKEN BY GOVERNMENT

Mr. Vincent Della Noce (Parliamentary Secretary to Secretary of State and Minister Responsible for Multiculturalism): Mr. Speaker, I wish to remind Hon. Members that yesterday was World Literacy Day. On that occasion the Secretary of State (Mr. Crombie) made a statement in Toronto to highlight the measures taken by the federal Government to honour the Speech from the Throne commitment concerning literacy skills.

The Secretary of State has undertaken nation-wide consultations to secure the participation of all Canadians with a view to consolidating support in the fight against illiteracy in this country. The outcome of these consultations has been the establishment of an action plan which is now being implemented.

First, to ensure that illiteracy remains one of our national priorities, a national literacy secretariat has been set up within the Department of the Secretary of State, and a national literacy council will be appointed to advise the Government on major related issues. In addition, development funds will be earmarked for the main community groups and research grants will be available to these national organizations.

Second, federal, provincial and territorial participation is a prerequisite to achieving concrete results in the fight against illiteracy. In the coming weeks specific projects will be unveiled by the Secretary of State and his provincial colleagues.

Third, Canada must remain a world-wide leader in this field. This fall the General Assembly of the United Nations will consider a proposal aimed at designating 1990 as international literacy year. Canada will express full support for this endeavour.

Fourth, since we must rely on sustained support from governments, volunteer organizations, labour unions and private sector interests, the Secretary of State will sponsor a national literacy conference in 1988.

Mr. Speaker, all these initiatives stem from the commitment of the federal Government and the personal pledge of the Secretary of State concerning illiteracy in Canada—

Mr. Speaker: I regret, but the time of the Hon. Member has expired. The Hon. Member for Winnipeg North.

* * *

• (1410)

[*English*]

WORLD LITERACY DAY

MAJOR EFFORTS URGED TO ELIMINATE ILLITERACY

Mr. David Orlikow (Winnipeg North): Mr. Speaker, yesterday was World Literacy Day. The idea of designating such a day to highlight the problems of illiteracy was agreed to by an international conference which was held in Montreal in 1967.

Following 20 years of so-called efforts to deal with the millions of Canadians who are functionally illiterate, Canada still has one of the worst records of the industrialized countries of the world. Twenty per cent of all Canadians, 5 million people, are still functionally illiterate. Is it not time that the Government of Canada, including the Secretary of State (Mr. Crombie) and the Minister of Employment and Immigration (Mr. Bouchard) stop making speeches and promises about illiteracy and put their money where their mouths are?

I call upon the federal Government to set aside the money that is required so that major efforts can be made to set up programs to be arranged by discussions between federal and provincial Governments, and voluntary groups that are working in that area, in order that over the next 10 years we may reduce sharply, if not completely eliminate, illiteracy in our country.

* * *

[*Translation*]

QUEBEC SUMMIT

IMPORTANCE OF EVENTUAL BENEFITS

Mr. André Plourde (Kamouraska—Rivière-du-Loup): The Quebec Summit which was held last week has demonstrated once again that when Brian Mulroney and Robert Bourassa, together with their respective governments, decide to put together a large scale project, they succeed in a remarkable fashion.

Some who unfortunately knew very little about the Quebec Summit described it as a superfluous, meaningless and grandstanding exercise. Today, they are astounded with the quality of the organization, the seriousness of the discussions and the impact of the decisions arrived at.

The Quebec Summit has demonstrated that it is essential for an industrialized nation such as Canada to establish and maintain ties with the rest of the world. Personally, I have always believed in the Quebec Summit, especially because of its economic benefits.

Beyond the rhetoric, I am now convinced that the Quebec Summit will benefit Canadian corporations which, as a result of this privileged contact, will be in a position to make deals with member countries.

Partisanship aside, Mr. Speaker, we should recognize that all member countries but Canada in particular will reap invaluable benefits from the Quebec Summit.

* * *

[*English*]

DAIRY INDUSTRY

RETENTION OF NATIONAL DAIRY POLICY ADVOCATED

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, during recent weeks and months dairy farmers have written to MPs on all sides of the House, and likely to the Prime Minister (Mr. Mulroney), expressing their concerns that the dairy industry in Canada could be wiped out under a free trade agreement with the United States.

We all know that the Ontario Tory Leader, Larry Grossman, is prepared to sacrifice anyone and anything in order to reach a free trade agreement. But now we want to know if the federal Government is also prepared to sell out dairy farmers. We need to receive a commitment here and now from the federal Government that the marketing boards, supply management, quotas, import restrictions, and all other components of Canada's national dairy policy will be kept. Dairy farmers need to know that today from the Government.

* * *

[*Translation*]

FRANCOPHONE SUMMIT

ACHIEVEMENT OF CANADIAN PRIME MINISTER

Mr. Gilles Bernier (Beauce): Mr. Speaker, I would like to draw the attention of the House to the performance of the Prime Minister of Canada (Mr. Mulroney) in putting together the Second Francophone Summit in Quebec. It is thanks to his initiatives and his excellent relations, both internationally and with the provinces, that Canada's Ambassador to France, Lucien Bouchard, the Quebec Premier, Mr. Bourassa, and his Minister, Mr. Rémillard, were able to achieve with Ottawa what the previous federal Government had denied Quebec.

Because of this summit, we have been able to achieve common positions on political and economical international issues, as well as to define priority lines of cooperation and intervention in areas such as agriculture, energy, culture and

communications. This summit has also facilitated commercial exchanges with other countries having the use of French in common. This is a priority for our international trade. We now realize that our Prime Minister can recognize the jurisdiction of the Canadian provinces in various areas, which is a major component of good relations, while the previous Liberal Government had failed miserably in this regard.

The architect of the Meech Lake Accord, our Prime Minister, has succeeded in bringing together people with different mentalities and from provinces or countries with diversified needs and interests. At the Francophone Summit in Quebec City, the Prime Minister of Canada was thus able to achieve a consensus on sensitive issues. I cannot believe, Mr. Speaker, that the Canadian people would one day put their confidence in political parties which are totally divided and torn on crucial issues such as the Meech Lake Accord or free trade.

* * *

• (1415)

[*English*]

THE LATE PAUL HIEBERT

Mr. Simon de Jong (Regina East): Mr. Speaker, this past Sunday the creator of the *Sweet Songstress of Saskatchewan*, Paul Hiebert, passed away at the age of 95.

Born in 1892, Paul Hiebert lived all but his student life in Manitoba. Although his first love was philosophy, Mr. Hiebert was a professor of chemistry at the University of Manitoba for 28 years. Paul was proud of his teaching. He often said that his teaching was very methodical, very well organized, and very prone to deal with some chemistry and a great deal of philosophy.

Throughout life, Paul was accompanied by Dorothea, his wife of over 60 years. They had no children, a conscious decision for the couple who worried about the uncertainty of the world they lived in. Paul Hiebert feared war and nuclear holocaust and believed that pacifism was the only solution to the confrontation between one nation and another.

His literary accomplishments were many, writing his much acclaimed *Sarah Binks*, in 1947 and subsequently being awarded the Stephen Leacock Medal for Humour in 1948. His last book, *Not as the Scribes*, was written only three years ago.

Hiebert once said that the real satisfaction in life is being one of the community, not standing aloof from it. Paul Hiebert lived this thought, and this week Canada has lost a very special teacher, philosopher, and humanitarian.

THE PRIME MINISTER

Mr. Alan Redway (York East): Mr. Speaker, how long have French-speaking nations around the world been striving to create a Francophone Summit? Who was the catalyst who finally made that happen? Our Prime Minister (Mr. Mulroney).

How long have our provincial and federal Governments been striving to obtain unanimous agreement on a Canadian Constitution? Who was the catalyst who finally made that happen? Our Prime Minister.

We Canadians expect a great deal from our Prime Ministers. Most of us realize that no one person can possibly live up to all those expectations, because no one is perfect. However, above all, we do want a Prime Minister of Canada to be able to unite our country and to keep it working together.

Few if any Canadian Prime Ministers have done that quite as well as our present Prime Minister.

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[*Translation*]

TAX REFORM

OPPOSITION TO FOOD TAX

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, a study released by the Canadian council of food distributors and wholesalers clearly indicates that if the Government maintains its intention to tax food the result will be a 12 to 13 per cent increase in food prices.

Mr. Speaker, the Canadian Welfare Council study also points directly to the failure of the Conservative Government with respect to the food tax: a family earning $10,000 will have to cope with a $353 tax increase imposed by this Government, and even though there will be a tax credit the net increase will amount to $203.

I urge Conservative Members to convince the Minister of Finance (Mr. Wilson) and the Prime Minister (Mr. Mulroney) to cancel this option to tax bread, milk and butter.

* * *

[*English*]

HOUSE OF COMMONS

NEW PAGE STAFF WELCOMED

Mr. Speaker: Before commencing Question Period I should like to notify Hon. Members that today we have the pleasure of welcoming 42 new pages who join us from across Canada for the next year.

[*Translation*]

On behalf of the House and all Hon. Members I want to thank the pages who were with us this year and in previous years and who came to lend us their support since the House was recalled a few weeks ago.

[*English*]

This year marks the tenth anniversary of the current page program, and I know all Hon. Members would join me in wishing these young men and women the very best and our thanks.

Some Hon. Members: Hear, hear!

• (1420)

ORAL QUESTION PERIOD

[*English*]

IMMIGRATION

ALLEGATIONS CONCERNING GRANTING OF IMMIGRANT STATUS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Prime Minister. On July 31 in *The Citizen* and on August 4 in the The Montreal *Gazette* the Prime Minister stated:

> People jumping the queue unfairly, take other peoples rights and other peoples legitimate places. This breeds unfairness, and unfairness will destroy the system . . . The laws shall apply to all of us. Everyone must follow the procedures and the laws.

In light of these statements, and the serious allegations made by the president of the immigration union concerning the Mr. Grossmann case, this Prime Minister owes this House and the country a full explanation. If the Prime Minister wishes to be consistent with the statements that he made on queue jumping, will he agree to a full public inquiry into the Grossmann affair so that Canadians may assure themselves that the spirit and the immigration laws have not been violated and, if they have, that disciplinary action may be taken forcefully and immediately?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, I categorically repudiate the allegations of that Hon. Member.

Some Hon. Members: Hear, hear!

Mr. Weiner: There was no impropriety nor illegality in the handling of the application.

My office receives thousands of letters from Canadians across the country dealing with immigration matters and, in conformity with the Immigration Act, we act in certain few cases where there are criteria or conditions that warrant it. We have certainly published all correspondence dealing with the matter which should clarify it for that Member and all other Members in this House.

QUEUE JUMPING ALLEGATIONS

Mr. Sergio Marchi (York West): Mr. Speaker, it is ironic that the Prime Minister calls an emergency session during the summer to deal with what he terms as queue jumpers, yet he does not have the courage—

Some Hon. Members: Speech.

Mr. Speaker: I would remind Hon. Members that there are necessary courtesies extended to those who ask questions in this House. I would also remind Hon. Members that the Hon. Member for York West is taking the lead for the Official Opposition and I would expect that courtesy to be extended to the Hon. Member.

Mr. Marchi: It is not the fact, Mr. Speaker, that representations are illegal, the allegations are that queue jumping has been condoned and practised in the higher offices of this country, and they come from the union president, not from this Opposition.

Mr. Clark (Yellowhead): You are disowning them?

Mr. Marchi: Therefore, I would like to ask the Prime Minister again, if he doesn't want to agree to a public inquiry, can he explain to Canadians, who must wait six months and line up in Toronto at five o'clock in the morning, why the Immigration Department sent three separate orders to speed up the interview for Mr. Grossmann? What compelling humanitarian concerns existed to allow Mr. Grossmann to make an application in Canada rather than going the normal route for every other individual, namely, applying at our embassies abroad? Can he tell us that, at least?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, I take particular issue with the sleazy, scurrilous manner in which the Member is raising the question.

Some Hon. Members: Hear, hear!

Mr. Speaker: I have asked Hon. Members to extend the appropriate courtesies to questions that are being asked. I would also ask that in the reply the conventions of this place be considered. I know that the Hon. Minister understands them and I would ask him to continue his answer, perhaps with more careful language.

Mr. Weiner: The accusations, Mr. Speaker, are totally unfounded. I received 7,000 letters and representations in the last year, some of which have come from Members of Parliament. Here is one from the Member for York West.

Some Hon. Members: Oh, oh!

Mr. Weiner: It says "Could we talk on this one? It would be appreciated if we could get together to see if I can get a permit for one or two weeks".

Some Hon. Members: Oh, oh!

• (1425)

Mr. Weiner: The Hon. Member for York West wants favours which should not be available to any other Canadian.

Mr. Marchi: Mr. Speaker, the only sleaze is in not answering the question.

Some Hon. Members: Oh, oh!

Mr. Speaker: I think I have indicated to both sides that appropriate use of language would probably be more in keeping with the traditions of this place. I know the Hon. Member for York West can put a very good question.

Mr. Marchi: Mr. Speaker, I make no apologies for making representations to the Government, but it is when there is a second law, when orders are executed to circumvent the law, that there is impropriety and sleaze. I challenge the Member to show where my impropriety was any day of this week.

Some Hon. Members: Oh, oh!

Mr. Speaker: I would ask the Hon. Member for York West to put his question.

ACCUSATIONS AGAINST DEPARTMENT

Mr. Sergio Marchi (York West): Mr. Speaker, I would return to the Prime Minister who is not answering questions. Pretending that the problems do not exist only breeds more problems. Given the fact that we have had the John Quigley affair, a petition signed by 7,000 employees against the Deputy Minister, people tampering with the mail from the Department—

Some Hon. Members: Sit down!

Mr. Tobin: If you guys would shut up, you would get a question.

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for York West will complete his question.

Mr. Marchi: Mr. Speaker, I would like to know what is happening with our Immigration Department. Will the Government take special measures to clean up the mess in order to restore the confidence of Canadians in an immigration policy and a Government that is losing the trust of the people who are not naive enough to believe that there is not a double standard here? The quicker it is before a public inquiry, the better it will be for the Government.

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the accusations are unfair and untrue. There was never any involvement by the Prime Minister's Office in that particular dossier or in any dossier. What I have done has been recognized by other Hon. Members of the House. I have been complimented in speeches made by members of the very same Party as the Hon. Member, and by members of the New Democratic Party, on the quality of service they have received, as have all Hon. Members.

We looked at the justification of the case. It took some four months from the time I examined the file of this individual and we realized that there was a basis for inland processing. Each year, 15,000 Minister's permits are issued, almost 25 per cent of the cases—

Mr. Marchi: What are the justifications? What is the basis?

Mr. Speaker: The Chair has, fulfilling the wishes of this place, given the Hon. Member for York West every opportunity to put the question. I think that fairness demands that Hon. Members on the other side give the Minister every chance to answer it.

Mr. Weiner: Mr. Speaker, I would be very pleased to table this correspondence if my hon. friend would agree to it so that all Hon. Members would be able to read what he said to me.

Some Hon. Members: Hear, hear!

Mr. Weiner: Do you agree?

Mr. Speaker: The Hon. Minister may have some more comments to make in answer to the question. I would ask him to answer the question.

Mr. Weiner: What I do recognize is the manner in which our refugee determination process is being received across the country. I recognize that it has almost universal acclaim, that it puts forward a process that is fair, reasonable and just, and that that is now bothering the Opposition. They are trying to open another front. Where is your credibility? Where is your honesty?

• (1430)

Some Hon. Members: Hear, hear!

CRITERIA APPLICABLE TO DECISION

Hon. Herb Gray (Windsor West): Mr. Speaker, my question is directed to the same Minister. He said in one of his answers that he acts in these matters "where criteria and conditions warrant it". Exactly what were the conditions and criteria that warranted the action taken on the Grossmann case? Give us a complete and clear answer right now.

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, the gentleman was here under a Canada/France exchange program. He had received employment authorization permits for six consecutive years. The current permit would have expired on September 30. He has a son who is apparently married to a Canadian and I guess could have sponsored him. Those looked like good long-term prospects for remaining in this country given the kind of contribution he would make. It just seemed to me there would be no reason to have him leave

the country when inland processing is a part of the way of doing business here.

GOVERNMENT POLICY

Hon. Herb Gray (Windsor West): Mr. Speaker—

Mr. Clark (Yellowhead): How many times did you extend it, Herb?

Mr. Gray (Windsor West): —does the Minister not realize that every Member of Parliament has people coming to his or her office asking for permission to stay permanently because they can get a job? What real difference is there between those cases and the Grossman case? Is he saying it is now the policy of the Government that everyone here on a visitor's visa or work permit can apply for permanent landed immigrant status and be dealt with under ordinary immigrant criteria even if there are no true humanitarian or compassionate grounds? Is he not saying that people no longer have to apply at embassies? Is it not true that there is no real justification here, to use his word?

Mr. Mazankowski: You extended it! What is the matter with you?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, three of those employment authorizations were issued by a Minister of the Government of which the Hon. Member was a part. We continued the process for an additional three years.

There are consistent criteria that allow the Minister of Employment and Immigration, who delegates that authority to the Minister of State for Immigration, to act in a humane and compassionate fashion when it is warranted. That is done in a very few cases. Members of Parliament and other Canadians would not want that compassion removed from the Immigration Department.

SPECIAL TREATMENT QUERY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question, unfortunately, is on the same topic.

Mr. Shields: Get in the hole with the Liberals.

Mr. Riis: I would simply say that when the Prime Minister requested that Parliament be recalled he made the following comment: "People jumping the queue unfairly take other people's rights and other people's legitimate places. This breeds unfairness and unfairness will destroy the system." This is a very serious issue and I ask the Prime Minister to consider responding to the question.

At a time when tens of thousands of Canadians are seeking the opportunity to have their relatives come to Canada and obtain landed immigrant status, does he not think it unfair that Mr. Grossmann, who teaches the children of both the Prime Minister and the Deputy Minister of Immigration, would have received special treatment and became a landed immigrant by circumventing the usual immigration process?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, it is clear there has been no special treatment. As I indicated, 15,000 Minister's permits were issued, 99 per cent of the time by our officials in the regions or at head office, so that inland processing could advance. I have a suspicion the Hon. Member is mixing a regular immigrant program with a process of refugee determination which is chaotic, cumbersome and clogged. It is a non-functioning system left by the previous Government, and once and for all this Government has the guts and determination to clean it up.

We are bringing forward a refugee determination process which is just, fair, expeditious, will identify and welcome real refugees, and say no to illegal aliens and yes to real refugees.

MINISTER'S POSITION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Minister has already agreed that the gentleman in question could have applied for landed immigrant status from France when he was there a few weeks ago. All of us have a long list of people who make that request and are regularly turned down because that is the law.

Mr. Clark (Yellowhead): This one has been approved six times.

Mr. Riis: At a time when we are debating legislation which was motivated by queue jumpers—

Some Hon. Members: Refugees!

Mr. Bouchard: Refugees.

Mr. Riis: Refugees, but nevertheless it is queue jumpers we are concerned about.

Some Hon. Members: Oh, oh!

Mr. Speaker: Hon. Members are of course aware that in Question Period there is ample opportunity to answer a question. The Hon. Member has the floor and I would ask the usual courtesies be extended. The Hon. Member will put his question.

Mr. Riis: Mr. Speaker, on the evidence it seems clear that senior officials intervened to allow an individual to jump the normal queue.

Mr. Clark (Yellowhead): Are you making that charge?

Mr. Riis: At a time when Canadians are very sensitive to that charge would he say that queue jumping did occur, that special treatment was given? If he has nothing to hide, why not refer it to the standing committee for a complete and thorough investigation?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, in January a letter was sent to my office from an assistant in the Prime Minister's Office asking us to have a look at a certain file. It took us four months to take a look at it. I would venture to say that was handled about the same way as we would when the Leader of the NDP said to me: "I would appreciate your expediting the process of this case application and your providing me with a status report". As for the Hon. Member for Kamloops—Shuswap, does he want to forget the time he asked me for something this year?

Some Hon. Members: Oh, oh!

Mr. Mazankowski: Boy, oh, boy!

REQUEST FOR COMMITTEE REFERRAL

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker—

Mr. Speaker: The Hon. Member has the floor.

Mr. Forrestall: Tell us all about it.

Mr. Riis: I agree, I have indeed made interventions.

Some Hon. Members: Oh, oh!

Mr. Riis: I have only asked that people be allowed to get into the line, not jump the line. That is what we are concerned about, jumping the line.

Mr. Mazankowski: Your Leader asked for it.

Miss MacDonald: Anyone is allowed into line, Nelson. That is stupid.

Mr. Speaker: I know Hon. Members would want to be of assistance to the Chair. There are difficult questions to be dealt with in Question Period. I would ask Hon. Members asking the questions to stay as far away from argument as possible, and I would ask other Hon. Members, in the interests of expediting questions and answers, to keep their comments to themselves unless they are recognized.

Mr. Riis: Mr. Speaker, obviously it is a very sensitive issue we are discussing in Question Period today.

Some Hon. Members: Oh, oh!

Mr. Forrestall: For whom?

Mr. Riis: The Prime Minister is well aware that not only must justice be done, it must appear to be done.

• (1440)

In all seriousness, Mr. Speaker, if the case of Mr. Grossmann is straightforward and there was no impropriety whatsoever, would he then refer it to the appropriate standing committee for a complete investigation in order to clear the air once and for all?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, when the Member for Oshawa asked me to expedite a case that seemed like queue-jumping to me.

The letter which was referred to me by the Prime Minister's assistant simply asked that the case be given consideration, as all Members of Parliament would like it to be. I notice many of you are very quiet today.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Chair might observe that not all Members have been quiet today.

Some Hon. Members: Oh, oh!

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APARTHEID

SOUTH AFRICA—COMMONWEALTH SANCTIONS

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, my question is directed to the Prime Minister. The comments made by the Foreign Secretary of the United Kingdom during the recent meeting which he had with the Prime Minister and the Secretary of State for External Affairs seemed to have had a profound effect upon them. It appears that there is now a dramatic shift in the policy of the Prime Minister on South Africa as previously announced at the United Nations.

Is Canada now backing away from trying to get a comprehensive agreement on sanctions from all Commonwealth states? Is Canada instead going to follow Britain's lead and change its policy in midstream just before the convening of the Commonwealth Conference?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the answer to that is no. I think the Hon. Member would find it very difficult to find any suggestion to that effect in the words of Mr. Howe.

The position of the Government is very clear on the question of sanctions. We believe they are effective economically and, more important, psychologically. We naturally believe that they would be more effective if they were more universal. We also believe in and are committed to having the Vancouver Conference of the Commonwealth continue to exert pressure on the Government of South Africa to bring an end to the system of apartheid.

We are trying to establish the most effective possible consensus among participants at that conference in order to increase pressure and bring an end to apartheid.

CANADIAN POLICY

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, the Secretary of State is also reported to have

indicated that Canada no longer feels it is committed to seeking further sanctions. I will direct my supplementary question to the Prime Minister.

In light of the comments by the Foreign Secretary and those of his own Secretary of State for External Affairs, if the Commonwealth countries do not agree on further sanctions, will Canada make it known at that time that, in accordance with the Prime Minister's commitments to the United Nations two years ago, Canada, if need be, will act on its own?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Hon. Member refers to quotations attributed to me. I do not know where they appeared, but they are false. I did not say or imply that, nor did the Prime Minister, and that is not our position.

I think it is important to reiterate the position of the Government of Canada which has been very consistent on this issue. We are prepared, if necessary, if other measures do not succeed, to disrupt, to end, economic and diplomatic relations with the Republic of South Africa.

It should be understood that to do that would take us out of influence on the pressures to try to bring an end to apartheid. We do not think it is yet the time for Canada to take itself out of influence on ending apartheid. Quite the contrary, we believe there is a very important role that we can play as we have, under the Prime Minister's leadership, already played in the Commonwealth and as we intend to play in the Commonwealth and elsewhere to hasten the end to the regime of apartheid.

CONDITIONS IN SOUTH AFRICA

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I will direct my question to the Secretary of State for External Affairs. Can he explain when is the time? Two years ago the Commonwealth Conference sent eminent persons to South Africa. Canada indicated at that time that it would sever all diplomatic and economic relations if other measures did not work.

The imprisonments continue in South Africa. Nelson Mandella is still in prison. There is continuing police brutality. Censorship has been gravely increased in South Africa over the course of the last year. There have been continuing attacks on the front line states.

When is the time for the Government to do what it said it would do, and stop acting like a patsy toward South Africa?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, several months ago some spokesmen of the New Democratic Party, albeit not the official spokesmen, suggested that we should then completely disrupt relations with South Africa. Had we done that we would not have been able to persuade the Commonwealth to take the series of sanctions which the Commonwealth agreed to take during the meeting in London last August. There is a price to pay for declaratory diplomacy of that kind. The price to pay is that you make your views known but you lose your influence.

It is not enough simply to condemn apartheid. We all condemn apartheid. We want to end apartheid. We believe that there are practical steps that Canada can continue to take to bring an end to apartheid.

I have noticed that on a range of questions the position of the New Democratic Party is to get out of the field. That is what they want to do with NATO. That is what one of their spokesmen wants to do with regard to economic summits. They are now saying that we should no longer seek to have influence upon bringing an end to apartheid in South Africa.

Some Hon. Members: Hear, hear!

GOVERNMENT POSITION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, in September, 1985, the Minister promised full disruption of economic and diplomatic relations to end apartheid if other measures did not work. This was repeated by the Prime Minister in June, 1986. This was repeated by the Secretary of State for External Affairs as recently as August 28, 1987. If we keep on saying these things and not acting, they will be empty threats.

I would like to direct my supplementary question to the Secretary of State for External Affairs. When the Government met with Mr. Tambo ten days ago, why did it focus on what it perceived as weaknesses in the African National Congress rather than talking about the real root of violence in South Africa, which is apartheid?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the New Democratic Party is again expressing the isolationism which informs its policy on NATO, which leads it to want to get out of the economic summit, and which informs its policy on other international questions.

It is now suggesting that Canada has had no influence in the actions that we have taken, in the long list of sanctions that we have introduced, and in the influence that we have been able to bring to bear upon the actions of the European Community, the United States, Japan and others. That is a false accusation by the New Democratic Party.

We are not making nearly enough progress against apartheid in South Africa. The situation is getting worse. The depth of fear separating the black and the white communities is devastatingly deep. We must find some ways to bridge that gap. We do not do it by quitting, which is what the Hon. Member is suggesting.

Oral Questions

NORTH AMERICAN AIR DEFENCE COMMAND

PHOTOFLASH EXPERIMENTAL BOMBING IN CANADIAN ARCTIC

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, my question is directed to the Associate Minister of National Defence. Could the Minister confirm that some 30 years ago the United States Air Force conducted experimental photoflash bombing in the Canadian Arctic without first advising the local inhabitants what was happening? Do we know whether or not there were any health hazards associated with these experiments?

Hon. Paul Dick (Associate Minister of National Defence): Mr. Speaker, I can confirm that in the 1950s photoflash bombing was done by Strategic Air Command at a height of 15,000 feet over some isolated areas in the Northwest Territories. There should be no health hazards whatsoever associated with this as the photoflash explosions took place at 15,000 feet.

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EXTERNAL AFFAIRS

ST. PIERRE AND MIQUELON—SCHEDULED VISIT BY LIEUTENANT GOVERNOR OF NEWFOUNDLAND

Mr. George Baker (Gander—Twillingate): Mr. Speaker, one week before the Francophone Summit was to take place in Quebec City the Lieutenant Governor of Newfoundland was scheduled to make his annual courtesy trip to the islands of St. Pierre and Miquelon. For the first time the Government of France informed the Government of Canada that the Lieutenant Governor of Newfoundland was not welcome on St. Pierre and Miquelon. Would the Secretary of State for External Affairs tell us what the Government of Canada did when it received this insult from the Government of France? And why did the Secretary of State for External Affairs and the Prime Minister not publicly protest this slap in the face to Canada and to the Queen? Did the Prime Minister even bring it up with Mr. Chirac?

• (1450)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, in his allegation the Hon. Member is wrong on two of his facts, which isn't bad for him.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): There is not an annual trip and there has not been. They did not say the Lieutenant Governor was not welcome in St. Pierre and Miquelon. What they said was that when he comes they would want him to come in a vessel other than a military vessel. They said that because this Government has taken the action of closing down our ports to French fishing vessels until such time as we are able to resolve a fishing dispute which is before us now because of the lack of foresight of Liberal Governments in the past.

CANADIAN POSITION

Mr. George Baker (Gander—Twillingate): Mr. Speaker, for the past 10 years the Lieutenant Governor of Newfoundland has visited the Islands of St. Pierre and Miquelon on a naval vessel similar to the one to which the Government of France is now objecting. We are being insulted by the Government of France while the Secretary of State for External Affairs bends over backwards to please them.

Mr. Speaker: Order—

Mr. Baker: Now I ask—

Some Hon. Members: Oh, oh!

Mr. Baker: —the Secretary of State for External Affairs if he would not agree that it is impossible to maintain a position of strength in the fishing negotiations while we allow the French Government to insult us like that? How does he expect the Lieutenant Governor to get to St. Pierre and Miquelon, by a dory, by a canoe, or is he looking for the "Good Ship Lollipop"?

Right Hon. Joe Clark (Secretary of State for External Affairs): I might suggest, Mr. Speaker, we should take a very hard look at whether or not we can float him over on the hot air of the Hon. Member.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): I had thought that the Hon. Member was running for the leadership of the Liberal Party like everyone else in that Party, but it appears that what he really wants is to be Lieutenant Governor. I can give him this guarantee. If he becomes the Lieutenant Governor of Newfoundland, he will be welcome as the present Lieutenant Governor is welcome to visit St. Pierre and Miquelon.

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CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

BELL CANADA RATE INCREASE APPLICATION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is directed to the Minister of Communications and it concerns the four groups which have protested very seriously the intervention of the Minister in a CRTC rate increase application on the part of Bell Canada. I wonder if the Minister would try to undo the damage she has done by prejudging the issue? I wonder if she will do what the groups have asked her to do, groups which themselves intend to intervene, feeling they are not going to get a hearing because she has prejudged the issue by asking and informing the CRTC that, if it does not come up with the decision she wants, there could be a reversal at Cabinet level?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, I think I would ask the Hon. Member to read my letter very carefully. In fact, if she does not have a copy of it, I would be glad to send her one.

That letter pointed out to the President of Bell Canada Enterprises that in fact the CRTC has an obligation to ensure that subscribers of Bell Canada do not subsidize the unregulated operations of Bell Canada Enterprises.

I want to make sure that subscribers do not have to pay extraordinary costs. In order to determine whether or not there is a subsidy of any kind, the CRTC has to have information. It has to have information about the direct and the indirect costs which are associated with it. Therefore, I urged Bell Canada Enterprises to submit those costs, validated, to the CRTC, substantive information it does not now have, so it can look at the ruling that has been made to see whether or not it is appropriate.

MINISTER'S LETTER TO COMMISSION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, unfortunately the letter says far more than this. I have the letter here. It suggests that the Minister would go to Cabinet over the decision if the CRTC did not do what she wanted it to do.

I ask her again if she will respond to the public interest and industry groups which want to see, as does our Party, the CRTC acting as an independent agency, able to judge the facts without a letter from the Minister saying she is going to go to Cabinet and see the decision is reversed if it does not come up with a decision she wants. That is inappropriate. Will she withdraw that letter?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, there is no question of my withdrawing that letter. I would also like to point out to the Hon. Member that if any kind of decision is made by any agency where costs are imputed that do not relate to the direct and indirect costs which are a reality, then obviously the Government will question any such decision.

Costs have to be related to the direct and indirect costs that are the actuality in any situation.

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CANADIAN JOBS STRATEGY

LACK OF SKILLED LABOUR—APPRENTICESHIP PROGRAM INQUIRY

Mr. Jim Jepson (London East): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. I am sure all Members of this House are enthused over the new unemployment figures which show a five-year low at 8.8 per cent.

Some Hon. Members: Hear, hear!

Mr. Jepson: I do commend the Minister for this. However, there are still many shortfalls within the small business industry for skilled labour. What consideration is the Minister giving to an apprenticeship program that is so sadly lacking in this country?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Of course we are delighted about the unemployment rate. I think that is what we call an achievement when we consider that 8.8 per cent is the lowest rate of unemployment in this country since 1982. I think it is something of which Canadians are proud.

At the same time I think the Hon. Member is right in terms of particular regions of the country, London, for example, where we face problems in skills shortages and skills development. For that reason we have invested I think it is $297 million in the Canadian Jobs Strategy in 1987-88. That means that with this program we will be able to deal with those cases, particularly in southern Ontario.

It is obvious we will continue to work with the Canadian Jobs Strategy Program because I think it is the Government's best achievement in employment for three years.

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CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

BELL CANADA RATE INCREASE APPLICATION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, I also have here a copy of the letter which was signed by the Minister of Communications and sent to Mr. de Grandpré of Bell Canada. It clearly says that the Government would be prepared to overrule a decision that was not favourable. Given that the CRTC is a quasi-judicial body which should not be interfered with in that manner—granted appeals can be made to Cabinet later—does the Minister not feel that the action she took was improper? And will she not do the right thing and order that her letter be rescinded now?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, I do not think the Hon. Member has quite understood what is being done here. What we are doing is separating monopoly services, and the cost of monopoly services, from unregulated services. That in fact is what Bill C-13 did when we passed it in this House earlier this year. It separated the costs of one kind of operation from the costs of another kind of operation. That is the same policy I stipulated in this letter.

Mr. Boudria: Mr. Speaker, in view of the fact that the Minister refuses to rescind her letter, I will now ask her boss, the Prime Minister, to get involved in this issue.

Some Hon. Members: Oh, oh!

REQUEST THAT MINISTER'S LETTER BE RESCINDED

Mr. Don Boudria (Glengarry—Prescott—Russell): Moments ago we heard of tampering with the immigration process—

Some Hon. Members: Sit down!

Mr. Speaker: Due to the hour, I am sure the Hon. Member will want to put his question.

Mr. Boudria: Now we hear of interference with the CRTC. I ask the Prime Minister if he will order his Minister of Communications here and now—

Some Hon. Members: Order.

Mr. Boudria: —to rescind that kind of interference with a quasi-judicial body, the CRTC? Or is he going to allow this kind of abuse of power to continue? When will these Tories ever learn?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, during the passage of Bill C-13 I was of the impression that members of the Liberal Party were against the subscribers of Bell Canada, that they really did not want to see the subscribers to a telephone system in this country get a fair break. What I am saying in that letter is that there can be no subsidy paid by Canadian subscribers, the telephone users, to an international operation of Bell Canada International. We will not stand for that. I wish that the Liberal Party would have the same concern about the subscribers to our Canadian telephone system.

* * *

• (1500)

SUPPLY AND SERVICES

CONTRACT TO VIDEOTAPE BUSINESS EXCELLENCE AWARDS FUNCTION

Mr. Jack Harris (St. John's East): Mr. Speaker, my question is for the Minister of Supply and Services. It is based on a report in *The Daily News* of Halifax which reports that the Ministry of Supply and Services and DRIE failed to give companies in Nova Scotia and Prince Edward Island a fair opportunity to bid on a contract to videotape the 1987 Canada Awards for Business Excellence which will be held in Halifax on September 22.

The Halifax and Charlottetown companies had three days to prepare a bid while Toronto-based Steve Shaw Productions had been working on it for a month. My further information is that other companies based in Newfoundland—

Mr. Speaker: The Hon. Member will know that preambles are to set the stage for a question. I am sure that the Hon. Member will put his question.

Mr. Harris: Mr. Speaker, in view of the Government's stated interest in regional development can the Minister give the House an explanation of why Atlantic companies are being treated unfairly in this way by the Government? Can he tell the House what he will do to prevent this type of thing from happening again?

[*Translation*]

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, this question was brought to my attention last week. Having examined the situation and the various problems, I can assure my colleague that in this case all regular procedures were followed by the Department of Supply and Services.

[*English*]

REQUEST FOR INTRODUCTION OF NEW TENDERING PROCESS

Mr. Jack Harris (St. John's East): Mr. Speaker, if all regular procedures were followed in this case, can the Minister tell us what new procedures he will put in place to make things more fair for Atlantic companies?

[*Translation*]

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, it must be recalled that this is a national event, five propositions were received and accepted. Of course, the best proposition was selected and awarded the contract.

I should also like to remind my colleague that this year's winner is the same as last year's. All instructions and provisions were adequately followed, Mr. Speaker.

[*English*]

Mr. Speaker: I want to advise the House that this will be the last set of questions. The Hon. Member for Trinity.

* * *

TAX REFORM

FOOD TAX ISSUE—TRADE ASSOCIATION'S STUDY

Miss Aideen Nicholson (Trinity): Mr. Speaker, my question is for the Minister of Finance. It concerns the assessment by a trade association that sales tax on food as described in the White Paper would push food prices up 12 per cent to 13 per cent. Will the Minister tell the House how he considers that low-income Canadians could handle such an increase without hardship?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, that is speculation on the part of that industry association. It does not know the results of the consultations that we are going through regarding the composition of the tax base for a new sales tax, nor does it know the rate or the refundable sales tax credit which, as the Hon. Member knows, will be paid regularly in advance. It is a speculative comment.

I encourage the association to wait until the end of the consultation process, as I encourage the Hon. Member, when those decisions will be taken.

REFUNDABLE SALES TAX CREDIT

Miss Aideen Nicholson (Trinity): Mr. Speaker, a refundable sales tax credit is useful only if it is timely and if it is adequate. Can the Minister guarantee that in such a case a refundable sales tax credit would not be a matter whereby people starve for six months and then get an inadequate credit?

Some Hon. Members: Hear, hear!

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I can give the Hon. Member absolute assurance. I have said time and time again that a refundable sales tax credit will be paid in advance of the needs of the individual receiving the credit. It will be paid regularly, and whether it is monthly or quarterly is something that is still subject to consultation. The sales tax credit will vary. The size will vary depending on what is in the sales tax base.

These are matters about which we will consult and about which we have been consulting. We also look forward to the conclusions to which the Finance Committee might come.

Mr. Speaker: A single question by the Hon. Member for Skeena.

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EXTERNAL AFFAIRS

NICARAGUA—VIEWS ATTRIBUTED TO UNITED STATES SENATE REPUBLICAN LEADER

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is a serious one. It is addressed to the Secretary of State for External Affairs. I am sure that he is aware by now that the Senate Republican Leader, Bob Dole, has confirmed that he was serious about his remarks regarding a "little three-day invasion of Nicaragua and the assassination of the President of Nicaragua". Will the Right Hon. Minister take this opportunity to distance Canada firmly and formally from any such views regarding the assassination of any political leader in the western hemisphere?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I will not get involved in a domestic debate in the United States. Our view on the question of Central America differs markedly from that of the United States. That difference is well known.

Point of Order—Mrs. Finestone

POINT OF ORDER

ALLEGED FAILURE TO COMPLY WITH PROVISIONS OF S. O. 99(2)

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I rise on a point of order. I am asking Your Honour for a ruling on the Government's response to the fifth and sixth reports of the House Standing Committee on Communications and Culture which I believe is in breach of Standing Order 99(2).

I am a member of that committee. I first brought this issue to the attention of the House over one week ago, but I deferred to a request by the office of the Deputy House Leader and by Your Honour to await the presence of the Minister of Communications (Miss MacDonald) before proceeding. I welcome the Minister here today. I will proceed as Your Honour requested.

By way of background, the fifth and sixth reports of the House Standing Committee on Communications and Culture were tabled in the House on April 28 and May 6, 1987, respectively. These two reports contain more than 150 pages of carefully analysed documents and 107 separate recommendations. These reports represent countless hours of preparation by our committee and by members of our staff. They reflect the many hours that we took to hear hundreds of witnesses and to read many hundreds of pages of briefs from various business organizations and public and private institutions, as well as many concerned citizens.

In response to these in-depth reports tabled in the House by the standing committee under our dedicated chairman, the Hon. Member for Edmonton South (Mr. Edwards), the Minister of Communications provided the Government's response in the form of a simple four and one-half page reply—I would suggest a smoke-screen, cynical response to cover a lack of action.

There is nothing in the Standing Orders of the House which allow the Government to provide a partial response to the reports of a committee. Standing Order 99(2) states:

> Within 150 days of the presentation of a report from a standing or special committee, the government shall, upon the request of the committee, table a comprehensive response thereto.

Your Honour will note that that Standing Order is drafted in mandatory terms—"the Government shall—table a comprehensive response". The Government is obliged to do so as long as the committee has requested such a comprehensive response.

Our committee has specifically made such a request. You will note, Mr. Speaker, that on the final page of each of the committee's two reports in question there appears these words: "The Committee requests that the Government provide a comprehensive response to this report in accordance with the provisions of Standing Order 99(2)".

It is apparent that in approving this particular Standing Order Parliament attached considerable weight to the mandatory nature of the Government's obligations and to the

duty to provide a comprehensive reply. The previous set of Standing Orders which were in effect on February 24, 1986, set forth the same duty but gave the Government only 120 days in which to respond to a committee report. The current version of this Standing Order came into effect in June of 1987 allowing the Government 150 days. I presume that it was felt that we needed that additional one month's time.

One would have thought, however, that that would have been ample time for the Minister to have prepared a detailed reply. If the Minister still was not ready to provide a full reply, then she should have come before the House to seek unanimous consent, which I think the committee would have been happy to grant, to extend that time to her under the rules so that she could have ample time. She has failed to do this.

• (1510)

The Government's response to our committee's report deals in vague terms with only some of the recommendations contained in part 2 of our fifth report. That is the part that dealt with the power of direction and civil remedies. The response dealt with none of the recommendations in part 1 of our fifth report on specialty services, the issue which is now before the CRTC, and none of the 86 recommendations contained in our sixth report on broadcasting legislation. Surely it is evident that the failure to respond to any of the 86 recommendations cannot comply with the Standing Order of the House, no matter how it is defined as comprehensive.

I am not suggesting that the Minister was obliged to advise us what specific actions she intended to take on each of the 107 recommendations. Surely, at the very least, the Minister owed a duty to the House, to the Members, to the committee, and to individual Canadians who came, to indicate whether she agreed or disagreed with our recommendations. Her response does not even meet this minimum standard. She neither accepted nor rejected most of our recommendations, nor does her response provide any indication of which of the committee's 107 specific recommendations she feels that she cannot respond to, or why she cannot respond.

The Minister's failure to respond to our recommendations for a new Broadcasting Act seems strangely inconsistent with the Minister's assurance to the committee on May 4, 1987, and I quote what the Minister stated: "I believe we can all agree on the main thrust of new legislation". The Minister was correct. We did agree on the main thrust of this legislation. In fact, our committee recommendations were unanimous. Apparently the Minister has either changed her mind, or chosen to abrogate her responsibility of policy making to the CRTC at this critical juncture in the evolution of Canadian broadcasting. She has failed to provide leadership in the legislative area, a mandate she stated was of utmost urgency. Perhaps it was better that she did not, if she has no vision.

The inaction of the Minister at this critical time leaves a serious void in addressing the new technological changes, for example, satellite to cable speciality services, the very issues which we addressed and the issues which will have a profound effect on the future of the Canadian broadcasting system. Many hearings have been scheduled and some direction is required.

It is important to note that last winter when our committee first embarked upon consideration of the broadcasting field, we had a choice of three issues or methods of procedure; start with broadcast policy, then look at the architecture of the system, and finally come up with some broadcasting legislation. That course seemed logical. The Minister of Communications urged us to begin with a fast-track study on broadcasting legislation in order that she would be able to produce a new Act. We, as a committee, would have preferred to follow the broadcasting policy route first.

The reference from the Minister of Communications to the Standing Committee on Communications and Culture stated, as reported in *Hansard* on January 29, 1987, page 2855:

> That the committee report its findings and recommendations on all matters relevant to the development of broadcasting legislation no later than April 15, 1987.

During a session of the committee on February 5, 1987, the chairman, the Hon. Member for Edmonton South (Mr. Edwards) stated, as reported in *Minutes of Proceedings and Evidence*, February 5, 1987, page 18:4:

> We have a rigorous schedule. As the Minister indicated to us when she appeared in November, it is required for the Government to carry out its mission of bringing in a new Broadcasting Act. The reference from the House refers to recommendations leading to new Broadcasting Act.

In response to the remarks of Mr. Edwards, the Minister of Communications stated, as reported in *Minutes of Proceedings and Evidence*, February 5, 1987, page 18:5:

> I was pleased to hear the Chairman stress the deadline date we have placed on the receipt of your report on the Caplan-Sauvageau Task Force. I should advise you now that I intend to hold you to that deadline. I am very keen to receive your views by then because I am determined to keep my deadline on seeking Cabinet approval for a broad policy framework on broadcasting after Easter, as well as authority to begin drafting a new Act over the summer.

Our committee rushed to meet the deadline imposed by the Minister, but the Minister did not rush to keep up with the committee's response. Now that the committee has complied with the request of the Minister to begin with broadcasting legislation, the Minister has the audacity to send us back to the drawing board with a new set of questions and objectives that are totally irrelevant. Some of the questions now posed by the Minister, for example, those questions relating to the CBC, are largely irrelevant to the formulation of broadcasting policy legislation, since the issues are operating and not legislative in nature.

With respect to the questions of the Minister on Telefilm and the National Film Board, these issues are outside the Broadcasting Act itself, and are therefore not germane to the issues addressed in our fifth and sixth reports.

With respect to the other questions of the Minister, written in bureaucratese, it is difficult to know if the Minister is contemplating deregulation of the CRTC, privatization, or

what new incentive measures the Minister feels should be found in the broadcasting legislation.

As an active member of this committee, and an individual Member of the House, I ask the Minister now what type of incentives and respect can we expect from the public at large for a new round of studies when the Minister has responded with a cavalier attitude to our fifth and sixth reports.

If you should think that the case of the Minister of Communications is an isolated one, Mr. Speaker, let me remind you that the failure of Ministers to provide comprehensive reports is a malady which is not confined to this Minister.

Mr. Lewis: False.

Mrs. Finestone: During the previous month you already had before you for consideration two other alleged cases that different Ministers had failed to comply with the same standing order. I recognize as you wave that around that we have received an answer to one.

Mr. Lewis: Stick around.

Mrs. Finestone: I did not know that you are the Speaker.

Mr. Speaker: Order, please. I am sure that the Hon. Member's remarks which were directed at another Member in the House ought not to be taken as if they were directed to the Chair.

Mrs. Finestone: Please do not misunderstand my representation.

In conclusion, I have made a fairly lengthy presentation because there is at stake a more fundamental issue than whether the Minister of Communications does or does not submit the long-awaited Broadcasting Act to Parliament. It is not for me to decide how many more crystal balls the Minister requires as well as the Caplan-Sauvageau report, and our committee's reports. The fundamental issue is the sanctity of the committee system. It is whether our much heralded reforms of the committee system are mere words, to be avoided at the whim of an individual Minister who wishes to thwart the will of the House, or whether these are true reforms in the interests of promoting the role of individual Members of the House and its committees, which will be given effect to by the Speaker of the House. The matter rests with you, and I know that we can count on your good judgment.

Mr. Speaker: The Hon. Member for Edmonton South (Mr. Edwards) on the same point of order.

Mr. Jim Edwards (Edmonton South): I rise on the point of order in my capacity as Chairman of the Standing Committee on Communications and Culture. On behalf of the committee, I would ask Your Honour to rule whether the response tabled in the House on August 26 by the Minister of Communications (Miss MacDonald) constitutes a comprehensive response as required by the committee under Standing Order 99(2). It is the unanimous view of the committee that the Minister's response is not comprehensive, and thus not in keeping with the spirit or the letter of the reforms of Parliament.

Specifically, the response fails to deal with the substance of Part 1 of the committee's fifth report of April 27 which dealt with specialty services, a new satellite delivered generation of television services. The response neither accepts nor rejects any of the nine recommendations the committee made on the subject, nor comments on any of the analyses and findings of the committee, nor offers any reason why neither the recommendations nor the views expressed by the committee have been dealt with. To be fair and to be complete, the Minister agreed in principle with three recommendations made in Part II of the fifth report.

• (1520)

Both our fifth report, tabled April 27, and our sixth report, made May 6, dealt with matters pertaining to broadcasting, based on the recommendations of the task force thereon, the so-called Caplan-Sauvageau task force. That task force report, dealing with broadcasting policy and legislation, was tabled in the House by the Minister on January 29 of this year. On that date the Minister sought and obtained an order of reference that directed our committee to "report its findings and recommendations in all matters relevant to the development of broadcasting legislation no later than April 15, 1987".

A brief extension of deadline having been granted, the committee reported in full on May 6, outlining with unanimity 86 legislative recommendations in a detailed report comprising 117 pages of reasoned argument and representing 12 weeks of members' work in 42 sessions totalling over 100 hours of deliberations. The Ministry had 120 days or 17 weeks in which to prepare a response. Not one of the 86 recommendations was responded to.

The Minister in her response of August 26 has instead charged the committee with a fourfold new mission—to explore new technologies, to encourage Canadian programming within the limits of available resources, how to strengthen the CBC, and how to maximize use of government resources in program production.

These questions are pertinent, general ones designed to focus the committee's attention beyond the limits of the task force recommendations. They recall for the committee the fact that it must deal with broadcasting policy matters in addition to legislative matters. We know that; we have been studying policy matters since May 7. In fact, had we proceeded in logical order, we would have dealt with policy first, then legislation. However, the Minister wanted a Bill, she gave us a reference, and we complied.

I am mindful, Mr. Speaker, of the rulings made by your distinguished predecessor and by yourself on the issue of government response to reports of standing committees. I am aware, Sir, of Speaker Bosley's ruling of April 26, 1986 in which he said that Hon. Members would understand the Chair would be in a very difficult position were it to be called upon to

rule on the quality of government responses as it is in similar difficulty ruling on the quality of questions or answers during Question Period.

Further, Sir, you yourself ruled on June 29 of this year on the question of whether the word "comprehensive" can be interpreted by the Chair. You found at that time that it was not for the Chair to determine what constituted a comprehensive response, as this would be tantamount to judging the acceptability of the response. You went on to say, Sir: "The nature of the response must be left to the discretion of the Government. If Hon. Members are dissatisfied, there are avenues available through which they can pursue the matter".

I defer to that judgment and I would ask, with all the respect I can summon, that you, Sir, reconsider that ruling. I would do so, not because of the specific issues before us, or because of the investment of work which has been made in this, or because I, as Chairman or as a Member of the House, have any issue to take with the Minister, but solely on the grounds that we have had reforms of the House, that those reforms are well known, that they are experimental, that they are tentative, and that they deserve to be nourished and encouraged. I would ask you, Sir, again with all respect, to consider whether the Chair might find, when 86 recommendations are made in response to a House reference and none of them is responded to in substance, that there has or has not been a comprehensive response.

In conclusion, if it is our duty to complete our task, may we see our duty through by our knowing, by an $8 billion industry knowing, and by the nation knowing whether a Minister, charged with responding in a comprehensive way to a committee report she herself ordered with urgency, is then obliged to respond in substance to the recommendations contained therein.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I rise on the same point of order regarding the failure of the Government to respond in any comprehensive way to the fifth and sixth reports of the Standing Committee on Communications and Culture. I want to support most heartily the points made by the two previous speakers and to add a few remarks of my own.

I find the Government's failure to respond most astonishing in the circumstances. Perhaps this is the most hard-working committee of the House in terms of number of meetings, in terms of effort, and in terms of all the work which has gone into these two reports.

These reports were delivered on time, with a very slight delay which was agreed upon by all. It was at the timing of the Minister that we deal first with the legislative questions and with the policy questions later. We did that because the Minister stated that it was her timetable and that she wanted to bring in a new Broadcasting Act. We divided up our work deliberately at her request to review legislative aspects first, which was probably not the order we would have used otherwise. In short, we did what she asked us to do.

It seems most astonishing and indeed insulting to the committee that there should be a complete reversal. After all the work which has gone into it, and after the very detailed and carefully researched and investigative points which have been made, we have not even obtained an answer on the substance.

You have said, Mr. Speaker, that you do not consider it your role to determine what constitutes "comprehensive" in terms of government response and likened it to Question Period and judging the quality of questions and answers. I suggest that in very flagrant cases like this it is very clear that when 86 recommendations in a very lengthy and very carefully prepared report are not responded to, there cannot be any doubt. It is not a question of judging the wisdom of a particular point here and there, it is a question of whether or not there has been an adequate response, a remotely adequate response.

I point out further that, with the failure to respond on these very important points of substance, the Minister has also thrown in complete asides. There are red herrings in this response. There are suggestions that we ought to look at other questions, that we ought to look at a policy on Telefilm and on the National Film Board. These are very important institutions, but that was not part of our mandate. The suggestion that the Government cannot respond because we have failed to do our work is total nonsense. It was not in our reference in the first place. The idea that we should take up these particular questions is totally inappropriate.

There is even a suggestion in the Government's response that our committee might like to reconsider certain points. There is a suggestion that possibly we have been frivolous ourselves and that we might change our minds. There is also a suggestion that the Government's policy must be forward looking, the implication being that the committee is not forward looking, that the committee has not done its work, that the committee would then go out and do some further work, and that the committee would come back with different conclusions. This is simply to insult the committee, that it has not done its work. This committee worked very hard and, with a great deal of effort, came to unanimous recommendations. The committee has worked together very effectively and wants to continue by going on to the policy questions.

Further, we have received no reason for not obtaining answers. We have received no objections. There is no interplay between the Minister and the committee, such as the suggestion, "I don't like recommendation 17, but recommendation 18 is all right for the following reasons". We have been given absolutely no guidance for us to continue our work, none whatsoever.

As I suggest, frivolous questions have been raised at this point, questions which have nothing to do with the legislation but concern legislation in a different area, such as the National Film Board or Telefilm. Some questions that have been raised

in the Minister's response deal with the CBC Budget. That was not in our report. We might want to deal with the CBC Budget at a later date, but that was not part of it.

• (1530)

This is a very meagre four and a half pages. As well as not dealing with what it should be dealing with, it raises completely extraneous matters. The report has been padded to get to four and a half pages and made to look like it is addressing issues, in fact it is dealing with subjects that are not at issue right now, that are certainly not the business of the committee at the present time. They would take the committee off on a completely different tact.

This is an important subject, Mr. Speaker. The whole idea of parliamentary reform, committee reform and the idea of having the Government respond is to make meaningful the work of committees. We are not working in isolation to come up with reports that gather dust. The idea is that the committee's work would have relevance, and that the Government would study them.

We have a task force set up by the Government. We looked at that. We had hearings. We commissioned research. We came up with a report and the Government is supposed to carry on to the next step. It intended to, but now we have this complete about face. The Government does not want us to continue the work that way. It wants us to retract on certain suggestions. The Government wants us to investigate the CBC, the NFB or do other things that we were never asked to do, certainly not in connection with this order of reference. We have been left without any guidance whatsoever. Our time has been wasted and house time has been wasted.

In conclusion I would suggest that no doubt Standing Order 99 anticipates and requires the Government to make some sense of our work, to come back in a reasoned way with its response in order that the legislative process can proceed in a proper fashion and that people can work together in some kind of reasonable way. This is not what we have today.

We have a Minister who will intervene in particular cases, but is failing to give policy direction. These are extremely important matters, matters before the CRTC right now in which decisions will be made without any government input whatsoever. We very much regret this order of doing things. It is upside down. The Government should be giving policy direction at this stage before it is too late and not intervening in the process later, which is how this Minister wants to operate. This is a fundamental infringement of the process anticipated with these parliamentary committee reforms.

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, may I say that I am pleased to see the Hon. Member for Mount Royal (Mrs. Finestone) in the House. She will know that I telephoned her the other day to commiserate with her on her recent accident. I am glad she is mobile and able to join us today.

I want to say at the outset that members of the committee have, indeed, worked hard and produced a number of reports, many of which I have already responded to, including reports on the status of artists, museums, CBC accountability et cetera. I want to deal today with comments that have been made about the fifth and sixth reports of the Standing Committee on Communications and Culture and the point raised that the Government's response has not been as comprehensive as it should be.

It is the Government's opinion that the response tabled at this time is as comprehensive as it can be under the circumstances and I would like to deal with those circumstances because some very good points have been raised.

The report submitted by the committee dealt with the legislative aspects of the report of the task force on broadcasting policy, namely, the Caplan-Sauvageau report. Now the Committee is studying, as I understand it, other aspects of the task force report, particularly certain policy aspects.

I have to admit, as was raised here earlier today, that this sequence was at my instigation. I believed at the time the reference was made that it would be feasible to begin drafting legislation before all the policy aspects had been studied and dealt with. But as I looked at the report of the committee, as I followed its work during the months of May and June, and as I studied the reports throughout the summer, it became very clear to me that it would not be possible to proceed in that manner. In fact, I think it was as a result of some of the committee hearings across the country when other issues began being raised that I realized there were certain fundamental policy issues that had not been met or discussed that would have to be dealt with before legislation could be drafted and before a new broadcasting act could be brought in. In other words, the comprehensive policy matters had to be studied, examined and dealt with before the whole Broadcasting Act could be determined in its final stages.

The hearings, I think, pointed to the fact that the task force report itself was rooted in certain assumptions. Those assumptions are such that I feel obliged to question them. Let me give you an example, Mr. Speaker. The first of these assumptions is that regulation, as we presently know it, will be more effective in getting private broadcasters to carry their weight with respect to Canadian programming, and the one way to do that would be to make regulation tougher. I have read a great deal in the last number of months about the impact of regulation on the private broadcasters; there have been many articles and letters written on this subject. I can cite, for instance, Robert Fulford, who has analyzed this matter very carefully and who points out that even with the kind of regulatory methods that are now in effect we have not had the kind of Canadian programming that we all desire.

I have questioned whether or not regulation is the only approach to the private broadcasting system. I have raised the question whether or not methods or incentives could be used, or a combination of incentives or regulations which would

produce more and better Canadian programming. That question has not been answered. I look at that issue and ask myself, can I draft an act without that question being answered? I have asked the committee to look at that in its continuing study of policy.

The second assumption is that broadcasting will continue into the next century in the same way that most Canadians receive broadcasting and programming today. I have asked the committee to look at the way in which technologies are impacting our broadcasting system. Tremendous differences are taking place, whether through the carriage of programming or high definition television. In fact, I know that the committee has asked to meet with officials of the Department of Communications for further briefings on this issue.

The third assumption is that there are no better structures for the CBC within which to carry out its function as the cornerstone of Canadian cultural policy than the structure which exists today. We are looking at the CBC and at whether or not there can be some way in which more emphasis is put on programming, which is the goal of all of us, than on operations. I think there may be ways to do that, but that will have an impact on the mandate of the CBC which, of necessity, has to be built into legislation.

Since all of the Caplan-Sauvageau recommendations flow from these assumptions, I make no apology for wishing to look at what would happen under another set of assumptions. Revision of the Broadcasting Act is something which takes place, at most, once in a generation. The Broadcasting Act was overhauled 20 years ago. We are now looking at it and we know that it will have to carry us into the 21st century. Is the mandate of the CBC, developed some 50 years ago, relevant to the mandate of the CBC that must take it into the 21 century?

• (1540)

That having been said, there are certain legislative matters on which immediate action is advisable and I have responded to those measures. For instance, in its report of April 27 the committee urged prompt introduction of a power of direction over the CRTC. It recommended a limited review power as well as a private right of action under the Radio Act. Those were three major measures, particularly the power of direction, recommended by the committee.

The Government has agreed in principle with those recommendations. That in itself is a substantive response. The power of direction to the CRTC, which is an all-Party recommendation and had been recommended as well by the previous Government, will probably be one of the most profound moves that has ever been made in the field of broadcasting. We have dealt with that. We have said that we would accept that recommendation in principle.

We agreed earlier to another set of proposals made by the committee dealing with CBC accountability. The Government will be introducing legislation shortly to enact those changes.

There are some recommendations in the committee's report on which the Government does not now have the power to act. For example, the committee made a number of recommendations with regard to specialty services. The Government currently does not have a mechanism which would permit it to direct a quasi-judicial body like the CRTC to follow a particular course of action with regard to specialty services. There is, therefore, no concrete action that the Government can take on recommendations regarding these specialty services at the present time.

The response indicates to the CRTC that the Government expects the committee's recommendations to be taken into account. We have ensured that those recommendations were passed on to the CRTC, but we cannot direct it in its decision. Obviously, if decisions made on specialty services are appealed, the committee's recommendations would form an element of the Cabinet's review, but until there is a power of direction, the Government cannot act directly on these recommendations.

The Government has decided not to commit itself at this moment to the more than 100 detailed recommendations for changes to the Broadcasting Act but prefers to finalize the policy framework first. In other words, we do not want to put the cart before the horse. That indicates, I will agree, that there has been a rethinking of the appropriate order of the activity of the Government. I think that is a very appropriate approach to take on this very important issue. It does not indicate, and I want to assure Hon. Members of this, that the recommendations and the work of the committee will not be followed up in detail.

I may say that I am certainly as committed as members of the committee or any Member of the House to broadcasting reform. I have stated that before and I will state it again. I am committed to broadcasting reform based on the chief objective of the Government to ensure more and better Canadian programming in the system. It is for this reason that I have asked the committee to look more comprehensively at the assumptions that were contained in the Caplan-Sauvageau report. I feel that the Government's response was indeed perfectly consistent with a sincere effort to make its broadcasting review one that is truly directed to the future.

I hope that the committee would undertake, in its present and ongoing review, an analysis of these questions that I have posed. We are doing the same thing at this time. I have welcomed the work of the committee to date and I will welcome any comment it is able to make on these questions I have posed to it—questions which I think are so fundamental to the new broadcasting policy we are in the process of developing.

Mr. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would like to make a short intervention on the procedural aspects of this point of order. I think all Hon. Members of the House have made a contribution to the debate and it has been healthy for all sides.

The Government responded to the McGrath committee's report on parliamentary reform by expanding the mandate of parliamentary committees under Standing Order 96(2). This gave the standing committees of Parliament a much larger mandate than they had had in the past. In fact, it gave committees the opportunity to write their own mandates, as it were. They are now unfettered and unhindered and they have complete freedom to investigate whichever areas they wish. I think it is fair to say that this has been a benchmark in expanding the ability of the House as a whole and members from all Parties to hold the Government accountable.

Standing Order 99(2) requires the Government to respond to a standing committee report when the committee asks for a response. I point out that this was not part of the recommendations of the McGrath committee. This was something that was added by the Government to bolster that particular aspect of it.

I apologize for heckling the Hon. Member for Mount Royal (Mrs. Finestone) at the point that I did. I wanted to mention that the Hon. Member quite rightly pointed out that there had been a previous point of order on this issue. In fact, I believe there have been three points of order raised about it. Since there have been points of order raised on the question of the word "comprehensive" before, I would like to point out in fairness that there have been some 17 responses by the Government to committee reports since September 1986. In only three cases the question of whether or not the response was comprehensive has come up for debate. I know that my colleague, the Hon. Member for Edmonton South (Mr. Edwards), referred to previous rulings. I would like to expand upon that reference.

I would point out the comments you made, Sir, on June 29. At that time, you said:

> It is not for the Chair to determine what constitutes a comprehensive response as this would be tantamount to judging the acceptability of the response. Clearly the Chair could not examine every committee report and every government response in order to make this determination. The nature of the response must be left to the discretion of the Government and, if Hon. Members are dissatisfied, there are avenues available through which they can pursue the matter.

You then made reference to a similar point of order which was raised on April 18, 1986, and you indicated that Mr. Speaker Bosley said:

> —"that the Chair would be in a very difficult position were it called upon to rule on the quality of government responses".

You went on to say, Mr. Speaker, the following:

> Members are entitled to express dissatisfaction with government responses to committee reports—

I think it is fair to point out as well that a member of the Government and joined in the debate questioning the word "comprehensive", and I think that is an indication that we stand behind parliamentary reform. You went on to say, Mr. Speaker, the following:

> —but such complaints can only be pursued through the political process.

I suggest that by allowing this debate to go on now, the matter has been aired through the political process. The Government is content that that should take place. All Members of the House have had an opportunity to participate in the debate. I submit that your ruling of June 29 was sound and that this point of order should be ruled upon using that as a basis for your decision.

Mr. Speaker: The Hon. Member for Mount Royal (Mrs. Finestone) rises to speak and I think it would be appropriate to allow her to make a short reply.

Mrs. Finestone: Mr. Speaker, I recognize that it is very difficult for you to determine whether or not a report is comprehensive in the political sense of the word. Yet if we just look at the numerical sense, in this particular instance we can see a flagrant abuse of that word. There were 85 recommendations, and not one single word. The Minister used the House just now to elaborate on her thinking. Whether or not I agree with that thinking is not the point. The point is, if she had used that avenue to tell the committee why she felt she required further time and that she made an error in judgment in asking us to go the legislative investigative route rather than the policy and then legislative route, fine, there would have been no argument. Yet with a sort of "the back of her hand" she completely disregards the effort and time put in by volunteers and staff. That is extremely disrespectful of the points just made by the Deputy House Leader.

• (1550)

The Minister also said she could not direct that regulatory body, but she is prepared to go with a patchwork quilt on the same broadcasting matter, and tells us she is going to bring in some CBC legislation. One should have a degree of coherence in the presentation of an argument for one's point of view. I suggest Bill C-20 was the first Bill I got when I came to this House over three years ago; two Ministers had that Bill for consideration, prior to my ever getting here, two other ministers had it, so she certainly had an option.

As a matter of fact, the Hon. Member for Essex—Kent (Mr. Caldwell) specifically asked the Minister if she would split the Bill and bring in the power of direction under Bill C-20. I asked that of the Minister. She seemed to be interested but now in her report she indicates that the Government is confident that the Commission will take no action to foreclose fundamental options with respect to such important issues as the respective roles of specific industry sectors or the economic structure of the broadcasting environment. She goes on to say that the CRTC is well aware that the Government is engaged in a major review of broadcasting. If she has some concerns, bring in the power of direction. If she is worried about Canadian content, do something about it. Do not slough it off in this way and then pretend she cannot do anything.

The last point I would like to make is that when we are talking about a response the Minister said she wanted methods

of incentives which would indicate to her the kinds of programs. It seems to me we spent one full day in this House defending what the National Film Board does. The Minister's Parliamentary Secretary gave a rousing speech on the role of the NFB, and I defended that. Furthermore, she just brought in permanent funding for Telefilm. We gave an impression as to how we felt artists should be supported. We told the Minister to bring in the cinema Act and a film policy. We said do not cut out capital cost allowances. How the heck did you ever get involved in a White Paper reform that is going to kill the film industry and broadcasting?

I do not know what more the Minister wants by way of directives from this side of the House or from a committee which is dedicated to Canadian culture. Either the Minister has absolutely been bought or is having her arm twisted—

Miss MacDonald: Oh, wait a moment. You withdraw that.

Mrs. Finestone: You are right. I am sorry, I do withdraw that.

Miss MacDonald: You ought to be ashamed.

Mr. Speaker: I am sure the Hon. Member did not mean to cast aspersions on the character or integrity of the Minister and I thank her for immediately withdrawing that comment.

This may be of some help to the Hon. Member in concluding her remarks. The Chair has listened very carefully to this entire debate. As was pointed out by the Hon. Minister of State (Mr. Lewis), it is not the first time it has been brought to the Chair's attention. I ask that the Hon. Member close off her remarks and stay exactly on the procedural point that I now have to decide.

Mrs. Finestone: Mr. Speaker, in no way did I intend that to be an attack on the Minister's credibility or integrity, for which she has a very fine reputation. If that is what it sounded like, I withdraw that and deeply apologize to the Minister.

My concern is that the Minister has constantly talked about the fact that we have 97 per cent of our screen time being used by non-Canadians, particularly Americans. She wants to do something about that. Then she came up with some ideas. The industry and the Canadian people were very excited about her cinema Act. They were pleased she was putting more money into a number of areas. Now they see this as a withdrawal of either interest or active participation in moving forward the cultural sector. We appreciate her very intense concern for the telecommunications sector but she has two mandates and the other one deals with broadcasting and other cultural issues.

I bring to your attention the fact that we have found this to be an inadequate report. The fundamental policy issues were not addressed. If the Minister felt she wanted it to be otherwise and she would now like us to deal with those policies, I suggest that would have been a more effective and efficient way to address the issue. To go about this in a patchwork way is not good and I certainly do not expect to see another Bill for the CBC.

Mr. Jim Caldwell (Essex—Kent): Mr. Speaker, I had not intended to intervene in this discussion, but as a member of the committee I would like to add a couple of comments.

I guess the question centres around what is a comprehensive reply and this is what the discussion is about. The chairman of the committee already indicated that we did not feel it was a comprehensive reply. However, as the Minister indicated, does a reply have to be given immediately or can she do it later? I feel there is a possibility of getting the answers from the Minister other than during this debate or through messages being sent back and forth.

The Minister indicated today that our work will be followed up in detail, which I am very pleased to hear. In the past the Minister, one of the hardest working Ministers, has taken our advice, for example on the museums corporation. I see she is now acting on that. I have no doubt she is willing to listen to our recommendations and I am very pleased with what she has said today.

As the Minister pointed out, this is a very complicated subject. She indicated some of the things she cannot do because there is no legislation to permit her to do them. I only wish she had said that in her reply, but I am pleased that she has indicated that she is going to follow up on some of these things. As a member of the committee, I can say we are going to hold her to that.

Miss MacDonald: Thank you.

Mr. Speaker: I want to thank all Hon. Members for their interventions on this important matter. I want to especially thank the Hon. Minister. We all know the demands on a Minister's time and she stayed throughout this entire debate. I am sure Hon. Members appreciate that. I want to thank the Hon. Member for Mount Royal (Mrs. Finestone) for so graciously accepting my invitation to adjourn this application some days ago in order to give the Minister an opportunity to be here. I think all Hon. Members are impressed that the chairman of the committee took part in these deliberations, as did the Hon. Member for Broadview—Greenwood (Ms. McDonald) and the Hon. Member for Essex—Kent (Mr. Caldwell).

There is nothing particularly easy about these complaints which have been brought to the Speaker. The Minister of State (Mr. Lewis), in his succinct and I think apposite comments, noted the difficulty that the Chair could get into in trying to determine what is or is not comprehensive. However, we have a problem which has been brought to the Chair and the Chair will consider this matter, along with some others which are pending, and try and bring a comprehensive report to the House which will be of assistance to all Hon. Members.

• (1600)

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

CANADA POST—DELIVERY SERVICE IN WINNIPEG—OPPOSITION TO CORPORATE PLAN

Mr. Cyril Keeper (Winnipeg North Centre): Madam Speaker, I have a couple of petitions with regard to the Post Office. The first petition indicates that Canada Post is reducing delivery service in the City of Winnipeg for its business customers. The petitioners call upon the Government to stop this reduction of service and to restore the service that they have traditionally received from the Post Office. The second petition I have is also with regard to the Post Office and is from people across the country who indicate that the federal government proposal to seek financial self-sufficiency for the Canada Post corporation by 1988 will result in cutbacks and deterioration of service of the Post Office and will consequently be at the expense of service to Canadian consumers.

These petitioners humbly pray and call upon Parliament to instruct the Government to make improved service the highest priority of the Canada Post corporation and to instruct the Government to abandon this policy of closing rural post offices and cancelling rural routes.

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all question be allowed to stand.

The Acting Speaker (Mrs. Champagne): Is it agreed?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

The Acting Speaker (Mrs. Champagne): Shall all notices of motions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

Ms. Lynn McDonald (Broadview—Greenwood): Madam Speaker, in rising to debate Bill C-84 I must register the strongest possible concerns with what the Government is doing on the issue of refugees. I am appalled at the legislation before us today. I am appalled by the hypocrisy of the Government in dealing with this issue. The legislation before us today will not deal with the genuine concerns people have about fraudulent refugees and the smuggling of people into the country for commercial purposes in order to make money from the misery of others. The Bill will not accomplish the objective of Canadians to distinguish between genuine refugees and those posing as refugees in order to jump the queue.

I happen to represent a riding which, like many ridings in this country, has a very large number of recent immigrants and people who are trying to get their own families in. There is a great deal of concern that it is unfair for people to use the refugee process to subvert the ordinary immigration process. I and my Party would heartily concur with legislation that would make it possible to make this kind of distinction, and that would provide fair procedures for immigrants and refugees, and would crack down on the fraudulent practices that exist.

This legislation will not help with those problems. It will leave people extremely frustrated in that it is still possible for crooks and smugglers to abuse the system. Genuine refugees will not get into Canada. People will be turned away and returned to unsafe countries. Bill C-55 is a mockery of our international and Charter obligations and Bill C-84 is even worse than that.

I want to raise a number of very specific concerns. So many of our ancestors came to Canada under difficult circumstances. I am appalled that a country built on the basis of immigrants and refugees is so unsympathetic and unable now to develop a policy that would make the wise distinctions we do want to make. I am appalled that Canada has had such a bad record for so many years on the issue of refugees. Only fairly recently did we begin to reverse those trends. Very recently, in 1986, Canada was awarded the United Nations Nansen award for its work on refugees, marking the reversal of our bad history.

Now in 1987, only a year after winning an award for our humanitarian work on refugees, the Government wants to turn the clock back to that earlier and very disgraceful period during which Canada treated would-be refugees abominably.

In 1939 Jewish refugees from Hitler's Germany came to South America, the United States of America, and finally to Canada. Canada turned away 907 Jewish refugees, many of whom died in death camps as a result. There was also the case of would-be East Indian immigrants; they were the wrong colour under our racist policies of the past, and those desperate people were turned away. We now have legislation which will ensure that people are turned away at the ports, the bus stations, the airports and the train stations. Genuine refugees whose lives are at stake in countries which torture, imprison and kill people, could be turned away under the provisions of this Bill.

Let me get into some specifics of what is wrong with this Bill. First of all, Bill C-84 would introduce a new security certificate system for procuring deportation of certain recent arrivals. It would deny these people the right to apply for refugee status. It would turn ships away from our territorial waters if they were considered to be bringing in undocumented passengers. And, of course, there would be punishment for anyone helping those people come to Canada without the usual travel documents, documents which are available only in official offices that people would likely not be able to get to.

• (1610)

With respect to the new security certificates, the proposed law will allow a Minister of Employment and Immigration and a Solicitor General to sign a certificate saying that someone is a security risk without saying what he did or what is the evidence against him. The charge and the evidence would be reviewed *in camera* by the Security Intelligence Review Committee which would then tell the accused as much of the accusation as it thinks would not harm national security. The accused would reply and the Security Intelligence Review Committee would recommend to the Minister whether or not to sustain the certificate. Therefore, there are now provisions which can ensure that someone who is a security risk will not be allowed to stay in the country.

There are provisions for the security of Canada but, nonetheless, there are provisions which ensure that a person is not to be deported back to the country of origin, and ensure that security considerations are treated along with the refugee application. If necessary, a third country is considered to which the person could go rather than back to the country where that person's life may be very much at risk.

Bill C-84 would separate permanent residents from non-permanent arrivals and provide a different security certificate system for the non-permanent arrivals. They would be reviewed by the Federal Court and a judge would decide whether or not to quash the certificate. In terms of the substance of the matter, Federal Court judges do not have experience or expertise in this area. They will not be able to deal in an appropriate fashion with those applications. Their expertise and experience is on the legal reasoning, not on the substance of these cases. Therefore, we will see a procedure set up that is totally inappropriate for the question at hand.

With respect to denial of access to refugee status determination, Clause 5 of Bill C-84 would deprive people accused in the security certificate of eligibility to seek refugee status determination. They are not even going to get into the system whereby it would be decided whether or not they were genuine refugees. This, of course, is a callous way of saying that genuine refugees will not be turned away from the country because people who are genuine refugees will not even be considered. We will not even find out whether or not they are genuine refugees; they will be screened out right at the beginning.

Of course, this provision is contrary to international obligations that Canada has undertaken only fairly recently. Canada has signed the United Nations Convention. The United Nations Convention relating to the status of refugees requires that the refugee status claim be heard first and the security risk be examined as part of that procedure. That has been the case, and still is the case until the law is changed. Of course, the United Nations High Commission for Refugees would assist where there is such a problem of a security risk in a genuine refugee case. The representative of the United Nations High Commission for Refugees raised objections to Clause 5, and other clauses, in representations to the committee, but the Government has ignored those recommendations for amendment.

With respect to turning ships away, Clause 8 of Bill C-84 empowers the Minister to order any ship to be turned away from Canada's territorial waters by whatever force is necessary if he considers it is carrying bogus refugee claimants. My Party and the United States representative are concerned that real refugees may be turned away at the same time and the ship captains may unload their passengers in a country where they will be in danger, or they may simply be sent back to sea. Until this year, Canada strongly opposed countries such as Malaysia doing this very thing. We have made representations against the kind of activity the Government itself is now contemplating. That is disgraceful. It should not be allowed. A civilized country would not do that. Canada, in signing the United Nations Convention undertook not to do that sort of thing.

We have asked for an amendment requiring such a ship to be escorted into a Canadian port where the captain could be punished if he had a load of bogus refugees. Certainly, the captain ought to pay for that. One of the ironies of this Bill is that it threatens and is tough on the victims, the people who are exploited, yet it would let extremely unscrupulous people who are trading in human misery, such as ship captains with bogus refugees, off the hook. We suggested that instead, the Government ought to throw the book at such a captain and any people involved in this kind of activity. By all means, bring them into port and punish them. That would be the deterrent.

The Government has talked about the need for a deterrent in view of these organized ship loads of people coming. But where is the deterrent if a ship captain can organize some kind of bogus deal, bring people in, make a lot of money on them, and then is simply turned away? There is no risk to the captain

in those circumstances. It would be far better to have the ship brought into port and have these captains face the music of a very heavy fine and prison sentence.

I might add that the inter-church groups which have appeared before the committee and have made representations on this subject were very clear on this point, as they were on other points. They say that what is necessary is to separate the real refugees from bogus refugees and to look very strenuously at measures to punish those who are using refugees for commercial purposes, to make money, by organizing these trips to Canada. By letting them off the hook, as the present legislation would, we are not going to solve that problem at all.

We also have the new provision, something we have never seen before in Canada, and something which is certainly startling to people who are helping refugees, that is, punishment for persons helping undocumented refugees to come to Canada. Under the present law, thousands of Canadians have advised and otherwise helped refugees to come to an immigration office at a Canadian port of entry, whether by land, sea or air. This has not been illegal. Bill C-84 would make it an offence, punishable by up to a $10,000 fine or five years in prison if the group is of 10 persons or more.

The Minister has promised never to prosecute humanitarian groups. Church groups have been told that in fact they are not going to be prosecuted, and they have not been prosecuted in the past. They have not been prosecuted in the past because they have not done anything against the law. Now we have the suggestion that there be a new offence simply for advising people of their right to apply for refugee status, people who do not have documents.

How does this happen? Many refugees do not have documents. They cannot get documents because in fact they are persecuted in their own countries. We should, therefore, not be surprised that we have refugees appearing in Canada who do not have appropriate documents. The Government should not be surprised by this. To say, however, that anyone who would help such a person must be helping someone who is an illegal refugee, not a genuine refugee, is to completely misunderstand the situation.

People who are really trying to get away from the system, to get around our rules, will probably be well able to get the necessary documents. This sort of thing is not going to help us deal with well financed terrorist groups, for example, who do not seem to have any trouble getting very good travel documents.

• (1620)

This type of legislation will not solve the problem of undesirables arriving on our shores with inadequate documentation. It will not do that at all. What it will do is punish people who in all good faith are serving to aid people for humanitarian reasons.

Refugees are among the most miserable, exploited and oppressed people in any part of the world. I commend those who work to help them to find new homes. The idea that these people should now be criminalized is really a scandal. The church representatives themselves tell us that they do not want just to be let off the hook by a Minister who will be too generous to see that they are prosecuted and that they can rely on his goodwill to ensure that the letter of the law is in fact not enforced. These people have said that they do not want to feel or believe that they have committed an offence. They want to be proud of the laws of Canada. They do not want to think that they are breaking the law, that it is only because of the goodwill of the Minister who has made an exception that they are not being prosecuted. That is not good enough for them. They are decent citizens.

I say that a law such as that is not a law good enough for Canada. It is wrong to have a law that is so pernicious, so extravagant and so unnecessary that the Minister promises in advance that it will very seldom be implemented. What kind of a law is that? Of course, there could be any type of change and such a law could in fact be implemented.

We know that people who work with refugees in the United States, members of church groups, members of churches which are now sanctuaries for refugees, are breaking the law and are risking prison sentences. We can see that happening in Canada because our good friends are saying that they will defy any such law which is implemented and passed by Parliament. They will defy it and risk criminal sanctions as a result.

I commend these people for putting conscience at such a high level. I hope that we do not pass a law that will force people in good conscience, because of their humanitarian concerns, to break the law in order to help a very needy and exploited person, a refugee.

The NDP offered amendments to clarify this matter so that it would be an offence only in the case of someone who tries to evade immigration examination, or someone who organizes people to make deliberately false refugee claims. I note that the Leader of the New Democratic Party, the Hon. Member for Oshawa (Mr. Broadbent), advocated this in his speech in the House. He recommended that the law be rephrased to state that every person who knowingly organizes, induces, aids or abets or attempts to organize, induce, aid or abet a person to come to Canada in this fashion be guilty of an offence. He recommended that that not be so in the case of advice given by church organizations, Amnesty International and all other types of organizations to help people. That recommendation was made and the Government has refused to accept it.

This clause has offended Canadians widely since it seems created for the purpose of intimidating those who are helping people who are fleeing persecution. I am sad to see that the Government is persisting with this. I hope that it will see the error of its ways and change its mind on this very significant part of the legislation.

There are other parts of the legislation to which we certainly object. I refer to the areas of search and seizure and wire-tapping. We consider this a wholly scandalous piece of legislation. We have humanitarian obligations to refugees. I am proud of the church groups which are aiding them, and which see that as part of a civilized society we have obligations to people who are exploited, obligations beyond our own citizens. We are part of a world and we have strangers, refugees or exploited persons who come to our shores. We have obligations as fellow human beings living on this planet to aid them. We need wise legislation which will make a distinction between the genuine refugees and which will protect us from crooks who want to abuse the system. We do not have that with the present legislation. I urge Members to vote against Bill C-84 as it presently stands.

The Acting Speaker (Mrs. Champagne): Are there questions or comments?

Mr. Fulton: Madam Speaker, I have just one brief question for the Hon. Member. One of the clauses that people from British Columbia who have contacted me have found most offensive is Clause 9. In relation to that clause, the Minister promised that he would never prosecute humanitarian groups or persons who were bringing people into Canada, smuggled or not. He said that he and some bureaucrats would decide who would be selectively prosecuted.

Many church groups and individuals in my constituency have been in touch with me with respect to that proposal. They have said that they find it to be one of the most offensive concepts in the Bill. They object to this idea of a Minister deciding selectively who to prosecute. Will he prosecute a nun from St. Catharines who brings a couple of people across from Central America? To leave an area such as that open to the political whim of the Minister of the day, and perhaps to what the Minister might have eaten the day before or whether he likes someone or not in a certain area, I find to be one of the most horrific and un-Canadian parts of the Bill. Will the Hon. member take a moment to comment on this selective prosecution process that is provided for in Bill C-84?

Ms. McDonald: Madam Speaker, I think that the Hon. Member has raised an extremely important point. Certainly organizations which have gotten in touch with me have raised this point as well. This is one of the most obnoxious parts of the legislation. There are several reasons why it is obnoxious.

One reason is that people do not want to be law-breakers, people who are doing good things out of conscience. These are church groups which are concerned. We have the Hebrew-Christian tradition which respects refugees. They are among the weakest and most oppressed members of any society. As a matter of conscience and religious belief they are obliged—it is not a matter of choice or ethics of deciding whether or not to go along with one rule or another—to aid refugees. Here, because of their religious convictions, they will do things that will make them law-breakers. It is outrageous in our society, our so-called Christian society, that we would have a law which will make law-breakers out of some of our most outstanding members of society, people who are doing very good work. That is outrageous.

We are then given the answer that this law will not be enforced. A Minister will decide, and will simply not choose to prosecute these good people, people who are acting in good conscience. Who says? This is a very inappropriate way to word a law. The Minister should not be making these types of decisions. Do we want our Minister of Justice to be phoning up judges, telling them who to convict and who not to convict? Or do we want him phoning up prosecutors to say, "I want prosecution here and there"? It is a role of the Government to propose legislation and to propose policy, but not to decide on particular cases.

With regard to church groups, these are groups which are lobbying the Government for change in social issues. The same people came before the committee with respect to refugees, and they are also lobbying on all other kinds of social issues. They are lobbying with respect to poverty issues and issues of equality rights. They could be sent off to jail, which would certainly shut them up for a while. They are being placed in a very difficult situation and being ordered to keep on the right side of the law in order not to be prosecuted. Perhaps they will be pressed not to lobby on other issues. This will certainly put them in a very difficult situation, simply because they are acting in good conscience. That is a scandalous thing for the Canadian Parliament to do.

• (1630)

Mr. Althouse: Madam Speaker, my question to the Hon. Member for Broadview—Greenwood (Ms. McDonald) is a follow-up to the question on the church groups. I note that the Hon. Member was about to discuss the questions raised in this Bill on search and seizure. Most societies on this earth, regardless of their religion, society, or language, have viewed churches as a safe place, a sanctuary, and a refuge. Therefore, it is quite natural that refugees who are fleeing a regime for political reasons, or for their very lives tend to seek out churches when they come to Canada, or when they are on their way here.

I notice that there are some radical changes to the manner in which we generally handle the question of search and seizure. The process of warrants and orders for a search and seizure seem to be bypassed in this particular Bill.

Would the Hon. Member for Broadview—Greenwood give us her analysis of what this Bill does both to the principle of sanctuary and providing a refuge through church groups, which is something recognized by most societies, and to the apparent change in the law proposed by this particular Bill?

Ms. McDonald: These are two quite different issues. The sanctuary issue is an extremely interesting one. People do go to churches for sanctuary. Historically over the centuries, churches have played the role of rescuing people. Because of the churches' belief in the sanctity of human life, they rescue

people without asking questions and attempt to sort out the situation later. Churches have played that role, and increasingly they are playing that role.

The question of search and seizure raises many legal issues. Historically, Canada has had pretty Draconian laws on search and seizure. We then brought in the Charter of Rights which limited the state in its search and seizure ability and put constraints on it, and it did not happen soon enough. In the past we had been excessive on this subject. That has been reversed and some legal restraints have been brought in, and now in Bill C-84 there will be new search and seizure, and quite Draconian provisions.

Under Clause 11 of Bill C-84, the Immigration Commission may search and seize, even without a warrant, anything it considers related to the offences of smuggling 10 or more people, or disembarking them at sea. This could include lawyers' privileged solicitor-client documents, or a refugee's personal records. This could mean records that may be very dangerous if they fell into the wrong hands. In short, these provisions are excessive and could certainly pose serious dangers for the people involved.

I wish to add that these provisions will not do us any good because they are directed at the victims of exploitation. They are not directed in any constructive way to go after the culprits, the people who are organizing these refugee scams, which we know have happened. These provisions do not address that, they are excessive, and they will not accomplish any serious purpose we may wish to see accomplished with new refugee legislation.

The Acting Speaker (Mrs. Champagne): There is one minute left. The Hon. Member for Winnipeg North.

Mr. Orlikow: I wish to direct a question to my hon. colleague. Earlier today during Question Period the Minister of State for Immigration (Mr. Weiner) in reply to a question made the statement that there was wide support for this refugee Bill.

In my City of Winnipeg I find that there is almost universal opposition to the Bill on the part of spokespersons for the ethnic communities, particularly those ethnic groups where people have entered Canada in recent years, and from virtually all the church groups, Anglican, Roman Catholic, and Mennonite to mention a few, who have been working to help refugees come to Canada. In this respect, what is the experience of my hon. colleague in her City of Toronto?

The Acting Speaker (Mrs. Champagne): The Hon. Member for Broadview—Greenwood on a very short answer, please.

Ms. McDonald: Very briefly, Madam Speaker, there is a great deal of concern among families who are waiting for relatives to come to Canada, and who are extremely frustrated by the slowness of the procedures, and sometimes the unfairness and restrictions of the procedures. I think that the Government is playing on the fear of a flood of refugees and a quite proper resentment from immigrants who are waiting for members of their families, and that it is making a scapegoat of refugees in order to justify a policy which is totally wrong. I hope people are beginning to distinguish between the fact that we need a fair policy, one that will distinguish between genuine and bogus refugees, and one that will respect the immigrants who are waiting for their own families to come to Canada, and not play on their resentment that they have been kept waiting while they see other people being able to jump the queue.

Mrs. Sheila Finestone (Mount Royal): Madam Speaker, I rise to speak to Bill C-84, a Bill which is among the most repressive legislation that I have seen in a long time. I find it hard to believe that in a situation where we know that there has been abuse and a misuse of the hospitality which Canadians are used to giving, instead of acting in the correct time and under the proper circumstances, the Government has waited for more than three years. It disregarded many reports, for example, the Robinson and Plaut reports. It waited until Members were on holiday, and with the arrival of 174 people in a boat off the coast of Nova Scotia all of a sudden it seemingly woke up and cried, "Hey, something is going on out there. We must do something".

I would suggest that this issue has been before us for some time. People were dropped off on the shores of Newfoundland, this boat had arrived, and daily people arrived by air, car, bus, train, and yet nothing was done.

The Hon. Member for York West (Mr. Marchi) has raised the issue of illegal immigrants or illegal migrants coming into Canada. We have heard from him about the use or abuse of these people who found themselves in difficult circumstances, whether they were true refugees in the definition sense of the United Nations, or whether they were economic refugees who were looking for a better life-style. What happened to these people was the trafficking in their flesh and in their misery by unconscionable smugglers who were taking money and using their misfortune to bring them illegally into Canada.

There is no question that that is not the manner in which Canadians wish to see their laws used or addressed. Canadians are fair-minded and open-minded people. Canadians expect to see a decent way of life and respect for law and order.

The Government had before it these unconscionable people, and instead of addressing the issue two and a half years ago and issuing visas, it ignored what were the proper types of approaches and bringing in a piece of legislation that would be a reflection of Canadian values at the same time as stopping the illegal use of our borders by people who do not deserve or should not have access to or be hosted in this land.

Essentially, in Bill C-84 we are talking about a very sensitive area. We are talking about refugees, people who are fleeing from perceived persecution, who have practically nothing but the clothes on their backs, and who often do not have papers because they could not do what the ads for American Express state, "Do not leave home without it". They could not run

back home and pick up their identification papers. They could not apply at the door of the consulate. If they did that, there was no way they would come out of those countries alive.

• (1640)

We are looking at a situation where people who need and want to come to this country are mixed with people who have no business coming to this country and do not belong here, people whom we need not have to host. We have not found a fair and equitable system, a Canadian way, to address that issue.

What they have done is to put together an absolutely unconscionable Bill which reminds me of an unnecessary Draconian measure. They did not listen to Rabbi Plaut and his sensible approach to handling the situation or to the many church groups and human rights organizations that have a lot of experience, obviously much more than the Minister of Immigration and Employment (Mr. Bouchard) or his sidekick. Instead, we have a Bill which talks about a deportation certificate and turning back boats.

The hackles on the back of my neck go up when I hear the phrase, "turning back boats". There is not a Member of the House who is not reminded that this might be in the spirit of *St. Louis* and that we should have learned our lesson in 1939. Did we not turn back a boat with hundreds of innocent Jewish people who were merely seeking asylum? We turned our backs, we closed our eyes, we ignored the circumstances, and those people suffered very ugly consequences. Did we not learn from that incident that we should welcome people to our shores, that we should ask questions, and that those who do not deserve the good grace and the harbour of this land are sent away? That is the way we should handle it.

They say that if there is misrepresentation we have to use consultants; there is a whole procedure for that. There is also a procedure for smugglers. Instead of attacking only those people who are doing the smuggling, they are also attacking legitimate groups like churches. There is an application of responsibilities which are ministerial and governmental to transportation companies. Search and enter powers are suddenly being allowed in the interest of saving us from illegal refugees. We now have detention certificates and talk about a need for documentation and what happens if one does not have it. Many serious questions are raised by the proposed measures.

Do the proposals go too far? Of course they do. Are they specific enough to eliminate the real abusers and exploiters? No, they are not. Does it penalize those in the genuine assistance of refugees? Yes, it does—church groups, priests, nuns, volunteer groups, amnesty groups, and other kinds of such groups. Was the piece of legislation poorly drafted by a Department rushed into meeting the claim of the Prime Minister (Mr. Mulroney) that it was an emergency situation and the need for special measures? Was it intentional?

I give the following proposition. Yes, it was intentional. It was a bogus issue used to inflame the population. It was a misrepresentation of the real issues. It was a way in which the Government could get the House to come back to address what it considered to be a major piece of legislation, that is, the drug Bill. It was used as a false premise. It played on the lowest and basest of our human instincts instead of rising to the traditional fineness in Canadian values.

Will the Bill encourage a series of court challenges if implemented? The United Nations has said that it will. Human rights groups have said that it will. People who are knowledgeable about the law have said that it will, such as the Canadian Jewish Congress and Amnesty International.

What more does the Minister need to tell him that he was on the wrong track? What more does he need to back up and say he made a mistake and that he will redraft it? What more does he need to say, "You were right and I made an error; I was poorly guided by the justice people in my Department"? Did he really discuss it with the Minister of Justice (Mr. Hnatyshyn) and the Department of Justice? I doubt it. I am sure they are all red-faced to see a Minister abuse his Justice officials.

If the Government were genuinely interested in stopping real abuse, why did it wait until this summer to deal with it? Why did it not deal with this aspect under Bill C-55? It has certainly had plenty of time.

The Government cannot use the excuse any longer that it is a new government and does not know its way around, that it has to learn, and that it is entitled to its mistakes. It is entitled to nothing now. It should know how to use its legislative agenda. It should not have had to call us back on this kind of excuse. It should have put its house in order to meet what Canada considers to be fair.

Are refugee applicants being dealt with as human beings with human rights? I do not think so, Madam Speaker; wait until we look at the remedies and special detention measures designed for refugees. They are worse than what we do with our worst criminals right here in Canada.

Do you know, Madam Speaker, that there is a need for special detention certificates? Presently the law provides that if the Government or the Minister feels that there is a lack of identification or the possibility of a security risk—and that could be a case in point—there is the possibility of detaining the person for 48 hours. After 48 hours, there is a request to a special immigration adjudicator and a mechanism to request an additional seven-day period of detention. I think that is fair and that there are people in the world who would try to abuse our borders. I also think that we must have a mechanism to stop it.

However, to what point does one go? That procedure has worked well for years. Now the Government wants to move from 48 hours to seven days without any question. After seven days and after a special detention certificate, it would permit

the Minister to ask for a person to be detained for 21 days. The adjudicator has no discretion whatsoever to overrule that request. Madam Speaker, you realize that the Minister is taking unto himself or abrogating unto himself these special powers, powers which are outside the elected process. I think the Minister is making a serious and grave mistake. It will leave him open to unnecessary manipulation. I think it is wrong.

The Minister now calls the shots. It is dangerous. He has done that because we were faced with 174 immigrants off the shores of Nova Scotia where the people came out and welcomed them. I really think that is pushing it a little too far.

I think that those moves are un-Canadian. I also think that they run afoul of our human rights code. However, in respect of documentation, just what do they expect? Most refugees are suffering from the trauma of running away, the trauma of dislocation, and the trauma of leaving their families, their language, their culture, and their life-style. Who in his right mind wants to pick himself up and move, unless circumstances are detrimental to his daily living, to his future and to the future of his children? It is not a choice which people make lightly. Then, to be harassed in the way the Bill harasses them, goes beyond my ability to find credible anything the Minister has proposed.

Do they think refugees will fall outside our Charter provisions? Do we not believe that individual rights, once one is on Canadian land, belong to everybody and that they should be treated with cordial decency? If one needs to be sent away because one is an undesirable, there are ways to do it.

Will the Canadian public realize the full impact of these proposals, or will it assume that Bill C-84 is needed to deal with the abusers and the exploiters? I think there has been a lot of misinformation out there. There are people in my riding who are desperately looking to family rejoinder and have been thwarted in that desire. They see the family structure differently than we do. We think of the family in terms of the nuclear family, but the extended family is their perception. They want their brothers, their sisters, and their children who are over 18 years of age to be here. This is quite normal. These people have, for the most part, brought wealth, industry and have promoted business in Canada.

• (1650)

One-third of this country has been built by immigrants, many of whom came as refugees. I can only hearken to my experience in my own Jewish community in the City of Montreal. We were 45,000 Jews in Montreal prior to 1939. We more than tripled our numbers, and I think in Montreal itself we have brought economic prosperity, civility, culture and enrichment to it. I am proud of what the refugees from the camps of Europe brought to Canada. They came as refugees, and it was not easy for them to get in here because it was hard to get past the front door. They were true refugees. These are true refugees in Asia, Vietnam, Cambodia, Afghanistan, Lebanon, Iran, Iraq, El Salvador and Chile. The people in my riding, no matter what colour, language or cultural persuasion, want us not only to treat refugees fairly and decently but to tell smugglers, "No". The people want us to link this whole thing into amendments that are sensible and fair.

I think as people have talked over the summer they have begun to realize that the true evil at the door is this Bill, not the refugees who are knocking at the door. If the Government receives parliamentary approval for this Bill, what will the Government do about Bill C-55? Will it die on the Order Paper? Again, what about family rejoinder, which we have been looking for, the promulgation of extension to older children, the extended family, which we have been awaiting?

There are all kinds of things that have been put on hold while we debate Bill C-84. I am not happy with it. I could go into great detail but there are others far more expert on this matter. Certainly the committee heard expert witnesses. I would suggest that the Minister and the Government would do well to hearken to the voice of reason and find ways to fine and penalize the smugglers, the abusers. I hope the Government will open its heart to the real refugees who need to come to our shores.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I am appalled that in this country of ours, a country so large with such a small population and with material and human resources to provide a good life for all its people if it were planned with common sense, a country which in recent years, at least, has had a generous and humane approach to immigrants and refugees, would be at the point of enacting a Bill dealing with refugees and potential refugees that is so inhumane and mean-spirited that we will be despised by people of good faith all over the world.

This is a country which was established in the way we know it now by the coming of immigrants and refugees to this part of the continent. All of us, with the exception of the native people of Canada, are either immigrants ourselves or descendants of immigrants or refugees or descendants of refugees. I said a moment ago that in recent years we have had a relatively good record with regard to the entry into Canada of immigrants and refugees. But up to World War II and, indeed, for a number of years after World War II, our record was a very bad record because it was not until the late 1950s and the early 1960s that we adopted policies on immigration and refugees which were not discriminatory. Until the late 1950s, immigrants who were permitted and encouraged to come to this country were essentially from countries in northern and western Europe and were white. Through our laws and regulations and through the way in which senior employees in the Departments which controlled immigration dealt with immigration we discouraged and prohibited people from eastern and southern Europe and from Africa, Asia, Central and South America and India from coming here. Indeed, it was fair to say that it was almost impossible to permit the

coming to Canada before the late 1950s or the early 1960s of people who were non-white.

But we changed our approach in the late 1950s and early 1960s and permitted a large number of immigrants to come here from eastern and southern Europe, Africa, Asia, South and Central America. One has only to travel around any city in Canada to see the changes that have taken place because we permitted large numbers of refugees and a much broader group of immigrants to come here. After all, we reacted to events in Poland, Hungary, Uganda, Chile and more recently El Salvador and Guatemala in a relatively generous way.

On my way home from Ottawa a couple of weeks ago, I stopped to make a few purchases at a supermarket which happens to be located in the constituency of Winnipeg North Centre. As I stood waiting at the cash register I could not help but notice that among others who were waiting to pay for their purchases were people who came originally from Asia, either Chinese or Vietnamese, from India, the Philippines, Africa and from Central or South America. Canada has changed in a major way and that change will continue and accelerate.

Why suddenly do we get this Bill and these very restrictive proposals that are contained it it? The Minister of State for Immigration (Mr. Weiner) said earlier today that there was widespread support for Bill C-84. I do not know where he comes from but I know in my City of Winnipeg that this Bill has been met by universal opposition. I am certain that for every letter I have received indicating support for this Bill, I have received 25 expressing opposition.

• (1700)

Ethnic organizations, labour organizations and all of the major church organizations have expressed their opposition to what is contained in this Bill. I must ask why the Government brought this Bill forward. Is it based upon some kind of principles it has adopted? I cannot believe that. After all, just over a year ago when a boatload of Tamil refugees from Sri Lanka who had apparently spent some time in Holland and Germany arrived on the East Coast, they were greeted and welcomed by the Prime Minister (Mr. Mulroney) who said that Canada would always welcome genuine refugees. A year later, there was a similar situation. The only difference was that instead of Tamils from Sri Lanka, there were some 150 refugees from India who arrived on the East Coast. This time the reaction of the Government was to bring in this very tough, regressive Bill.

What has changed? Nothing has changed except that the Government now perceives itself to be in a great deal of difficulty with the Canadian public. It has read the polls and has realized that after the people gave them the largest majority the country has ever seen, it is now and has been for some considerable time in third place according to the polls. That is why we have got this Bill.

Mr. Jepson: Temporary insanity.

Mr. Orlikow: The Hon. Member has said that it is temporary. If the Hon. Member wants to keep on whistling in the dark, he is welcome to it. When a Party has been in third place for almost 18 months, it will take some pretty drastic changes to get it back on top.

Let us look at some of the things for which this Bill provides. Let us remember that legislation dealing with refugees could have been brought in long ago. It could have been brought in a year ago or more. Let us remember that without changing the legislation, the regulations could have been changed.

A year or so ago, several thousand phoney refugee claimants came to Canada, not stealthily by boat but by plane from Portugal, Turkey and Brazil. Everyone who was interested in immigration and refugee problems knew that these were phoney claimants. Everyone knew that there are not thousands of Jehovah's Witnesses in Portugal, to take just one example of the people who came here claiming refugee status, and that Jehovah's Witnesses are not persecuted or prosecuted in Portugal. These people came here because they were told, probably by people who made a substantial amount of money for giving this advice and making the arrangements for them, that by coming to Canada to claim refugee status, they would probably be permitted to settle here and to stay as landed immigrants, whereas they would not be permitted to do so if they applied to come as immigrants in the normal and legal way.

The Government could have and should have dealt with that situation immediately by requiring people coming from those countries to get visas to come here. However, the Government dithered and delayed so several thousand, not 150 like the Sikhs or the Tamils, phoney claimants were permitted to come here and to stay, if not permanently, then certainly for some considerable time, because the Government could not get its act together.

That Bill gives public servants the power to turn back ships without permitting those on the ships who would like to claim that they should be permitted to stay in Canada because they are refugees to do so. I am certain that this power is a violation of our obligations under the agreements made by and through the United Nations. I think that this kind of provision is absolutely unacceptable. Even if it is legal, and I believe it is not, it is certainly morally inexcusable.

Let me deal with another clause which I find hard to understand. In fact, I cannot understand how any Government in this day and age would include in a Bill this kind of provision. I am talking about the provision in the Bill which makes it an offence punishable by fines and by prison if those found guilty refuse to pay fines for anyone to help a person to come into Canada without a visa, a passport or a travel document. I could understand that kind of clause if the people who would be liable to arrest, trial and conviction were only the people who did that sort of thing for financial gain. Undoubtedly there are unscrupulous, dishonest individuals, ships' captains, lawyers and immigration consultants—not

many but enough of them—who have done these things for financial gain.

This clause applies to the kind of people I have listed above, but it also applies to members of ethnic organizations and particularly of the newer ethnic organizations whose members still have family and friends who want to come to Canada, and this provision would apply to people in every city and town in Canada who are involved through church organizations in helping refugees who come to Canada establish themselves. I find the clause to be completely inexcusable and unacceptable. I am not satisfied, nor are the members of my Party and the people involved in this kind of work, with leaving it to the good will and good intentions of this Minister or any other Minister to decide that because they have done their work for humanitarian reasons, these people will not be prosecuted. That clause alone would convince me that I ought to vote, as I will, against this Bill.

• (1710)

Mr. Jim Fulton (Skeena): Madam Speaker, I am pleased to have an opportunity to speak about Bill C-84 because I think it is bad legislation. As Canadians come to hear more about it and the supposed emergency for which this House was recalled, they will have a better idea of why the Government is providing bad leadership and bad legislation.

This is an example of what I would describe as real low-road politics. The way the Government handled this matter was designed to prey on those irrational, hateful or racist feelings many people harbour. It was also designed to create the illusion that this approach would likely speed up family reunification for those who have waited many months or years for that to come about.

I want to talk for a moment about when the Government, in July, attempted to have the House recalled supposedly to deal with an emergency involving the drug legislation. The Speaker, properly interpreting the rules of this House, did not agree to a recall. Then the Government saw another opportunity when a ship entered Canadian waters with 174 refugee claimants on board and landed them in eastern Canada. It was an opportunity to whip up a reaction among Canadians and create the impression or, as we have now learned, the illusion that there was an emergency for which Members should be recalled.

Many Canadians wondered how great was this emergency. We learned the answer to that, of course, on the first vote on this legislation when only 84 government Members voted. Many Canadians wonder why, first, so few government Members voted on the Bill and more than half were away on business which they felt was more important, and, second, why those same government Members failed to speak on the Bill. That number included the Chairman of the committee, who has done so much good work in pointing out the flaws in this terribly Draconian Bill.

Canadians want legislation which provides law and order and goes after the real smugglers who benefit financially at the expense of the oppressed and persecuted. Canadians do support going after those who trade in human tragedy and create financial gain for themselves while doing it. However, one of the points raised time and again with me by church groups and others in my constituency is Clause 9 of this Bill which allows selective prosecution of those involved in bringing refugees into Canada. Many Canadians were shocked and continue to shudder at the Minister's promise that he would never prosecute humanitarian groups or persons. He was only intending to prosecute obvious scoundrels who might try and smuggle people in, for example, by landing them at night on a deserted coast.

It is quite contrary to Canadian law, British common law, and the traditions of this country for this House to draft and pass legislation which allows a Minister, without regulation or direction, to decide unilaterally who should or should not be prosecuted. As many of those groups said, they make their decisions on refugee matters based on conscience and will continue to do so whether or not they are branded by the Parliament of Canada as law-breakers and criminals. It is so wrong for that kind of selective use of power to remain in legislation that I would vote against this Bill on that basis alone.

Of course, the media created the story around the 174 mainly East Indians who arrived on the East Coast and created the illusion that there were security risks and a flood of refugees and so on. Most Canadians know now that the number of refugees we were talking about would add only one-half of 1 per cent to the existing backlog of refugees. In addition, not a single one of those 174 continue to be held because of any kind of security risk or security violation. We have to ask ourselves how good was the information the Government was operating on. Obviously it was not very good. The profound claims which were made and which created so much hysteria have not proven to be true.

One of the presentations made to the legislative committee dealing with Bill C-84 came from the Canadian Ethnocultural Council. All Canadians interested in this matter would be well advised to have a look at the document. It is not that long and is available through the House. That group represents the following organizations: The Armenian National Federation, Byelorussians, the Canadian Arab Federation, Vietnamese associations, the Hispanic Congress, the Jewish Congress, the Polish Congress, the Chinese Canadian National Council, the Council of Muslim Communities, Croatians, Cypriots, Czechoslovakians, Estonians, the Federation of Danish Associations, Koreans, Sikhs, Portuguese, Finns, Germans, Hellenics, Icelanders, Lithuanians, Latvians, Indians, Japanese Canadians, the National Black Coalition, Italian Canadians, Barbadian associations, Pakistani Canadians, Russian Canadians, Serbian National Shield Committee, Slovaks, Slovenians, Ukrainians and the United Council of Filipino Associations, to name just a few. They made some very important points. On the very first page they pointed out that 75 per cent of Canadians support entry for genuine refugees

and want to be assured that the new legislation complies with that desire. It clearly does not. Based on almost all the tests those drafting the legislation would use, it fails.

Not only is it wrong-headed and malicious, as I intend to point out, but it is unconstitutional and contravenes at least three sections of the Canadian Charter of Rights. It breaches our agreements with the UN. As other Members have pointed out, it also sends out a very dark signal to countries around the world about how Draconian they can be with refugees arriving on their shores.

If a ship is considered to be bringing undocumented passengers to Canada, it can be turned away from our territorial waters. We have heard both inside and outside this House that we will have someone from the Coast Guard board the ship and see whether or not these people should be allowed to land or whether the ship should be turned back. That does not answer some questions. What if the ocean is rough? What if the captain decides simply to discharge the passengers within Canada's 12-mile limit? What if, after being turned back, the ship comes in somewhere else? Why not take a sensible approach which Canadians expect and respect and accompany that ship either with a Fisheries vessel, a Coast Guard vessel or a military vessel into a Canadian port, hold the captain and crew and all passengers on board, and have someone who is trained in refugee determination policy go on board, review the documents, speak to the passengers and find out just exactly what is going on? If the captain and crew or some other group were surreptitiously involved in the smuggling of people who would not be eligible, those now known as queue jumpers, then the ship could be impounded, fines or jail sentence imposed, and so on.

I must say I was saddened to hear the Right Hon. Leader of the Opposition (Mr. Turner) say that turning them back is perhaps what we should have done with the 174 refugees. That sent shock waves throughout his own Party and through other Canadians. Certainly it was a popular comment to make. It made a good 30-second clip and hummed through the newspapers for a few days. Yet it certainly sent the wrong signal to many caring Canadians. Other than Canada's first citizens, the Inuit and the aboriginal people who lived here for thousands if not tens of thousands of years before us, all Canadians are immigrants from the United States, Europe or other parts of the world. Most Canadians would do well to take a closer look at this piece of legislation which is so wrong-headed and Draconian.

• (1720)

One of the other key intentions of this Bill is to punish, in various ways, those who come to Canada without documents to claim refugee status. They can be held without any kind of hearing for up to 28 days. They can be turned back, and in some cases not even to a safe third country. Many Members in this House, including members of the government side, in particular the Chairman of the Government's immigration committee, disagree with this legislation and have made the point that many *bona fide* refugees dare not try to get official documents from the country they intend to leave because they might just disappear, as happens in many Central and South American countries and other areas of the world.

Those who are already being persecuted for religious, political, economic or other reasons cannot simply go into the local motor vehicle branch and ask for a driver's licence then drop down to the passport office and say, "I am taking off for Canada, I am going to be a refugee, give me my passport". Any government that is sound, enlightened and intelligent knows that those who are really being persecuted are the last ones who can possibly get *bona fide* documents. On any test, whether constitutional, in terms of our agreements with the United Nations, or even in terms of our own history, that clause fails miserably for many refugees who come to Canada.

One of the few clauses that has any justification at all is that which provides for an increase in the punishment for ship captains and crews for disembarking passengers at sea or attempting to do so. It is obviously wise to provide for that, although there are all kinds of international laws prohibiting captains and ship owners from doing that. However, in terms of Canada's territorial waters that may well be one of the few useful clauses within Bill C-84.

The new search and seizure powers are worth looking at as well. Other Members have pointed out that the search and seizure powers provided by this legislation go far beyond those provided in almost any other country in the world. There is provision for search and seizure, even without warrant, of anything considered to be related to the offence of smuggling 10 or more people or disembarking at sea.

It has been pointed out by many lawyers that that could include the search and seizure of lawyers' privileged solicitor-client documents or even a refugee's personal records, which, we have sadly learned, often endangers the family and friends of refugees in the countries from which they have fled. Often the names and addresses of the people who have assisted them in escaping from persecution are carried in those documents.

The legislation provides for more wire-tapping. One must wonder why, after passing the Charter as we did in 1982 with provision in relation to search and seizure, the Government is jamming in that which is, of course, unconstitutional. Would it not be appropriate to include a standard clause providing that immigration or police officials who believed that there was some kind of surreptitious smuggling activity going on would provide that information to a judge as is required under the common law in almost every other circumstance to obtain a warrant to wire-tap? In my view the extent of the wire-tapping powers are clearly excessive.

The intention of the Bill, as the Minister originally tried to explain it in those early days of August when we were recalled here, Madam Speaker, was "to deter the smuggling of persons into Canada and thereby minimize the exploitation of and risks to persons seeking to come to Canada". That sounded

very good and I know some government Members attempted to sell the Bill on that premise.

Speaking about the incident which occurred on the East Coast early in the summer and that which was happening in other areas of the world where boat people were arriving by the tens of thousands, the Government created the impression that there was an exodus of refugees from various parts of the globe heading to Canada by any possible means of transportation. They said that there was a national emergency for which Parliament must be recalled, that we must pass laws to stop these hordes of refugees heading toward Canada.

It is worth recalling the number of refugees which Canada accepted during the late 1970s and early 1980s from Southeast Asia, the boat people. Over 40,000 of those refugees were happily taken into the homes and communities of Canadians from coast to coast. Every province participated in giving assistance to the boat people. In many communities in my own constituency it turned out to be a very happy and progressive opportunity for us to learn more about what was going on in various areas of the world.

With regard to rescue at sea, the Executive Committee of the United Nations High Commissioner for Refugees said:

> It is recalled that there is a fundamental obligation under international law for ships' masters to rescue any persons in distress at sea, including asylum seekers, and to render them all necessary assistance. Seafaring States should take all appropriate measures to ensure that masters of vessels observe this obligation strictly.

Why would the Government propose to do completely the opposite of what has been agreed by the UN? As we all know, most countries of the world participate in the UN and it is only through the collective pressure of nations around the world that we can maintain the often bruised and abused fabric of the UN and its agreements.

The Executive Committee said also:

> In accordance with established international practice, supported by the relevant international instruments, persons rescued at sea should normally be disembarked at the next port of call. This practice should also be applied in the case of asylum seekers rescued at sea. In cases of large-scale influx, asylum seekers rescued at sea should always be admitted, at least on a temporary basis. States should assist in facilitating their disembarkation by acting in accordance with the principles of international solidarity and burden-sharing in granting resettlement opportunities.

Once again, this piece of legislation proposed by the Conservative Government of Canada runs completely contrary to the requests and suggestions of the United Nations High Commissioner for Refugees.

With regard to safe third counties and countries of origin, we found that in Bill C-55, which has not yet been passed by this House, there are some safeguards for people returned to a safe third country. However, Bill C-84 contains none. There is no functional opportunity, no legislative or real mechanism to assist in that. If a ship which sailed from a so-called safe third country is turned around, there is no way of knowing whether its passengers will be permitted to enter that country should they return there. It is possible that they would not. If they are permitted to enter, there is no assurance that they will have an opportunity to present their refugee claim and no protection against return to their country of origin.

We must ask ourselves what exactly is going on. The United States produced and passed somewhat similar, although nowhere near as Draconian, legislation a few years ago. The Minister says, for example, that humanitarian groups will not be prosecuted. We have found that that was precisely the intention of the legislation in the United States. The same arguments were used. They said they would not prosecute the churches and so on. However, in order to assist certain totalitarian regimes in Central and South America the United States has prosecuted and made criminals of church people and groups which, for reasons of conscience, have attempted for many decades to assist those who are persecuted around the world.

In conclusion, I did not believe at the time and certainly do not believe now that there was an emergency which required the recall of Parliament. Bill C-84 certainly does not address the real concerns of Canadians with regard to queue jumping, the real smugglers and so on. It acts in a malicious, vicious and wrong-headed way against those people who require the compassion which Canada has shown for so many decades to refugees from around the world.

• (1730)

Mr. Althouse: Madam Speaker, I note that at the beginning of his speech the Hon. Member for Skeena (Mr. Fulton) discussed the 174 people of East Indian descent, mostly Sikhs, who, coming to our shores, appeared to have precipitated this so-called emergency. After their initial welcome by Nova Scotians and after they were fed, these people were held with no access to lawyers. They were processed thoroughly over a period of several weeks, given security checks, and, from my observations, were given the most thorough testing, to the point of almost being harassed, of any group of people who have come to our country seeking refugee status. It is now a bit over a month and a half from that date and I note with some surprise, given the hysteria emanating from the government benches and from some of the press, that all of the 174 persons have now gained conditional access to Canada as refugees.

I am a little curious and I wonder if my hon. friend could tell me, what would protect us more from refugees coming into this country, if that is what the Government is proposing to do under Bill C-84? It seems to me that the same procedures would still be in place, with more difficulty for the refugees. The ship's captain, in this case, was tried, fined and jailed. The fines for a ship captain, I understand, would be higher. But would not these genuine refugees still be in the country? Would they not still be allowed in? Is not the difficulty the Government faces in deciding who will be a refugee? And does this particular Bill make that any more clearer?

Mr. Fulton: Well, Madam Speaker, I think the Hon. Member's question is right to the point. There are really two

queues being formed under the legislation brought forward by the Conservative Government since it came to office. There is the queue for the rich. If one has $250,000, one can apply through various operations in Vancouver, Toronto or Montreal and simply come in as a business landed immigrant.

The other queue, as the Hon. Member pointed out, is somewhat different. The fact is that with the passage of Bill C-84, should it happen today or in a few days, the situation will not in fact change enormously other than the situation for the refugees themselves. What they will find after this Bill is passed is that their condition will be worse. They can be held for up to 28 days without counsel, without any kind of adjudication hearing, no question about their documents or where they come from or anything else.

I would like to read one short paragraph from an evaluation done recently by the Library of Parliament on the 174 East Indian refugees. It reads:

> Events in Nova Scotia with the East Indians may well illustrate the importance of having a detention review at an early stage. Initially, a very high percentage of the arrivals were claimed by immigration officials to be security risks. Yet ultimately not one was detained beyond two detention reviews by the adjudicators, officials who have been sometimes criticized for favouring the Immigration Department. An adjudicator was quoted in the press as saying that there was insufficient evidence to justify the continued detention of the six individuals detained beyond the initial review. This episode illustrates the importance of prompt and regular review of all detention cases.

In fact, quite the opposite is going to occur in terms of this legislation. The refugees will be held even longer. There are Canadians who thought for one brief moment that perhaps the period within which refugees would come and stay in Canada would be shortened to perhaps a couple of months, from what has grown to be three, four, five, eight, or ten years. Many Canadians have objected, and in many cases quite properly so, to that process which has dragged out for decades, certainly for years. But the Government completely fails to address that.

In terms of the history of the ship issue, which is directly related of course to the 174 refugees, a situation which supposedly stimulated this legislation, I do not think any British Columbian can forget the turning back of the *Komagata Maru* from Vancouver in 1914 when a boatload of 376 Sikhs were expelled from Canadian waters, 26 of whom went to their deaths. I think many Hon. Members, including the Hon. Member who spoke earlier from Montreal, remembers the boatload of 907 Jewish refugees on the *St. Louis* who were refused entry in June, 1939 and were all returned to the Nazi gas chambers. Why would a government want to bring in a clause in a Bill in relation to turning back vessels where a Coast Guard official or someone else might or might not even go on board, but the vessel is simply turned back without to any of the refugee claimants, being talked to, without ever any of their documents, being seen, or without any information about them? How can Canadians forget the *St. Louis* and the *Komagata Maru*? In terms of solving anything, again, it simply creates a more horrific problem.

I think the Government is trying to sell Canadians a real bill of goods, first, the emergency for which this House is still sitting today, a month after the recall, with no attempt by government Members to participate seriously in the debate, or even to turn up for the votes. Only 84 government Members even bothered to turn up on the first vote. This is a fine emergency. Where were the other 110 Members?

Mr. Lewis: Madam Speaker, I know the House and all Canadians, especially those in the Atlantic Provinces, have been amazed at the new policy of the New Democratic Party. I wonder if the Hon. Member would elaborate on his comment of September 1, 1987, wherein he indicated that some of the *bona fide* refugees that came from Central and South America, sister countries, "are in fact closer to my constituency and my Province of British Columbia, if you think particularly of Central America, than it is Nova Scotia or other parts of our country".

Mr. Fulton: Madam Speaker, I can give the Hon. Member a very simple geography lesson. The cost of travel from Vancouver to Mexico, or to Guatemala or Nicaragua, is considerably cheaper. I would encourage the Hon. Member at some point to fly to the Queen Charlotte Islands or to Whitehorse and to come into my constituency. He would find out that in fact from some parts of my constituency, taking the Polar route, it would be easier for me to sit in the Japanese Diet in Tokyo than it would be to sit in Ottawa, in terms of geography.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Mr. Lewis: Madam Speaker, I would like to point out to the House that Parliament was called back as a result of a growing concern in the country about the abuse of Canada's traditional hospitality to refugees, and that there was great concern about a illegal immigrants who were jumping the queue. There has been ample debate of Bill C-84 at second reading and in committee. We have endeavoured to move the debate along. However, unfortunately, we have not been able to move the debate on third reading to a close.

Therefore, I wish to indicate that since an agreement could not be reached, under the provisions of Standing Order 115 and Standing order 116 with respect to an allocation of time to the third reading of Bill C-84, an Act to amend the Immigration Act, 1976, and the Criminal Code in consequence thereof, under the provisions of Standing Order 117, I give notice of my intention to move a time allocation motion at the next sitting of the House for the purpose of allocating a specified number of days or hours for the consideration and disposal of proceedings at that stage of the Bill.

• (1740)

Mr. Gray (Windsor West): Madam Speaker, I rise on a point of order. The Deputy Government House Leader read out a motion—

Mr. Lewis: A notice of motion.

Mr. Gray (Windsor West): —a notice of motion—which has as its premise the fact that there was consultation with the other Parties in the House and that they were unable to agree on a time allocation order. I regret to say that I took part in no such consultation for that purpose.

I have consulted with my colleagues, the Deputy House Leader of the Official Opposition and the Whip of the Official Opposition, who say that they did not take part in any such consultation. That being the case, I have to tell Your Honour that I think that the notice is defective. I suggest that if the Deputy Government House Leader wants to avoid some embarrassment in this matter he may want to consider withdrawing his notice.

Mr. Lewis: Not at all, Madam Speaker. I am prepared to advise the House that I discussed this matter with the Deputy House Leader of the Official Opposition. He indicated to me that the Official Opposition had no further speakers. I then discussed the matter with the House Leader of the New Democratic Party, who indicated to me that we would not have a vote on the Bill by six o'clock this evening. The discussions took place under those circumstances. I understand the position of the opposition Parties and I am sure that they understand the position of the Government.

Mr. Guilbault (Saint-Jacques): Madam Speaker, I cannot let this go as it is. There was no official consultation on this matter. If the Minister believes that he can go around in the House and ask whether or not there are speakers and so on and believe that that is a bona fide House Leaders' meeting, then I think that he is wrong. I cannot say that I have been officially consulted on this matter. We gave him signals that we had not many speakers to go. As a matter of fact, after what I told him I am surprised that he has come forward with this notice of motion which states that at a formal House Leaders' meeting there was no possibility of an agreement between the Parties. To my knowledge that has not occurred. Therefore, the motion is defective.

Mr. Lewis: Oh, oh!

Mr. Guilbault (Saint-Jacques): When I want to speak in the House of Commons, with all due respect to the Minister, I can state my position by myself without his help.

Mr. Riis: Madam Speaker, this is a rather unfortunate turn of events at a crucial point in this very important debate. I think Your Honour will find that in fact the motion is defective in that in its introductory comment it states that agreement could not be reached. As previous speakers have already indicated, there was no attempt to reach an agreement.

To be fair to my colleague, the following questions were put to us: "Do you have speakers? Can we expect a vote on this Bill today?" My response was that as far as I knew we had enough speakers interested in participating in the debate that we would not likely be voting before six o'clock. However, that is not my idea of a discussion with respect to whether or not we could come to an agreement, and perhaps we could, depending on what the Government had to offer.

I think it is important for Your Honour's purposes in ruling on the admissibility and advisability of this motion, since it states that an agreement could not be reached, to say that there was no discussion regarding an agreement. There was no attempt made to come to an agreement. Simply put, the question we were asked was: "Are there speakers to speak on this particular Bill or are there not?" There are obviously sufficient reasons to rule the motion out of order in that it was introduced inappropriately, in that it contains wording that is simply not accurate and which is in fact quite false.

Mr. Lewis: Madam Speaker, I submit that there were discussions. No agreement was reached. In fact, the Standing Order simply requires that notice be given. Notice has been given. The notice states that the House Leaders were not able to reach an agreement. I submit that the notice is in order and that debate should continue, even if Your Honour wishes to reserve. If my colleagues wish to tell me how many more days or hours they need, then we will take that into account when we set the timetable with respect to how much more time is required.

The debate has carried on for some time. It is about time that we reached a decision in this place, a decision which the Canadian people are awaiting with great anticipation.

Mr. Gray (Windsor West): Madam Speaker, the rules clearly intend that, if the Government is going to move a motion for time allocation, there has to be consultation with the other Parties. Consultation does not mean that the Government House Leader or his deputy go around asking whether or not the Parties have other speakers. Surely, that has not been the practice over the two and a half years that I have had this job.

I think it has been the case as well, since the rule has been in the rule book, that the Government House Leader, or the Deputy House Leader, meets with his opposite numbers and specifically asks them: "Can we reach an agreement on an allocation of time?" The rule does not intend, and as far as I am aware has never been used in the way that the Deputy Government House Leader has used it, that he skulk around and say one thing while intending another. If he wants to find out whether or not it is possible to reach an agreement or not as the basis for moving a time allocation motion, then he should have the guts to get together with his colleagues face to face and say to them: "I am asking you formally whether we can reach an understanding for the purpose of seeing whether there can be an order agreed to for the allocation of time. If not, I will take my responsibilities". He did not do that, and he has admitted that.

I want to say that it is obvious that the Deputy House Leader is under a great deal of stress already. I can tell him that it will get worse for him if he continues to act like this.

I wish to say on the basis of what the rules state and on the basis of the practice followed in the past and what is intended by the rules that it is clear that the Deputy Government House Leader has not followed the rules or the practice on which the rules are based. Clearly, his notice is out of order.

Mr. Riis: Madam Speaker, I believe we are at a very important juncture. The Minister of State was recently appointed to his new position. I think that it is in the best interests of everyone concerned that we very quickly develop a good working relationship. We will be in the House of Commons for many months, perhaps for as long as another two years. It is important that, while the opposition Parties and the Government fulfil their responsibilities and obligations in terms of the parliamentary tradition, there be an understanding that we will facilitate the business of the House as much as we can.

The motion before you, Madam Speaker, states that an agreement could not be reached. I know that my hon. friend knows that we had no discussions with respect to whether or not an agreement could be reached. As a matter of fact, he should have suggested that there be a House Leaders' meeting to discuss whether or not we could agree on some allotment of time to facilitate the completion of this stage of Bill C-84. If that is impossible then I think it is fair to say that an agreement could not be reached and the Government could then take whatever steps it feels appropriate under the circumstances.

I ask you, Madam Speaker, in your position as a person who is obviously interested in facilitating the business of the House in the most positive and creative way to rule that this particular motion is out of order and, in terms of carrying out the future business of the House to the best of our ability, that we in fact have a House Leaders' meeting to discuss whether or not an agreement can be reached.

• (1750)

The Acting Speaker (Mrs. Champagne): Obviously the Chair wishes to facilitate the proceedings of the House. At this time it is a rather difficult decision to make. The Standing Order does not state exactly what consultation or discussion should imply. The Chair would also like a little more time to examine the notice itself. The manner in which the notice is written, the actual form of it, is causing some difficulty.

With the approval of the House, I would like to reserve on this and discuss it with Mr. Speaker.

Continuing debate with the Hon. Member for Saint-Denis.

[*Translation*]

Mr. Marcel Prud'homme (Saint-Denis): Madam Speaker, I did not intend to take part in the debate, and this is true, I have no notes but—

[*English*]

In order to assist in your deliberations, and in order to assist the new Deputy House Leader who seems to be agonizing with our House Leader, and the House Leader of the New Democratic Party, I will try to be helpful and make a few comments in order that tomorrow they may meet and, therefore, of course, the question on the Bill will not be put today.

It is true that almost everything has been said, but I wish to make some personal comments on the Bill.

For the past 25 years I have been involved in matters relating to immigration and refugees. Publicly, I would state today that a recent book published in New York told those who wished to read it of my involvement a long time ago with the American deserters and draft dodgers. It is true that I was highly involved. I must have helped a few thousand, most likely without knowing, to come to Canada who are now extraordinarily good Canadians.

Recently I attended some of the meetings run by my distinguished colleague, the official critic for immigration. Something that fascinated me one morning was that 10 Conservative Members were present when the Hon. Minister of Employment and Immigration (Mr. Bouchard) was present. That Minister had voted for the abolition of the death penalty. But when I started looking around at those who were attending the meeting I suddenly thought it was strange that this gentleman had made a very vigorous speech, which is true to democracy, for the death penalty.

I called my office and asked them to send me the list of those who voted for the death penalty and those who voted against the death penalty. Coincidentally, the 10 Conservative Members present, with not one exception, from the very distinguished Chairman, who is a good colleague of mine, to the Vice-Chairman of the Management and Members' Services Committee, and to every other Member present, were all Members who had voted for the death penalty. That is only a coincidence, but it does indicate a feeling that not one Member out of ten who was present that morning to question the Minister had voted for the abolition of the death penalty. What is the link? The link is that a Member who voted against the death penalty may have had more understanding of what a refugee has to go through.

In my evaluation, we in my Party are no fools. There is abuse and there are people who abuse the good laws of Canada. Those people should be punished. There are people who come to this country in the most illegal fashion. They may not even be refugees. They should be punished. But it is the manner in which it was done. This type of urgency reminds me of the role of a Minister. When I was the critic, I remember stating to the Hon. Member for Frontenac (Mr. Masse) when he was the Minister of Communications that he had a duty not only to be a good administrator, but also to be a good communicator. He had to be a good educator and explain to Canadians the importance of the artist, the importance of CBC, our national symbol, and not only attend in Cabinet and

be the echo of Cabinet outside, but take his responsibility as a Minister and return to Cabinet and explain the worries of all the people of Canada.

Today I see the same difficulty. Sometimes we deal with things that are very unpopular among Canadians. I dare say to you, Madam Speaker, that we know that in the short run this Bill has every aspect of being popular, but in the long run when Canadians recover from their first feeling, they will see that this is a bad Bill. Of course, it is obvious that the Minister has to be a good administrator.

[*Translation*]

As Minister responsible the Minister must be a good administrator. But the Minister, particularly the Minister of Immigration, has a heavy responsibility, and that is to explain to all Canadians and all Quebecers, men and women alike, the importance of immigration, the importance of refugees, and of course to say: We will punish those who abuse the system.

I am looking at one of our colleagues here, the Hon. Member for Duvernay (Mr. Della Noce), and I am very sincere in what I am about to say, is he not an extraordinary example of what my Canada is all about? Now there is a Member who was not born in this country and who sits in the House of Commons. I have colleagues here, the Hon. Member, my immigration critic, he was not born in Canada. Our justice critic was not born in Canada. The former Minister of the Environment was not born in Canada. Then our champion of small businesses, he was not born in Canada. I singled out five Members of Italian origin, five, six, none of them was born in Canada.

So we must know how to explain to Canadians and Quebecers what immigration means, what the refugee programs means, and not confuse everything because a boat landed on our shores, an incident which got everybody excited and stirred passions, and led some to say: We will take action, we will show you we will control that because it is uncontrollable. When a major country like Canada gets excited because there was a boat last year and another one this year, quite frankly this is not the Canada we know. It is not the Canada my Quebec colleague knows well. Canada is an open country, a generous country, a country which must build its future every day. That is what must be appreciated in the immigration field. That is what must be understood in the refugee program.

Monday morning, on a television program at Telemedia, I spent one hour telling Mathias Rioux, an interviewer who does not share my political views, that we have to explain to Canadians and Quebecers the importance of immigration and the refugee program. Our conscience must tell us what this program means and our future interests must make us aware of the importance of immigration.

If I may Madam Speaker, I shall use the last 30 seconds to conclude logically. We know that Canada has an aging population. We know that its declining birth rate problem is comparable to, or even worse than those of all other Western countries. It is therefore in the interests of Canadians and Quebecers to understand the importance of immigration, the importance of their obligations to refugees, and how well off we are in Canada, while saying that abuses should not be tolerated.

This Bill has been passed incredibly quickly.

I attended a few of the committee meetings, and because we received representations quite quickly, we could quite easily spend a few days more discussing this issue, and this is what we shall do tomorrow to explain further what we would like to do.

The Acting Speaker (Mrs. Champagne): With the priceless assistance of the House of Commons staff, we were able to check certain aspects of the notice given by the Hon. Minister of State which were causing some concern to the Chair.

We now conclude that the notice is in order. We have therefore received it officially, which should not prevent the three Parties from discussing the matter further to reach an agreement acceptable to everyone.

It being six o'clock, the House stands adjourned until 11 a.m. tomorrow, pursuant to Standing Order 3(1).

The House adjourned at 6 p.m.

HOUSE OF COMMONS

Thursday, September 10, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

CONSUMER AND CORPORATE AFFAIRS

GOVERNMENT RESPONSE TO REPORT OF STANDING COMMITTEE

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, pursuant to the provisions of Standing Order 67(2) and Standing Order 99(2), I wish to table in both officials languages the government response to the recommendations of the Report of the Standing Committee on Consumer and Corporate Affairs entitled, *Food Irradiation.*

* * *

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all questions be allowed to stand.

Mr. Speaker: Is it agreed?

Some Hon. Members: Agreed.

• (1110)

[*English*]

* * *

Mr. Speaker: I must advise the House that I have had a question of privilege brought to my attention, with sufficient notice. I recognize the Hon. Member for Saint-Jacques.

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I gave you notice of a question of privilege because of an incident that occurred yesterday a few minutes before the House recessed.

Since then I have had conversations with the Hon. Minister of State for Treasury Board (Mr. Lewis) who assured me that in no way was he trying to misrepresent a conversation we had with regard to the time left in the debate on Bill C-84. I will take this explanation at face value.

In the spirit of goodwill, and especially in the spirit of maintaining cordial relations between House Leaders of Parties, I will say that it is a dead issue.

Mr. Speaker: I hope that those very courteous words do not lead to another intervention.

I wish to thank the Hon. Member for his comments. I wish to remark that while there are sometimes disagreements in this place, often they are solved by amicable discussions between Members. That is part of the tradition of this place. I wish to thank both the Minister of State and the Hon. Member for Saint-Jacques for their goodwill.

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

Mr. Marcel Prud'homme (Saint-Denis): Mr. Speaker, as I was saying last night . . . I am sorry, truth is always the easiest thing. Well, I just came in to join the procedural debate which, I thought, would last longer.

Last night I was saying that one of the roles of the Minister of Immigration (Mr. Bouchard) . . . And I am not directing my remarks to him personally because he is here this morning, but such is my idea of a Minister of Immigration. Like at the time I was arts critic I used to say that defending Cabinet decisions before the artistic community and people who are more directly involved in arts and who create hundreds of thousands of jobs was not the only role of the Minister responsible for arts in Canada. He also had to reflect and champion the concerns and wishes of that community before Cabinet, I am saying that as far as immigration is concerned, I think the situation is the reverse.

Indeed I began Monday morning during a TV program in Montreal—Mathias Rioux was the host—concerning immigration when I could have taken the easy way out . . . I know it

would have been easier to keep repeating during the whole hour that the situation is frightening, that there are abuses which must be eliminated, so we will come to grips with the problem and take firm action. I know the Minister feels that I am missing the point, but he knows how much I enjoy having rational and civilized discussions with him on these issues. I was trying to make Quebecers understand the importance of immigration, as well as the importance of the refugee program. I will not shirk my responsibility to say that if there is corruption we must take corrective measures. And corruption there is.

Toronto and Montreal consultants are now making a fortune telling prospective applicants that thanks to them they can rest assured that they will be given immigrant or refugee status if they follow their advice. Their fees are out of this world, and if there are abuses they must be eliminated. But what I would like to see is the Government and the Ministers responsible for immigration taking the initiative and telling the public at large all about the radical changes which Canada is experiencing with respect to immigrants and refugees. They have to tell the people that the problem we have in this country is a western problem.

Our once very high birth rate has fallen to new lows and our demographic situation is such that Canadians are growing ever older. What are the practical implications? This means that, until a few years ago, the life expectancy of Canadian women—and I can see my good friend, the former Minister of National Defence, who is in excellent shape. I have always said that one of the mistakes made by the Right Hon. Prime Minister was not to have appointed this man, and I mean Mr. McKinnon, Minister of National Defence because he has the knowledge, the level-headedness and the elegance required to have made an extraordinary minister. As I was saying, women who had a life expectancy of 62 a few years ago now have a life expectancy of 79.6. I look at our young pages who have just come in. A few years ago, they could have expected to live until the age of 62, but they can now expect to live until the age of 79. Men, who used to have a life expectancy of 60 a few years ago, can now hope to reach the age of 72. This means that we have an aging population. This means that our hospitalization, social security and pension costs will go on increasing.

On the other hand, we have to look at our birth rate. Quebec used to have the highest birth rate in Canada, North America and the Western world. Now, it has the lowest birth rate not only in Canada and North America, but also in the Western world. There is a widening gap between the two which can be narrowed only with a policy aimed at supporting a rising birth rate, but it would be very difficult to implement such a policy.

We shall therefore have to make up the difference with an appropriate immigration policy. If we want such an immigration policy, we have to look to those regions of the world which can produce immigrants. The Western world is facing the same problem as Canada and we shall therefore have to look for immigrants, not in Europe, but in the new world, in Africa, Asia, the Middle East and Latin America. This is where we can find a pool of immigrants. The Minister of Immigration, the Cabinet, myself and the other Members of Parliament shall therefore have to begin to educate the public and to prepare their hearts and minds to receive new Canadian citizens whose skin will not be the same colour as ours.

If we want to maintain on the one hand our social security system and on the other everything that is good in Canada, we shall need immigrants, and we therefore have to ask ourselves where they will come from. What I find regrettable about this Bill is that people are confusing everything. People say that there have been abuses. There have indeed been abuses, but people are confusing everything: immigrants, refugees, illegals and the illegal actions committed this summer and the previous one. After one boat, everyone went crazy. Yet, this incident seems rather innocent to me. If there is one thing I like about being a Canadian, and this might be true in the United States, but certainly not in the other Western countries, it is that when I look at my colleague who is now smiling at me, I know that he was not born in Canada. The greatest honour for a Canadian is to be elected to this House. I have always said so. It is not necessary to be appointed minister, but only to be elected to this House to represent fellow citizens. The fact that new Canadians can be elected to this House is rather indicative of the change in Canadian attitudes.

Of the 40 Members in this party, I would say there are six, seven, or eight who were not born in Canada and they are just as good MPs, just as good Canadians as those who claim to have been here since time immemorial.

Before I conclude, Mr. Speaker, what I would like or what I would hope is that we put an end to those abuses. With the legislation now before us there are abuses to be remedied—as much as we would like to support it, we do not understand why it was put together with such speed, and railroaded, to frighten people. It is that scary aspect I find offensive in this Bill. It is assumed that people will like it because we will be doing something and that we will be still more popular. That policy is short-sighted because once Canadians, once Quebecers have thought things over, a few months from now, they will see we panicked for nothing.

There were abuses that had to be stopped and they can be stopped, but not with the kind of shotgun approach that is taken in this legislation.

When we enter that debate as we will soon be doing— I have always been fond of concrete proposals, having already attended hearings across Canada on a piece of legislation, said to be a Green Paper on immigration. The then Government also had to deal with a problem. Instead of having a legislation, instead of having a White Paper, a statement of intent, because that is what a white paper is all about, people still have to be informed, and the Green Paper includes all the alternatives available to a government—they are brought before the people, or before a committee, which is asked to select those it finds most suitable. At that point the Government is not commiting itself. So we travelled all across Canada, and that was a kind of experience I will never forget. I did the same thing on the constitutional issue, but on immigration matters I travelled across Canada. And it is my hope, in view of the Canadian public's frame of mind—

• (1120)

[*English*]

Knowing how Canadians feel at the moment about refugee matters, I am wondering whether the time has come again to have an all-Party committee travelling across Canada and coming up with a kind of Green Paper. This would provide the committee with an opportunity to learn the feelings of Canadians and not only to receive but to give and to explain to Canadians in major cities and some well chosen rural areas across Canada, as we did some years ago, what refugees and immigration really mean to Canada.

I see a Minister of the Crown listening to what I am saying at the moment. I say to him that if we do not do that, we will have immense difficulty in Canada. More and more immigrants will not be the kinds of immigrants to which we are accustomed. We may require another kind of immigration in Canada if we are to continue to prosper and develop, as we have done so far, with an aging population and a low rate of mortality.

In conclusion, the time may have come for an educational process. I say openly—and I did not consult with my Party; I just rushed in here this morning—that I would be more than happy, if I were asked by my Party, to sit on that committee. It is not easy, but I would be willing to do that because I feel strongly about the matter and I feel convinced that we must do that.

The committee could travel across Canada. Its members could be well chosen for their openness, not people, as Rabbi Plaut said, who call on the bad sentiment which exists in every human being, including myself. We have people in all three Parties who are open-minded. The majority would accept appointments to such a committee to go across Canada, to listen to Canadians, and especially to answer them in a non-partisan way. It would give Canadians a better opinion on what immigration, refugees, and citizenship are all about.

An Hon. Member: Soon.

Mr. Prud'homme: I hear the word "soon". The Minister responsible for citizenship is in the House.

That would be the kind of process in which I would prefer to participate, rather than a debate in which everyone clashes with each other, which I would call useless and non-productive.

I thank you, Mr. Speaker, for giving me a minute more, but let me repeat that it is the responsibility of certain Ministers to be educators, not only good administrators. Of course we expect a Minister to do a good job. However, in certain cases, especially in matters where human feelings are involved, it is the duty of a Minister to take the lead in the educational process to educate Canadians about their responsibilities.

If there is a subject which is highly important, it is that of immigration. I hope that the two Ministers responsible would see, as one of their major tasks, the educational part of the process and not only reflect in a tough law what Canadians may be feeling at the moment when they see illegals or a boat or two coming into Canada. At the same time, they should take measures to correct and should explain to Canadians what will be the Canada of tomorrow.

In order for the Canada of tomorrow to be the kind of Canada we would like to see—prosperous, open, and generous—we will have to start going on the road and explaining the difficulties.

I hope the two Ministers responsible for Immigration Canada will agree in a non-partisan way that they are not only administrators but also educators.

Thank you, Mr. Speaker, for your patience.

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I rise to participate in third reading debate of Bill C-84.

This Bill was put forward in response to what was deemed to be a national emergency and resulted in the recalling of Parliament from its summer recess. It deals with, if we listen to the Government, queue-jumping and coping with a massive influx of people who are attempting to enter the country illegally.

I will get to some of the details which led up to this Bill in a moment, but I want to begin my comments by pointing out that we in Canada have always had difficulty in dealing with the concept of "refugee". It has always been tinged, to a certain amount, by politics, depending upon the politics of the day and the reading of the Government of the day on what would be acceptable to the population. The term "refugee" has been broadly interpreted and at other times it has been very tight.

I should like to point to some of the periods in our history of which I am proud. For example, we permitted entry of refugees who were former slaves in the United States. We did that willingly and with open arms. They did not require the necessary papers which we are now saying must be available, because those people did not have papers. They did not even have a piece of paper saying who they were. The only paper about them which existed might have been a title saying that they belonged to a certain land owner in one of the southern states. They had no visas. They had no passports. They had nothing to indicate who in fact they were. Yet we, being wise at the time, permitted them to come into Canada. We were also quite open about accepting something like 60,000 boat people from southeast Asia.

Those were a couple of the good periods in Canadian history, but there were also bad ones. In 1914 we turned away a shipload of Sikhs from India, many of whom went back to

their death simply because the Government of the day, for racial, religious, and other reasons, decided not to allow these people into Canada as either immigrants or refugees, even though by some definitions of the day they were refugees. The fact that many of them went back to their death shows that they were in genuine fear and had a right to fear for their lives in their home country of India.

• (1130)

In 1939 a shipload of Jewish people, some 900 souls, was turned away from our soil because Canada at that time refused to believe that Jews in Germany were in danger. Most of them went to the gas chambers, and Canada fulfilled its then perceived role of protection from immigrants and unwarranted refugees.

A year ago we had some people who were basically Tamil from Sri Lanka who came by way of Europe. I want to dwell on that for a moment, Mr. Speaker. The Government and some of the critics of our immigration policy and our policy concerning refugees makes much of the fact that the Tamils stopped in another country. There is an attempt by the Government to treat differently those refugees who have stopped at what is called a safe third country. I simply point out that it is almost impossible to move people from the subcontinent of India to Canada without putting in somewhere, in what would probably be deemed a safe third country, for refueling purposes.

To a certain extent this particular policy Canada has been attempting to adopt, of not permitting refugees to enter our country if they have stopped at a "safe third country" means in effect that most Asians and Africans cannot come here as refugees even though they are genuine refugees simply because they have had to stop to refuel en route. It is a very neat and tidy, I am afraid, repeat of the kind of racial decision-making that occurred in 1914 and 1939, this policy of keeping out some people of certain racial and religious origins on the basis of a so-called stop in a safe third country excuse.

I know that governmental and, indeed, national acceptability of certain races and nationalities does vary over time. I know from experience with my own family who came to this country as immigrants, as did a lot of western, northern, and central Europeans at the turn of the last century and the beginning of this one, that they were welcomed at that time because they were considered to be good immigrants. Looking back to 1914, it probably had something to do with the fact that their skins were the right colour as were their religions. During the war years of 1914 to 1918 and again from 1939 to 1945, because my grandparents and their Canadian children were of German origin, they were looked upon very sceptically by the official Government in Canada. In fact my grandparents spent the First World War years on the U.S. border because they had taken five of their children to visit the great grandparents and made the mistake of not watching international politics. The war broke out during their visit and they were not allowed back into Canada, even though they had been Canadian citizens for something like 12 years; that did not make any difference.

I only point that out to show that there are times, unfortunately, when our definition of who is a Canadian citizen and who is a refugee is so flexible that the political feelings of the day predominate over the definitions and practices that are supposed to be in effect.

In part for that reason, we have attempted with the coming of the Charter of Rights and the Constitution to set out rules that go above the law and above the Government of the day so that people who are citizens can appeal to the courts. That was not possible for my grandparents because it was 80 years later before that possibility existed.

With this proposed law we are attempting to keep people who are claiming refugee status from going before the courts to have their cases heard. We have an attempt to generate hysteria in Canada over the arrival of some 174 East Indians, mostly of the Sikh religion near Charlesville, Nova Scotia. I want to show how this matter appears to have been manipulated in the eyes of those who have entered Canada in the last generation or two.

Let me review a letter from the Ethnocultural Council to the Prime Minister (Mr. Mulroney) over the matters that led up to the so-called crisis that brought this Parliament back this summer. The council points out that after initial reaction of common courtesy and greeting with food and shelter offered by the residents of Charlesville, Nova Scotia, the Government people moved in and reporters were warned not to take pictures. It was made impossible for the media to conduct interviews. The claimants were immediately bused to a military base instead of to the usual moderate cost hotel and were kept under heavy guard providing the instant image of criminality. They were disallowed contact with the media or any further contact with community people. They were not informed of their legal right to see a lawyer. Access to lawyers was allowed only after a Toronto lawyer, Mendel Green, began proceedings for a court injunction to ensure that these people could get legal advice. When processing of the claimants began, the first and most controversial case, that of Mr. Amrik Dhinsa, a person who had been deported earlier from Canada, was brought forward and made public. I think this smacked of the most flagrant attempt at creating a negative image on the part of the officials of the Department. When processing of claims began, members of the media were disallowed in a further attempt to control information. Again court proceedings became necessary to gain access to what was going on.

In the second case, that of Amarjit Singh, a person alleged to be ready to kill, the information was obtained through questionable means. That information, by the way, was released immediately. The interpretation later was found to have been faulty and the questions were taken out of context. The gentleman involved was permitted to enter Canada because there was nothing to stop him from coming in. That is

what happened, Mr. Speaker. But that did not gain very much footage on the television or in the newspapers.

A confidential report of the Task Force on Security and Enforcement of the Department suggesting problems in recruiting clearance of immigrants was leaked to several papers showing that there were difficulties handling the number of immigrants who were waiting at the door. At the same time, the Government began talking about the use of refugees as queue-jumpers, ignoring the fact that there are two queues, one for immigrants and a separate, quite different, procedure for those claiming refugee status.

• (1140)

During this period of time, information was released on another Sikh in a totally different case, a Mr. Kulbir Singh Yirk, dating back several months. This information was received in confidentiality but leaked by unidentified sources to *The Globe and Mail* which reported on it. Other false information on that 174 claimants was leaked to *Maclean's* magazine. This information was to the effect that 33 claimants had criminal records. It was subsequently proven to be false, but the record stands. People have read the article in *Maclean's* and retractions tend to be missed.

Throughout that time, the 174 individuals were not called refugee claimants at all but rather were referred to in the press and by some departmental officials as illegal aliens, illegal immigrants, migrants, Asians, Sikhs and East Indians. The term queue-jumpers was used when we all know it was inaccurate as there are two lines, one for immigrants and a separate one for refugees.

This approach was used by some people to stir up immigrant communities and to stir up resentment between ethnic groups. One of the saddest developments of the whole so-called emergency was the kind of racial clashes that were being precipitated by some people, for whatever reasons.

By the end of July, rumours persisted that there was yet another refugee ship carrying no one knew how many people to Canada. The Canadian Navy, the Air Force and the Coast Guard were dispatched to try to intercept this ship. The hysteria came to a climax. However, it was found that the ship for which people were looking was actually docked somewhere in Great Britain. It was a private ship that had been converted to a yacht by a Canadian of Haitian origin. I think the whole process was capped by absurdity when it was found that, in spite of all this sudden searching for all these people who were suddenly going to invade our shores, they were looking for one Canadian of Haitian origin who was trying to move his personal boat from Europe to North America. He had been delayed and was in fact sitting in Great Britain.

About this time, Parliament was recalled, creating an atmosphere of a national emergency. To be fair, I think that a sense of national emergency did not seem to penetrate this Chamber very thoroughly. Less than half of the government Members were here for the first votes and less than half of the Opposition showed up. Members did not really consider it to be a national emergency and I think Canadians never perceived it as a national emergency either, in spite of it being so portrayed by some Members on the government side.

To their credit, some Hon. Members on the government side did see this farce for what it was, and to his credit, the Chairman of the Standing Committee on Labour, Employment and Immigration made his views known and attempted to further the cause of a more clear-cut procedure for handling refugee claimants and a better method of dealing with immigrant claimants. Unfortunately for the House and for Canada, his proposal seems to have been overrun by this so-called sense of urgency and by the Government's attempts to put this Bill and its companion Bill, Bill C-55, through the House post-haste.

The procedure the House normally follows has been complied with on this Bill. We did have a debate on second reading at which time Hon. Members posed their opposition, or support in some cases for the Bill. It did go to a legislative committee and amendments were offered and routinely rejected by the government side. There were one or two small exceptions to that. The one exception that I recall is the acceptance of the amendment to the sunset clause.

Some Canadians may be surprised to know that this Bill, which was so necessary to protect us from illegal aliens and refugees, actually contains a sunset clause. This means that it will no longer be in effect after a certain period of time. The original Bill had a five-year sunset clause and that was amended to four years. I think some progress was made by doing that, but amending the sunset clause to a matter of weeks would have been equally effective.

I am concerned that by the introduction of this Bill, the Government has attempted, knowingly or otherwise, to precipitate some racial feelings that need not have been heightened at this time. More important, I am concerned that it has raised questions about our role as a nation that complies with the rules agreed to under the United Nations High Commission for Refugees. The Executive Committee of the United Nations High Commissioner for Refugees has made some conclusions which point out that this Bill runs counter to its recommendations. The first relevant paragraph of that conclusion is as follows:

> It is recalled that there is a fundamental obligation under international law for ships' masters to rescue any persons in distress at sea, including asylum seekers, and to render them all necessary assistance.
>
> Seafaring States should take all appropriate measures to ensure that masters of vessels observe this obligation strictly.

Yet this Bill proposes to give the Government the power to turn away such vessels. I think that is contrary to the recommendations of the Executive Committee of the United Nations High Commissioner for Refugees.

A second relevant paragraph is paragraph No. 3 of the Executive Committee's report which reads as follows:

In accordance with established international practice, supported by the relevant international instruments, persons rescued at sea should normally be disembarked at the next port of call. This practice should also be applied in the case of asylum seekers rescued at sea. In cases of large-scale influx, asylum seekers rescued at sea should always be admitted, at least on a temporary basis.

The Bill's proposal that they be turned away runs contrary to that.

I see your signal, Mr. Speaker, and I realize that my time is up. I regret that this Bill has been proposed by the Canadian Government. In my opinion, it is not a good portrayal of the country in which I believe. The Bill does not attempt to keep Canada's doors open to asylum seekers and genuine refugees who have well-founded fears of persecution or death in their home countries. I think we have taken a very negative, backward step with the introduction of this legislation and I deeply regret it.

Mr. Taylor: Mr. Speaker, I had no intention of getting involved in this debate at this time but, because of some of the points raised by the Hon. Member for Humboldt—Lake Centre (Mr. Althouse), I find it necessary to tell the right side of the story about several things he mentioned. I want to deal briefly with those things.

• (1150)

The Hon. Member finished his remarks by talking about people being rescued at sea. There is nothing in this Bill that will stop us from being compassionate toward people rescued at sea. People sneaking into the country, having destroyed their documents, are not being rescued. They have sneaked into the country. Not one of those people, if they were genuine refugees, would have been stopped from applying properly.

The Hon. Member went on to say that the first newspaper stories about these people was that one had been deported before. A second one was a murderer. The press brought these things out. This Government does not control the press. Why is he complaining to the Government? Why does he not complain to CBC and the socialist press which publishes these things? I did not hear one Hon. Member from that Party say anything about the ridiculous way the press ignored 2,000 people demonstrating on this Hill simply because they happened to be supporting the Government. If he wants the press to be honest and fair to everyone, I am with him. I am opposed to it being slanted to the socialist side all the time. In any case, his point is not applicable to this Bill at all.

He also said there was no national emergency. I happened to be mainstreeting in my constituency starting the day after these Sikhs arrived in Nova Scotia. In the 52 or 53 towns and villages I visited, where I spent a half an hour to an hour on the streets, three-quarters of the people who came up to me said how much they resented these people sneaking into our country. They wanted to know what the Government was going to do about it—not next year but now. I was one of those who wrote to the Hon. Minister and told him how my constituents felt.

Then the Hon. Member talked about all kinds of things that were going to happen. Is he a mind-reader? Does he have a Ouija-board or something? This Government has no intention of turning down any genuine refugee no matter where they come from. The Hon. Member talked about different colours and nationalities. They are human beings and this Government recognizes that. They will be treated as human beings as long as they are honest and sincere. We do not want murderers from other countries coming to Canada. We do not want thieves. We do not want people who are determined to sneak into this country after having destroyed their documents, because if they are dishonest in one thing, they may be dishonest in other things.

How does the Hon. Member rationalize some of the things he said with what I have just said?

Mr. Althouse: Mr. Speaker, we have a good juxtaposition of our two points of view regarding refugees. The Hon. Member for Bow River (Mr. Taylor) says what we have here is a bunch of people who were sneaking in—

Mr. Taylor: Point of order, Mr. Speaker. I never at any time said these people were murderers or sneakers. You are the one that put in the murder part. I said we do not want that kind in the country and we have every right to keep that kind out.

Mr. Althouse: There has never been any argument about that. The process is quite clear. Under the existing law, which has been very effective in screening people with criminal records, those people have not been permitted into the country in most cases.

The point I would make in response is that this particular boatload of people, and I thought he said his constituents used the words "sneaked in", all passed the initial scrutiny under the old Act. I suspect most of them would pass under the new Act. I do not see anything in the new Act that would have been effective at keeping these people out.

The Hon. Member's comments demonstrate the point I made initially in my remarks, that the perception of Government and government officials changes over time. It has been extremely difficult for Canada to set out procedures and definitions regarding refugees at any point in time. We apparently decided that Tamils were in danger of losing their lives in Sri Lanka. We have still not decided, apparently, whether they will be granted full refugee status in Canada. They have been allowed to stay here for a year. The peace plan in that country is still being worked through and it is apparently unclear whether those Tamils, even though they have all gotten jobs in Canada and some have even provided employment for other people, will be permitted to become immigrants.

The Hon. Member indicated there was no intention of turning people away. I am not a lawyer but I have had lawyers interpret this Bill for me. The language in the legislation seems fairly clear. The power exists to turn ships away. If it is not the intention of the Government or any future Government to

implement that power, I wish it was not in the law. I think it is quite counter-productive to the democratic process to write laws which go far beyond what any Government intends to enforce. It confuses the public as to what actually is the law. Writing laws and penalties far beyond what anyone intends to impose is not particularly useful in providing a legal or moral outlook for the country's population.

Mr. Deputy Speaker: Resuming debate.

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I want to talk a bit about C-84 in the context of the recent handling of an application for immigration by a French national who had been here on a work permit teaching for six years and who requested assistance from the Prime Minister's (Mr. Mulroney) wife in order to have his application for landed immigrant status expedited by the Department of Immigration. I raise that because I think there is a double standard being applied.

On the one hand this House was brought together in an emergency session in order to deal with Bill C-84, which is what we are debating right now. This Bill says, despite all the evidence, that refugees are some kind of risk to Canadian security. Effectively, it allows a person to be designated a security risk. It introduces penalties for helping a person to come into Canada without a visa, passport or travel document as required by the Immigration Act. Yet at the same time the Prime Minister's wife intervenes through her office in order to help someone jump the queue and be considered for landed immigrant status while here in Canada, and this despite the fact that Mr. Grossmann, the man in question, was actually in France for two and a half months over the course of the summer—

• (1200)

Mr. Malone: Sleaze, sleaze.

Mr. Cassidy: This is a legitimate issue. The Hon. Member suggests that it is improper to raise this issue. Yet Canadians are asking why we turn away refugees who are in fear of their lives in Central America, Africa and Asia and bring in legislation which allows boats to be turned away without even knowing whether the passengers have any claim to Canada's commitments under the international treaties governing refugees, while on the other hand someone who happens to be personally acquainted with the family of the Prime Minister can get intervention before an application is even submitted.

I have been thinking about this at some length because of the statements made by the junior Minister of Immigration yesterday. He said there was no intervention by the Prime Minister's office. However, the documents which were reported on in *The Globe and Mail* today make it quite clear that there was a series of telexes sent and that the letter which Mr. Grossmann originally sent was forwarded from the Prime Minister's office. When the arrangements made by the Immigration Department were not convenient for Mr. Grossmann after he had failed to keep the appointment made for him in Paris for August 20, there was further intervention from high quarters.

What distinguishes one person from somebody else? This person is in no fear of his life, oppression or exploitation were he to return to his native country, but wants to stay here in Canada. That is an understandable desire, but we have a very tight clamp on regular immigration to this country right now. I believe it is too tight, but one of the criteria is whether or not there is a substantial demand for people with the job expertise held by an applicant.

As a resident of Ottawa I can tell you that in the last five or six years there have been almost no job openings in this community for teachers. It is extremely difficult for teachers to get jobs. There are probably thousands of teachers who are unemployed or have had to go into other professions because they were unable to get jobs as teachers in the national capital region. Yet with the help of this intervention someone who was teaching here was able to jump the queue and have his application considered earlier this month.

Mr. Malone: Tell the truth.

Mr. Cassidy: The Hon. Member is obviously feeling rather sensitive about this particular question, as he well should. Ordinary Canadians wonder why some Canadians have extraordinary influence when they are not elected to an office.

Mrs. Collins: How many do you ask for?

Mr. Cassidy: Mr. Speaker, the Hon. Member for Capilano (Mrs. Collins) asks specifically how many people I have assisted. The answer is a number. I want to tell about the experience of ordinary Members of Parliament in terms of immigration applications. We receive calls from people asking for assistance, saying that they want to become landed immigrants in Canada and have been working here for four or five years.

In such a case my first step would be to explain the way the situation works and the difficulties, explaining that although I am not entirely in support of the difficulties, that is the situation as it is. I would ask them if they had put in an application. If they had not I would say that I can hardly seek to intervene when no application has been made and there is no evidence that they are being unfairly or unreasonably dealt with.

If it was a case of a person who is resident in Canada but did not have landed immigrant status, as was the case of Mr. Grossmann, I would suggest that they consider arranging with the Department to make the application in New York City, Atlanta or Buffalo, rather than having to spend the money to go over to France. If I learned that they were taking a holiday in France I would suggest that they make their application there and that it would not be unreasonable to determine whether it were possible to extend their work permit. There are various ways in which this could be handled which are

perfectly reasonable without seeking to bend or break the rules.

However, the cases which I get are not like that, for the most part. If I do get a case like that I tell them what to do if they encounter any problems, and then to come back to me if they still have problems. Nine times out of ten I do not hear from the constituent again.

I had one case of an elderly woman who was here visiting her family from Hong Kong and became sick. Because she was in Canada as a visitor she was not entitled to any medical treatment but she was certainly too ill to go back to Hong Kong where she would be able to get treatment. In that case I talked to the Minister personally and she was accepted on a Minister's permit. She certainly was not going to leave Canada and was probably going to die in a few months. Because she was accepted on a Minister's permit she was entitled to coverage under medicare in the Province of Ontario. We were assured by the provincial authorities, with whom we were in contact, that they would give that treatment. That is a humanitarian case in which I intervened.

I intervened in another case of a constituent who is a manager of a restaurant in downtown Ottawa. He is very hard working. He has been working for 14 or 16 hours a day, six days a week, in order to save enough money to fulfil his dream of bringing the rest of his family to Canada, as he is entitled to do. However, in this case there were all kinds of hassles from the Canadian High Commission in Pakistan. I cannot remember the details, but it had gone on for four and a half years. I intervened and eventually spoke to the Minister. The Minister's office became upset about it and sent cables to the office in Pakistan. I am happy to say that this family has finally been reunited here in Canada.

There is a great difference between the two cases I have just cited and the case of someone who had a perfectly normal opportunity to apply and who would have had absolutely no difficulty submitting an application and having it considered in the normal way.

Let us suppose that Mr. Grossmann's application for landed immigrant status was refused. Let us suppose it was refused because the law said that where there is an ample supply of people to fill the demand in a particular occupation we do not accept people from another country. What happens then? Hon. Members opposite say that because this individual was the grade seven teacher of one of the Mulroney kids the rules should be bent.

I would be quite open to a suggestion that perhaps we should change the rules and have more open immigration, that someone like Mr. Grossmann can make a contribution to our country even if there does not happen to be a great demand for teachers at this time. However, that would mean widening the doors to all applicants, not only one applicant who happens to be acquainted with the family of the Prime Minister.

[*Translation*]

Mr. Speaker, today's debate deals with Bill C-84. And, as everyone knows, this legislation is aimed at restricting the entry of refugees and refugee claimants that are entering Canada. It is a bill that is offensive, and it is opposed by the churches and all the groups that help refugees.

Mr. Speaker, this House was called back here in mid-August because of what this Government called the immigration crisis, the refugee crisis. But I believe it was a political crisis for a Government that had fallen down to third place in the polls. And it still holds third place today, and for good reasons.

Mr. Speaker, I would like to stress the situation that prevails today, the double standard imposed by the Conservative Party. On the one hand, they turn down legitimate refugee claims, under the agreements entered by Canada with countries all around the world.

On the one hand it does this, but on the other it demonstrates very clearly that if you know an acquaintance of the Prime Minister or his family, you may be allowed, thanks to the direct intervention of the Prime Minister's Office, to do some queue jumping and have your application considered ahead of any other.

If someone who is here as a student or on a minister's work permit comes to see me because he or she wants to become an immigrant in this country, I feel compelled to advise him or her in the proper fashion by telling him or her to go back home. If your country of origin is very far away, go to England then, or Atlanta, New York or Buffalo, anywhere in the United States where there are immigration offices which are accustomed to accepting applications from people residing in Canada but who have to leave the country in order to apply for landed immigrant status following the normal process.

Now, if this is the normal procedure for everybody, I wonder why it is not the case for someone who is an acquaintance of Mrs. Mulroney or her son who is attending school?

Mr. Malone: False.

Mr. Cassidy: If the Hon. Member does not agree with current immigration procedures, he should make sure that changes are made on a general basis, but his constituents would not appreciate at all that someone who lives here in Ottawa and knows the Prime Minister personally be entitled to have his application considered in this country ahead of those submitted by some constituents of the Hon. Member who do not enjoy the same privilege.

Mr. Malone: You are a phoney!

Mr. Cassidy: I challenge the Hon. Member to have the application of someone living in his riding considered on the same basis as that of Mr. Grossmann, thanks to the intervention of Mrs. Mulroney and the Prime Minister's Office.

• (1210)

[*English*]

I challenge all Hon. Members, particularly from the government Party, to say how many Hon. Members have been able to get treatment for someone resident in their riding, comparable to what the Prime Minister's wife could get for her contact in her riding.

All of us become involved in these cases from time to time. I have a central city riding and deal with many immigration cases. However, these involve legitimate, humanitarian considerations when there has been a foul-up and red tape in the immigration process. The rules simply do not apply to this particular situation.

If Mr. Grossmann was a priest who was penniless in Canada and wanted consideration because he could not afford to go back to France to apply, it would be a different situation. However, he is a teacher with a salary on which he can afford to take a two-month vacation with his family in France during the summer. Surely, if he was that keen to become a Canadian, at the very least he would have been able to go to the embassy in Paris or the consular office in Marseilles to make the necessary application. Surely, one half day during a two-month trip is enough time for someone who wants to make a commitment to this country.

Mr. Jelinek: Mr. Speaker, I rise on a point of order. I have been listening with great care to the Hon. Member's remarks. It strikes me that first, he is shifting significantly from the Bill that is on the floor of the House for debate. More important, he is making accusations that do not relate to the facts whatsoever.

If he is suggesting that any Canadian, including the wife of the Prime Minister (Mr. Mulroney) cannot make representations through her office on behalf of immigrants, then there is something wrong with the Hon. Member and those who espouse the views he is making on the floor of the House. I think it is a shame, because all of us make representations on a regular basis on behalf of Canadians, on behalf of our constituents, and certainly on behalf of legal immigrants. There is nothing wrong with that. I do it all the time, as a Minister of the Crown.

The Hon. Member makes similar representations all the time and I think it is time that he and others who are trying to blow this matter well out of proportion realize that he is taking away the rights of an individual, the wife of the Prime Minister of Canada in this case. They are saying she is not allowed to make representations through her office on behalf of immigrants.

Second, he is swaying from the discussion on the Bill that is before the House at this time. I wish he would get back to the issue in this debate.

Mr. Deputy Speaker: The Hon. Member for Ottawa Centre (Mr. Cassidy) has the floor on debate.

Mr. Cassidy: I would be much happier if the Prime Minister's Office had a line item in its budget saying that it is allocating staff and certain amounts of resources to Mrs. Mulroney, since circumstances have changed from the days when the Prime Minister's wife was not a public personage at all. Alternatively, the Conservative Party could pay the expenses for Mrs. Mulroney. She is in a special place by virtue of being the Prime Minister's wife. I acknowledge that it is a very difficult situation. She is not a Member of Parliament, yet she had half a dozen interventions by the Minister and the Prime Minister's Office on behalf of someone who had not even made an application when she made her first intervention on his behalf.

When I must deal with a case of a person who has not gone through the normal process I suggest that the person go through the normal process because that is where they must begin. There is a double standard. There are thousands of teachers who are unemployed across the country. Perhaps some of them should have had an opportunity to apply for the job at Lycée Claudel. The Government's current policy does not seem to apply in this particular case.

Yesterday, the Minister indicated that there had been no intervention from the Prime Minister's Office. I want to put on the record quite clearly that the facts are not in accordance with what was said by the Minister of State for Immigration (Mr. Weiner). I regret that he apparently misled the House, perhaps unintentionally, because the facts appear to be otherwise.

Bill C-84 will be contested in the courts at great expense to everyone involved. The Bill raises many questions in terms of Canada's sincerity about welcoming legitimate refugees. Since the publication of the Plaut report two years ago, there has been a consensus on how to expedite the processing of people seeking to be refugees, and on how to assure that people who are making applications that are not justified will be returned quickly so that they will not try to use this as a device for avoiding the regular channels of immigration.

Our Party has made it clear that we favour that type of solution which has been supported by the churches and refugee groups. We acknowledge that problems exist, but the Government must not trample over human rights and create the kind of oppressive and offensive situation that will result from Bill C-84 and Bill C-55. These steps are not necessary in order to develop a better way to handle refugees.

If this was an urgent matter, the Government could have followed the recommendations of Rabbi Plaut almost two years ago. Yet, the legislation was not submitted at that time. When it finally introduced legislation, the Government suddenly said there was a major problem and the House of Commons must be resumed in order to deal with the crisis.

We believe the Government could have attempted to follow the procedure proposed by the churches for a couple of years. If that system did not work, it would have been justified in saying that another system was required. However, not to try

such a system is to abandon our responsibility to persons who are in genuine fear of death, imprisonment, or torture in many countries throughout the world which are producing refugees. That is why we profoundly believe that the real crisis we are addressing in Bill C-84 is a political crisis.

[*Translation*]

This is a political crisis orchestrated by the Progressive Conservative Party which is seeking ways to rally the support of the Canadian people.

Now, on the basis of the very last polls, it is clear that the debate which lasted for the greater part of August has not helped the Conservative Party. It stands exactly as it did in August before Bill C-84 was introduced. In other words if this bill was to be used as a means to regain first place, it has failed miserably. And by so doing, the international reputation of Canada as an open country doing its utmost to help the refugees, the exploited, the oppressed everywhere in the world has been jeopardized.

That is the reason why my party and I oppose Bill C-84, Mr. Speaker.

• (1220)

[*English*]

Mr. Malone: Mr. Speaker, I rise as much in sorrow as in anger to ask a question of the Hon. Member for Ottawa Centre (Mr. Cassidy). I have never heard such a speech marinated in cynicism as was delivered by the Hon. Member. Its objective clearly has to be one of attacking people personally and without evidence. I will tell you, Mr. Speaker, that I am disgusted with the tone of what I heard from the Hon. Member. He wanted to imply that somehow there was something wrong and abnormal with an attempt to assist a person to become a Canadian citizen when he knows that it is the duty of each and every one of us as Canadians to be helpful to one another and to help the country to build and to grow. He also knows that the very person about whom he spoke who asked for assistance to come to Canada is a person who has a son and who is married to a Canadian living in this country. In and of itself a great part of the reason that a person is admitted to Canada is for family reunification, something in which we all sincerely believe.

I rise at this point because I can no longer tolerate the cynicism and the holier than thou notion of the members of the NDP. They pretend that they are the great protectors of human rights. I will tell Hon. Members about human rights. Where it is failing is in the New Democratic Party where in its policy it talks about a population redistribution plan. Members of that Party would relocate immigrants across the country to give balance to population settlement. In the name of human rights I dare the Hon. Member for Ottawa Centre to begin to defend that NDP policy, to say that that is justifiable, that when people come here as landed immigrants or new people coming to our country, as stated in the policy—

Mr. Cassidy: That is completely false. Prove it.

Mr. Malone: I will read it to the Hon. Member. It comes from my office and is part of the policy of the Hon. Member's Party. It is from the resolutions reference book of the NDP. I have read it and it states that that Party would take the authority and the power to allocate people to different regions of the country for population settlement.

I ask the Hon. Member to tell that to an immigrant community anywhere in Canada where people want to settle for their own personal reasons. Yet the NDP has the audacity to come here and claim that they are the only people interested in human rights. I dare the Hon. Member for Ottawa Centre to stand in his place and tell us that he can justify his Party's policy which, for population settlement reasons, would put new immigrants wherever a Government of Canada formed by that Party in its interventionist and state-control thinking could justify it.

Mr. Cassidy: Mr. Speaker, I am appalled by the comments of the Hon. Member for Crowfoot (Mr. Malone) who has not proven any of the allegations he has made. I point out to him that I have many cases in my office and elsewhere regarding people who are Canadian citizens or landed immigrants who wish to bring their parents to Canada and cannot do so. They cannot do so because their parents are under the age of 60 or 65 and are therefore considered to be still economically active. Thus they have to be considered essentially on their own merits. The fact that they may have a married son or daughter in Canada does not assist them in any appreciable degree in terms of landing in Canada.

The Hon. Member asks, should we not have some openness in that regard? Yes, we should. But it is the immigration policy perpetuated by the Government that makes it difficult for the likes of this French teacher from France to establish himself in Canada. But if he did not happen to have an acquaintance who is the Prime Minister's wife then in fact he probably would not even be able to enter Canada. That is the real issue. He would certainly not be able to do it from within Canada. He might have to wait for several years.

I met a constituent the other day who told me that his girlfriend wants to come to Canada. She is English and has a university degree. She has two or three years of work experience. It seemed to me from the description that she would make a good Canadian and a good contribution to Canada. She cannot gain entry into Canada. There is something wrong with an immigration policy such as that which bars people who would make good Canadian citizens. There is no justification in having one rule for someone connected to the Prime Minister and another rule for everyone else.

I wish to be thoughtful and reflective about this matter. Mrs. Mulroney is in a very unusual situation. Maybe she just simply put a letter into the hopper and everyone jumped as though she were saying, "Jump, jump, jump". Perhaps she is unaware of the degree to which departments and so on

respond. However, the succession of telexes, letters and phone calls from the Prime Minister's office and from the office of the junior Minister of Immigration is quite extraordinary in this particular case. It is far more than what would occur if I had made that same request. Certainly, it is infinitely more than what would occur if Susan Brown of Vancouver had made a similar request on behalf of the teacher of her child in grade seven in a French school in Vancouver.

With respect to the other question, I do not know from where the allegations of the Hon. Member are coming. I would point out that his Government has agreed, and I think most Parties agree, with the proposals in the Meech Lake Accord which would assure to Quebec a certain proportion of immigration coming into Canada relative to its population. If that is what the Hon. Member is referring to as population relocation, then he should repudiate the Meech Lake Accord, something for which I believe all Parties have indicated their support.

Mr. Redway: Mr. Speaker, I was interested in the Hon. Member's remarks, particularly those which indicated that he felt he has a grasp and a certain expertise on the way that all inquiries and concerns from constituents, friends or acquaintances should be handled. When the Hon. Member receives an inquiry himself concerning an immigration matter, or with respect to any other problem for that matter, does he take the approach of writing back to the person, returning their letter and stating, "I am sorry, I cannot help you because if I made some inquiries on your behalf to the Government or to a department or some official because I am a Member of Parliament they might very well feel that I am trying to influence them improperly in some way, shape or form? As a result of that, of course, I cannot help you. I am sorry, but I am just going to have to return your letter and your inquiry because there is nothing I can do about it".

Is that the approach the Hon. Member takes? Is that the approach that he feels all Members of Parliament should take when they are approached by their constituents who have problems or questions? Is that the approach he believes a human being should take if another human being approaches one with a problem? Does he in fact turn them away and say, "I cannot help you because this might leave the impression if I tried that I was trying to use my influence as a Member of Parliament in some way"?

Mr. Cassidy: No, Mr. Speaker, I do not. I have respect for the Hon. Member. I am sure that he also takes cases such as this and seeks to assist people when he feels that assistance is justified. In my case I begin by looking through the case in order to determine whether I am convinced that there is some merit in pursuing it. In certain cases I say, "Look, I really do not think I should help you because, for example, I cannot help you until your application is in. Please submit your application and then if you are having problems after that come back and I will see if I can help at that time".

There is one very substantial difference in the two cases to which the Hon. Member refers. I do not believe that on September 4, 1984, Mila Mulroney was elected to the House of Commons. I have not seen her take her seat on either side of the House. She is certainly not a member of my caucus, and I do not believe that she is a member of the caucus of the Hon. Member either.

• (1230)

I was elected as a Member of Parliament. Among other things, people expect me to perform the role of an ombudsman. For example, if a person came to my wife and she referred something to me, I would ask her to advise the constituent to contact me. She is not an ombudsman for the riding of Ottawa Centre. I am as the elected Member of Parliament.

If Mrs. Mulroney decides that in future she will handle cases from Baie Comeau, and the riding of Manicouagan, and refer them through her husband's office, I suppose that is legitimate. But let us have this clarified exactly. One of the problems is the very ambiguous nature of the influence which appears to be wielded by someone who holds no elected office, and yet has an office in prime real estate in downtown Ottawa, and has the office expenses and staff paid for by the taxpayers of Canada.

Mr. Deputy Speaker: Resuming debate with the Hon. Member for Kamloops—Shuswap.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am pleased to have an opportunity to participate in today's debate on Bill C-84. I wish to preface my remarks by stating that I have had an opportunity to study the proceedings of the committee that considered Bill C-84 clause by clause and item by item. Experts in the field of immigration and refugee determination appeared before the committee, many on very short notice. They made excellent presentations. I have looked through all of the transcripts of the evidence of the witnesses. I have found no one who spoke in favour of the Bill.

Perhaps there is someone in Canada who has studied this Bill and who says it is a good Bill and it should be passed. If there are those people, I would ask them to make themselves known. I would ask the Members in the House, particularly those on the government benches who have not spoken against this Bill, to indicate what reasons they have for supporting the Bill, other than perhaps their own inclinations. I would ask if they know people who have studied the Bill, people who are knowledgeable in this area and who say that this is good legislation. I have been unable to determine who those people are.

I have looked at the presentations made by 13 different churches including the Lutheran Church, the Anglican Church, the United Church, the Roman Catholic Church, the Mennonite Church, the Presbyterian Church, and the Baptist Church. I have also had an opportunity to look at the briefs presented by the Inter-Church Committee for Refugees, the Canadian Bar Association, Amnesty International, the Canadian Jewish Congress, the Civil Liberties Association, the Canadian Labour Congress, the United Nations High

Commission on Refugees, and Rabbi Gunther Plaut. I could go on.

As a matter of fact, I wish to mention one group that made an excellent presentation. I would encourage all Members to look at the transcript of the evidence of the witnesses who appeared on behalf of the Canadian Ethnocultural Council. By definition, this council obviously has a profound interest in immigration and refugee determination. It represents hundreds of thousands of Canadians. Some of the groups that were represented include the Armenian National Federation, the Canadian Arab Federation, various Vietnamese associations, the Hispanic Congress, the Canadian Jewish Congress, the Canadian Polish Congress, the Chinese Canadian National Council, the Council of Muslim Communities, Croatians, Cypriots, Czechoslovakians, Estonians, the Federation of Danish Associations, Koreans, Sikhs, Portuguese, Finns, Germans, Icelanders, Lithuanians, Latvians, Indians, Japanese Canadians, the National Black Coalition, Italian Canadians, Barbadian associations, Pakistani Canadians, Russian Canadians, Serbian National Shield Committee, Slovaks, Slovenians, Ukrainians, the United Council of Filipino Associations, to name only a few. In unanimity, all those organizations oppose this legislation.

As Members of Parliament who are asked to comment and to present views on a variety of very complex issues, I think it is fair to say that we take counsel from those who appear before the legislative committees. After all, we have the opportunity in the legislative process to hear those who are knowledgeable, and have expertise in these areas to advise Members of Parliament, the Government, and members of the opposition Parties.

Having studied all of the material put before the legislative committee, I find that every single witness or group who appeared as a witness opposed the legislation for a whole set of what they determined to be critical areas that they take great pains to specifically point out. There is no group, agency, or individual who is recognized to be knowledgeable with expertise in this area who supports the Bill. Therefore, it is reasonable, having looked at the evidence, to oppose this Bill in its present form. My caucus opposes this Bill in its present form.

When I studied Bill C-84, I had the opportunity, as did everyone else, to look at the purposes of this Bill as laid out in the beginning clause. Proposed Section 2.1 states:

> (a) to preserve for persons in genuine need of protection access to the procedures for determining refugee claims;

I support that objective. It further states that another purpose is:

> (b) to control widespread abuse of the procedures for determining refugee claims, particularly in light of organized incidents involving large-scale introduction of persons into Canada to take advantage of those procedures;

Obviously, I support that objective, as does my caucus. It further states that another purpose is:

> (c) to deter the smuggling of persons into Canada and thereby minimize the exploitation of and risks to persons seeking to come to Canada;

Of course we support that objective. It further states:

> (d) to respond to security concerns, including the fulfilment of Canada's obligations in respect of internationally protected persons.

My caucus and I support that objective. But those are the purposes of the legislation as presented in stage one. When one looks at the Bill, all those objectives are excluded. For example, one objective was to deal with smugglers. There is no mention in the entire Bill of smugglers who are dealing in human cargo. There is something funny going on. All serious-minded parliamentarians would support the objectives, the goals, and the purposes of this legislation, but when one looks through the clauses of the Bill itself they are simply not there.

People who are knowledgeable in this area have said that this Bill is unconstitutional, it goes against the Constitution of Canada, it breaches the Charter of Rights and Freedoms, it breaks our agreements with the United Nations in a whole set of different areas dealing with refugees.

The Canadian Bar Association played an important role when it said that this legislation, once enacted, because of course the Government can use its huge majority to enact this legislation, will be struck down in the courts because it is unconstitutional. It contravenes the Charter of Rights and Freedoms of Canada. This will be very costly. The most prestigious legal organization in Canada has said that this Bill is unconstitutional, it is unlawful, and it will be struck down in the superior courts of the country. Yet incredibly the Government goes merrily on its way ignoring that advice.

This Bill has sent out a Draconian message to people across the world that Canada is closing its doors to refugees. One of the nicest things about being a Canadian citizen is being able to look at our history and see the many times in the past that we have been a haven for those who are seeking refuge from oppression, or certain death and torture in their countries of origin, for example, the 106,000 boat people from Vietnam and other parts of Southeast Asia who found refuge in Canada. This initiative was supported by the Right Hon. Member for Yellowhead (Mr. Clark) and his Government, and subsequently followed with support by Mr. Trudeau and his Government. In a sense, the Liberal and Conservative Governments in the past have shown some compassion when it came to the Vietnamese and Southeast Asian boat people.

I do not have to remind parliamentarians of the Czechoslovakian refugees, those refugees from the United States fleeing slavery, the Hungarian and Polish refugees, the Ugandan refugees, the Tamils fleeing oppression in Sri Lanka, and most recently the 174 refugee claimants who landed on the coast of Nova Scotia which brought this whole matter to our attention.

• (1240)

The Prime Minister (Mr. Mulroney) went on to say, among a number of things, that this incident needed special consideration. He indicated that these people were obviously breaking the law, that there was a need to recall Parliament because an emergency had been created in the country, and that people were abusing the refugee laws of Canada.

I looked at the facts and found, for example, that in 1985 thousands and thousands of people applied for refugee status or made refugee claims. In 1986, 18,000 people made claims. In the first five months of this year, there were 10,000 such claims. In other words, year after year the number was about the same, the number of people claiming that they were refugees, that they would be persecuted in their countries of origin and asking Canada for a safe haven.

The situation has gone on for at least the three years in which the Government has been in power. Suddenly, for some reason in July, 1987, there is a crisis or an emergency deemed by the Prime Minister. What made it an emergency? Was it the fact that 174 more people were claiming refugee status in Canada? No, it was not that. I think it was a very dark day for the country when the Prime Minister saw a political opportunity to inflame some of the most negative passions, some racist passions in people, and found some groups to blame for problems in terms of employment. The Prime Minister then decided to recall Parliament to deal with the so-called crisis.

Presumably we have dealt with the crisis for weeks and weeks, and all those people who are knowledgeable in these areas have told us that this was not the Bill which should have been introduced. I believe it was two years ago when a whole set of recommendations on how to improve the refugee claimant process in Canada was ignored by the Government. I do not think a single one of us here or a single Canadian would want to say that we are not in favour of supporting real refugees. Most Canadians, with maybe a handful of exceptions, are compassionate, decent people who feel that people fleeing death, persecution, torture, jail, and labour camps in their countries of origin are welcome in Canada. As I indicated earlier, our history proves that.

However, we are opposed to that handful of people who will abuse any system, including the refugee claimant system. All serious thinking Canadians are opposed to people using and abusing the system. I hate to mention this—as a matter of fact, I am reluctant to do so but I feel I must—but after the Prime Minister recalled Parliament to deal with what he called queue-jumpers, which of course was a misnomer, what did he do from his office? He queue-jumped; he made a request on his letterhead asking for special consideration to be given to the French teacher of his children. That is the ultimate in hypocrisy, and that is the kind of thing Canadians find so disagreeable. Once again we have been reminded in the last number of days that what the Prime Minister says on Monday does not necessarily determine what he does on Tuesday.

We have also been reminded, in what I think are some of the most thoughtful speeches I have heard in the House for a long time, about some incidents in the past which we do not want to repeat, incidents which we as parliamentarians recognize as black marks on our history, dark days in our country's past. I refer, of course, to the *Kamagata Maru* incident in 1914 when 376 Sikhs sailed to Canada from Bombay. They arrived at the Port of Vancouver and were refused entry. They stayed in the harbour for weeks and weeks trying to negotiate with the immigration people and the Government of the day. The Government said, "No, we will not allow you to land", and these 376 Sikhs were forced by Canadian gunboats to return to Bombay and the Punjab. I am sad to say that many of those people met their death when they returned home.

The most obvious incident in recent history occurred in 1939 with the *St. Louis* when we saw over 900 Jewish refugees fleeing Nazi terror in Europe. Immigration officials and the Canadian Government of the day said that they did not believe there was anything wrong with the Nazi regime or that they would be persecuted, tortured, or killed. In retrospect we know that what they were fleeing was in fact very authentic. Every one of the Jewish refugees who came to our shores and were forced back to Europe returned to certain death in the gas chambers of the Nazi terror. Again it was a dark day. In retrospect we regret that it happened, but there are people who are saying that we do not want that to happen again, that we do not want those events to be replayed.

However, a provision in Bill C-84 allows for something like that to happen. It says that a ship suspected of having illegal refugees on board can be stopped on the open sea by Canadian gunboats and forced to turn around and go back. The national president of employees working for the Department of Immigration has spoken out and said, "We don't want to do that". They think it is inappropriate to ask people working for the Department of Immigration to determine whether a boat is filled with illegal refugees without ever talking to them.

The Bill also makes the following an offence. If some unscrupulous person involved in smuggling people was to dump those people at sea in lifeboats or open boats, and if someone from Canada for compassionate reasons went out to rescue them, he or she would be subject to fine and/or imprisonment.

That is not the kind of country we have. That is not the kind of country we want in the future. This is why so many of us are speaking out. I say "so many of us" because certainly all my colleagues in the New Democratic Party caucus feel very strongly about the abuse of human rights embodied in this piece of legislation. I have listened to the speeches of those in the Liberal Party and assume that they will also oppose it. As well, I heard speeches from members on the government backbenches. In fact, the chairperson of the Standing Committee on Labour, Employment and Immigration, a Progressive Conservative Member of Parliament, stood in his place on many occasions and said that this Bill is wrong, that what the Government is doing is wrong, and that the legislation is inappropriate. One of the most knowledgeable people on the

government benches who lives and breathes immigration policy day after day has said that we should not pass this Bill.

Who is it that wants to pass this Bill? Who supports this Bill? This so-called thoughtful person when it comes to these matters has yet to be identified.

I simply say that there are areas in the Bill which are inappropriate and have been severely criticized for what they do. I do not need to repeat what my colleagues have stated on a number of occasions, but I want to bring one problem area into focus. Those people—and almost inevitably they are church people—who are motivated by compassion and humanitarian concerns have most recently seen people in South America fleeing death squads, torture, death, and persecution and coming to Canada. Such people do not often leave with all their documents in order. They appear at our borders documentless because they are fleeing a horror story in their communities and villages in Central America. As a result of this Bill, the people who assist them, and Central Americans, by taking them to the nearest immigration office, will be supporting what is now described as a criminal act, an act which is illegal. They will be subject to years in jail or thousands of dollars in fines. Those men and women who want to help people come to Canada, people who are escaping death and torture, will now be liable to imprisonment or fines. Is that the kind of country Canada ought to be? No, it is not.

It is for these reasons and many others that we oppose this piece of legislation. Quite frankly, I am proud today to be part of a caucus which says that it is quite prepared to deal with the problems associated with refugee claimants. We know how to deal with them; we have had advice laid out by knowledgeable people. However, we are not prepared to co-operate on a Bill which can only be described by one term—extremely Draconian.

• (1250)

Mr. Cassidy: Mr. Speaker, I want to make one comment about what was said by the Hon. Member for Crowfoot (Mr. Malone) on the immigration policies of the New Democratic Party. In response to his allegations here in the House, I have checked and I have had staff check the policy of the New Democratic Party since the foundation of the Party in 1961. There is no reference at all to the question of population relocation—I made a note of the Member's words—or to any desire by the New Democratic Party to force immigrants who come into Canada to go to a particular part of the country. Nor can I conceivably imagine how that kind of reference could have been made.

I believe that reference made by the Member for Crowfoot is not only false but is also demeaning to this House and to his Party. I believe as well that it is open to misinterpretation and misunderstanding within ethnocultural communities. I would call on the Member for Crowfoot, if he cannot substantiate his allegations, to withdraw them and to withdraw them immediately. I would ask you, Mr. Speaker, to intervene with the Member for Crowfoot in order to ensure that he does that.

Mr. Deputy Speaker: The Chair feels that this is a matter of debate, and the Chair does not intend to intervene.

Questions and comments.

Mr. Orlikow: Mr. Speaker, how would the Hon. Member for Kamloops—Shuswap (Mr. Riis) compare the legislation that we have before us, which he points out would make it possible for the Government to charge and prosecute and for the courts to fine people who are members of various churches who help refugees settle in Canada and would be guilty of breaking a provision of this Bill, with the situation in the United States? There is legislation in the U.S. under which members of various churches involved with what is called the sanctuary movement, which is a movement where refugees from Central America coming to the southern American States, such as New Mexico, Arizona and California, are helped by members of various religious denominations, the Mennonites, the Roman Catholics and certain Protestant churches, have already been charged, brought to trial and I think found guilty.

Does the Member think that what is included in this Bill is similar to the legislation in the United States which may well lead to the same kinds of results?

Mr. Riis: Mr. Speaker, I appreciate the question from my colleague, the Hon. Member for Winnipeg North (Mr. Orlikow). The point was raised by a number of witnesses during the legislative committee hearings that the very repugnant situation that exists in some parts of the United States would be permitted in Canada and would almost be encouraged and facilitated as a result of this legislation. It is that type of accusation by those with expertise in this area that caused a great deal of concern among members of the committee studying the legislation, particularly the chairperson of the Standing Committee for Immigration. During conversations I have had with him this was an area of some concern, something which this Bill would not rule heavily against. As some have indicated, it would encourage and virtually facilitate the situation.

That is one reason that I feel, as do Members of the NDP caucus, that this Bill ought not to be passed in its present form. Some of the amendments put forward by the Hon. Member for Spadina (Mr. Heap) would have dealt with this issue, but amendment after amendment was rejected as Members tried to improve the legislation. I thought the purpose of the legislative committees' work was to improve drafted legislation.

As the Hon. Member for Edmonton—Strathcona (Mr. Kilgour) indicated, this Bill was drafted in a hotel room over a weekend and its very drafters have said they drafted it in a hurry on the assumption that it would be improved through

debate and clause by clause analysis in the legislative committee. Such was not the case. The fact that these thoughtful amendments, which were put forward by all sides of the House, were not supported creates even greater motivation to oppose this legislation, badly drafted at the beginning and which, unfortunately, at the this third and final stage remains badly drafted.

Mr. Orlikow: Mr. Speaker, could the Hon. Member tell me whether he has had the same experience that I have had; that is, members of the Mennonite, the Roman Catholic and the Anglican churches who have been involved in helping refugees settle in Winnipeg and other parts of Manitoba have made it very clear to me, and I think to other Members of Parliament from all three Parties in Manitoba, that they consider that what they have been doing is something based on the best of motives, namely, for humanitarian reasons and they do not believe that their action breaks the provision of any reasonable law? They intend to continue to help refugees who come to Manitoba. If that means breaking the law, they are prepared to pay whatever the price is for breaking the law. Has the Hon. Member for Kamloops—Shuswap had similar experience in discussion with people in his area of Canada?

Mr. Riis: Mr. Speaker, one of the interventions that I received on Bill C-84, as well as its complementary legislation, Bill C-55, was by various church groups in my constituency and, perhaps more appropriately, by various religious groups. I had passages pointed out to me from the Koran, the Bible, the holy books of the Sikh religion and others that the basic tenets of virtually every religion is to help those experiencing persecution and in serious need. That is all we are asking. Witnesses before the committee asked that as a decent society we do our best to help and facilitate those who have experienced such terribly horrible times in their own countries. The compassion shown by the Government of Canada under two administrations, regarding the boat people, the willingness of Canadians to sponsor boat people with the Government of Canada and the welcoming initiatives that occurred in communities right across Canada, was something to behold and about which all of us felt very proud. That tradition is being challenged today. This Bill erodes the tradition of giving, caring, compassion and decency.

I urge Government Members who, for whatever reason, are supporting this legislation—and I say for whatever reason because I have not seen a shred of evidence that this is good legislation—to reconsider their position. As respectable, hard working, decent parliamentarians I hope that when the third reading vote comes sometime in the future the majority of Members of the House of Commons will vote against the Bill so we can proceed to develop a Bill that will meet the real needs of Canadian society and the refugees coming to our shores.

Mr. Deputy Speaker: It being one o'clock I do now leave the Chair until two o'clock.

At 12.59 p.m. the House took recess.

S. O. 21

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

PHARMACEUTICAL INDUSTRY

SENATE INVITED TO PASS BILL C-22

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Yesterday, Mr. Speaker, Montreal was the site of a meeting to form a coalition representing management, labour, community organizations, the Fédération de l'Âge d'Or du Québec, as well as spokesmen for political circles. Mr. Speaker, the purpose of this coalition is to urge the Senate to stop blocking Bill C-22 on drug patents.

Mr. Speaker, I should like to associate myself with this coalition and urge the senators to say: Enough is enough! We have wasted too much time as it is, we must respect the decision of the elected Members of the House of Commons.

Although I do not fully support the Bill as drafted, Mr. Speaker, I think the joke is getting stale. The coalition of Quebecers wants the senators to show respect for the elected House and pass this Bill at the earliest opportunity.

* * *

ECONOMIC DEVELOPMENT

ESTABLISHMENT OF PAPERMILL IN MATANE—GOVERNMENT ASSISTANCE

Mr. Jean-Luc Joncas (Matapédia—Matane): Mr. Speaker, my constituents are hoping that the green light will soon be given to a major project which could put an end to obvious economic stagnation in the region.

The Quebec Government and the Donohue Company, which is planning to locate a papermill in Matane, have already done a lot of work on this project. It is now up to us, politicians, to authorize this regional project at the Cabinet level. The promoters have until now demonstrated their will to help the region, and they would like some assistance from our Government.

Mr. Speaker, I wish to draw the attention of my colleagues in the Cabinet to this issue, which they will be examining in the near future. I remind them that our Government promised to bring this project forward if the investors did their share.

Mr. Speaker, my constituents have been very patient and they now expect an answer.

S. O. 21

[*English*]

HUMAN RIGHTS

SOUTH AFRICA—PLIGHT OF POLITICAL ACTIVIST THERESA RAN ASHAMOLA

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, on behalf of New Democrats and I hope other Hon. Members of the House, I join in solidarity with thousands of Canadian petitioners as well as members of Socialist International Women from around the world in asking the Canadian Government to intervene to save the life of Theresa Ran Ashamola, a political activist in South Africa.

Theresa, aged 25, is the first black South African woman to be condemned to death as a political prisoner. She along with five others has been sentenced to hang for a politician's killing although she claims she had left the rent protest march before the killing took place. Many witnesses contradicted the prosecution witness who accused her.

Theresa has been subjected to torture and abuse by police since her imprisonment. I ask fellow Members of Parliament to join with me in sending telegrams of protest to the South African Government requesting that Theresa Ran Ashamola's life be saved and her appeal for justice be heard.

* * *

EXTERNAL AFFAIRS

OPPOSITION TO PROPOSED MILITARY ASSISTANCE FOR AFRICAN COUNTRIES

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the statement by External Affairs officials that they are considering military assistance to states in southern Africa is almost unbelievable. The quicker they reject this ill-advised scheme, the better.

Canada has no business poking into African powder magazines with a lighted match. Any aid we give to African countries should be humanitarian, not military.

Canadians do not want African blood on their hands. I call upon the Secretary of State for External Affairs (Mr. Clark) to reject categorically any military aid, lethal or otherwise, to Africa.

* * *

[*Translation*]

HUMAN RIGHTS

BRITISH COLUMBIA COURT JUDGMENT

Mrs. Lucie Pépin (Outremont): Mr. Speaker, about ten days ago, the British Columbia Family Court made a ruling which established a serious precedent and totally ignored the basic human rights we now enjoy in Canada.

This case involves a woman with a drug habit who was on the point of delivering her fifth child. She was arrested at a time when the authorities did not know that they were also arresting the child she was bearing. She went through surgery without her written consent. What was at issue was not whether she would be a good mother or would be able to care for her child. The ruling was made on the basis that the rights of child had to prevail against the mother's rights.

I ask the Department of Justice and the Canadian Bar to review this unacceptable ruling which threatens all future mothers in Canada because they could become the property of the state on the basis of a ruling by a judge if people around them object to their behaviour. They could also have to submit to surgery or pre-natal care imposed on them without their consent.

I therefore believe that it is important that the basic rights of women and future mothers no longer be threatened as happened in British Columbia, and I think that it is shameful for such rulings to be made in Canada.

* * *

• (1405)

[*English*]

THE ECONOMY

GOVERNMENT ACTIONS TO ASSIST PRAIRIE ECONOMY

Mr. John Gormley (The Battlefords—Meadow Lake): Mr. Speaker, it is interesting to note how the Government dealt with recent concerns of western Canada. With the prairie economy battered by depressed world grain prices, western Canadians spoke of the need for diversification of our economy. The federal Government responded by establishing a Western Diversification Office and injecting $1.2 billion into the economy of western Canada.

When 48,000 railway workers went on strike, the Canadian rail network was completely paralyzed and threatened to strangle the western farm economy. The federal Government acted quickly and legislated the strikers back to work.

Those are just two recent examples of the federal Government's sensitivity to the needs of western Canada. This Government has a commitment to act quickly and responsibly in solving regional problems and concerns. It is clear—when western Canada speaks, the Mulroney Government listens.

FARM CREDIT CORPORATION

TREATMENT OF EASTERN ONTARIO FARM FAMILY

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, I would like to raise the case of an eastern Ontario farm family in financial trouble. The family applied to the Farm Debt Review Board rather than wait for the lender to foreclose. The panel studied the farm's resources and recommended the Farm Credit Corporation write down some of the interest arrears and set aside the mortgage until the family is more financially viable. FCC refused, saying that is like writing down principal, something the Government will not let it do.

Local officials have as much as said the couple makes trouble and they do not want them around. FCC stands to lose about $80,000 as a result of this decision. It calls it cutting its losses. It also refuses to lease the farm back to the family which would allow them to continue in their newly established bull testing business. Why does the Government not give FCC the flexibility it needs to accept the board's recommendations and allow this family to live in dignity and continue to serve their community?

* * *

EMPLOYMENT

INCREASED JOB CREATION—NEWSPAPER EDITORIAL

Mr. Jim Jepson (London East): Mr. Speaker, I quote from a recent *Globe and Mail* editorial:

> Between the election of September, 1984 and July, 1987, 865,000 jobs were created in Canada, an average of 25,400 jobs per month. And the pace of job creation is increasing, with 246,000 new jobs in the first half of 1987, an average of 40,000 jobs per month—most of these jobs are fulltime.
>
> The Conservatives would get all the blame if the economy were lagging, but are reaping little of the credit as Canada leads the industrialized world in economic growth. This is unfair, because federal policies on deregulation, deficit control, privatization, foreign investment, tax reform and free trade are very much part of the environment in which jobs are appearing and incomes are rising.
>
> Canadians should not take present economic conditions and the policies that support them for granted. A federal government that returned to the high-spending, interventionist and discriminatory policies of the last Liberal regime would quickly depress economic prospects for Canada. The Mulroney government has its faults, but its record on the economy is impressive, and could be more impressive still.
>
> Not something to be taken lightly; not something to be thrown away.

The press is waking up, Mr. Speaker.

S. O. 21

MEDICAL CARE

SHORTAGE OF NURSES ON INDIAN RESERVES IN NORTHERN MANITOBA

Mr. Rod Murphy (Churchill): Mr. Speaker, as the Hon. Member for Churchill, I am deeply concerned about the current lack of adequate health services available to many of my constituents, particularly those who live on remote northern reserves. The chronic shortage of nurses has become a constant threat to the health and well-being of my constituents. It is the inaction of the Minister of National Health and Welfare (Mr. Epp) which threatens these residents' lives.

In northern Manitoba there are at least 13 to 15 vacant positions in remote communities, yet the Minister and his Government are not actively recruiting more nurses. There are no incentives to encourage nurses to move north. Neither is there increased training opportunities for northerners to become registered or degree nurses. In fact, fewer nurses graduate every year. I am aware, however, that the Swampee Cree Tribal Council proposed the creation of a bachelor of nursing program to be established in the North. I fully support that proposal and I urge the Minister to do the same.

Finally, I call upon the Minister to act immediately to alleviate the crisis facing many northern bands, including Oxford House Band and the Churchill Indian Band where there are no nurses or medical services whatsoever.

* * *

[*Translation*]

FRANCOPHONE SUMMIT

IMPORTANCE OF FRANCOPHONE SOLIDARITY

Mrs. Suzanne Duplessis (Louis-Hébert): Thank you Mr. Speaker for giving me an opportunity to rise today. I had the privilege last week to witness an historical event of international scale: The second Francophone Summit that was held in Quebec City. As a member of the Canadian delegation, I had the privilege to attend the debates of the heads of state for several hours.

Mr. Speaker, Canada has demonstrated once again the great importance it attaches to the Francophonie and has shown leadership in paving the way for the emerging of a francophone solidarity that is more dialogue and action oriented. Canada is the only country to be a member of the Commonwealth, of the Francophonie and of the group of the seven most industrialized countries, and the latest Summit has served to increase even more its influence at the international level. Also, the success of the Summit was made possible by the close co-operation between the Quebec, New Brunswick and Canadian Governments and this achievement is yet another concrete proof that the national reconciliation that has been promised has indeed become a reality.

S. O. 21

In conclusion, Mr. Speaker, I express the hope that this organization will become even stronger and will serve as a powerful tool to help keeping alive the French language in the forty odd countries where it is spoken and that it will also become an instrument for fostering peace and development throughout the world. May the leadership shown by the Canadian Government be continuously strengthened all over the world.

* * *

CANADIAN LABOUR CONGRESS

NATURE OF PRESIDENT'S MESSAGE

Mr. Marcel R. Tremblay (Québec Est): Mr. Speaker, I rise to denounce the false, partisan, irresponsible and anti-American message the CLC's President, Ms. Shirley Carr, delivered on Labour Day.

In 1984 we received a clear mandate from all the classes of society, including the union members Ms. Carr represents.

Canadians did not vote for the NDP and their socialist, big-brother, anti-American policies Ms. Carr personally supports.

Canadians chose to get out of those corporative, state-planning and state-controlled shackles that generate bankruptcy, unemployment and hardship.

By voting Progressive Conservative, they opted for private entrepreneurship, personal freedom and progress under a responsible administration.

To support free trade is to believe in Canada and its ability to invent, to innovate, to produce and to compete with the best in the world.

To negotiate with the United States is to protect existing jobs, to create hundreds of thousands of new jobs, to provide for tomorrow by preparing Canada's entry into the 21st century.

* * *

• (1410)

[*English*]

DEPARTMENT OF EMPLOYMENT AND IMMIGRATION

SUGGESTED INVESTIGATION OF DEPARTMENT

Mr. Sergio Marchi (York West): Mr. Speaker, we have witnessed the John Quigley affair, a petition signed by 7,000 employees of the Deputy Minister of Immigration who have no confidence in his leadership, a refugee backlog which is out of control, individuals checking up on offices within the Department of Immigration, and the latest allegations concerning special treatment.

Now the Deputy Minister is appointing "champions among his senior bureaucrats in Employment and Immigration to inspire leadership, improve internal communications and reward employees". The Deputy Minister said:

> I have asked Yvon Charlebois to be our Champion of Internal Communication"

He said that Brian Hill, executive director for Manitoba, is "our Champion of Rewards". He said that a "Champion of Leadership" had yet to be acclaimed.

With all due respect, Mr. Speaker, the "Champion of Leadership" must come from the top. There is a vacuum in leadership, integrity and vision in this Department. Canadians have lost confidence and trust in the direction and vision of the Government. It is time for a commission to investigate the Department leaving no stone unturned in order to restore to this Department the confidence, trust and leadership which it enjoyed under previous administrations.

* * *

THE ECONOMY

STATISTICS ON UNEMPLOYMENT BETWEEN 1981 AND 1984

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, results of a survey conducted in January, 1986, dealing with work experience in the years preceding the election of this Government—1981 to 1984—and recently released by Statistics Canada, reveal some facts of which I believe all Canadians should be aware.

In the years 1981 to 1984 about 430,000 Canadians became unemployed. Of those who lost their jobs 36 per cent became unemployed due to plant closings or relocation. Manufacturing, construction and mining were the hardest hit. Workers under age 34 suffered the most serious dislocation and older workers had the greatest difficulty in finding new jobs.

• (1415)

Finding new jobs took an average of six months, with earnings in the new jobs being reduced by 7 per cent from the previous ones.

Only 30 per cent of those displaced were able to find employment in the same industry. This transfer in sectors resulted in wages being reduced on average by about 14 per cent.

This study points out that during 1981 to 1984 the cost of overspending and the resultant inflation inflicted very serious casualties among employables in Canada.

This Government can therefore be commended for creating 907,000 jobs since September 4, 1984. That is more than

25,000 jobs per month that are being created by this Government. I say it is to be congratulated.

* * *

FORESTRY

BRITISH COLUMBIA'S USE OF PROCEEDS FROM LUMBER EXPORT TAX

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, as a result of the recently imposed export tax on softwood, the Province of British Columbia is receiving $540,000 every day of the year in windfall new tax. The unfortunate side of this, however, is that while the money was destined to be reinvested in developing the forest resource, it is simply going into general revenue.

I think it is time that the Minister of State for Forestry and Mines (Mr. Merrithew) apply whatever pressure he can to encourage the British Columbia Government to begin reinvesting that money in silviculture, thinning and spacing programs, disease control, pest control, fire control, silviculture research, and research into new markets and new product lines.

Communities such as Prince Rupert, Castlegar, Vanderhoof, Prince George, Dawson Creek, St. John, Kamloops, just to name a few, would benefit from such a program.

In an effort to reduce the unemployment levels in British Columbia by tens of thousands, I encourage the Minister of State for Forestry and Mines to take action with his British Columbia counterpart to ensure that these moneys are reinvested in the forest resource of British Columbia.

ORAL QUESTION PERIOD

[*Translation*]

EXTERNAL AFFAIRS

APARTHEID IN SOUTH AFRICA—CANADIAN POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, two years ago the Prime Minister of Canada stated before the United Nations that the Canadian Government was prepared to impose full economic sanctions and break all diplomatic relations with South Africa, as the Prime Minister put it, "—if radical changes are not made in South Africa."

Yesterday the Secretary of state for External Affairs stated, and I use his own words: "We are not making nearly enough progress against apartheid. The situation is getting worse." Those are the words of the Prime Minister, Mr. Speaker.

Can the Prime Minister tell us what position he will take at the forthcoming Vancouver Commonwealth Conference with respect to South Africa? Will he sever relations with that country and impose Canada's full economic sanctions before

the end of the year, unless the Government of that country takes concrete and visible measures to put an end to the apartheid regime?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, Canada will continue to show firm leadership with respect to South Africa, as it has been the policy for a number of years, more particularly so, I would suggest, in the past three or four years.

In Nassau, Canada showed leadership, in London, and again very recently when the Secretary of State for External Affairs visited South Africa, during recent meetings with Mr. Tambo, and over the last weekend the Secretary and I had meetings with Mr. Howe.

We are trying to do two things: maintain ever more sustained pressure on South Africa and, second, make consequential radical changes in the apartheid system which is so deplorable and unacceptable to all the citizens of this country and of the whole world.

This is a complete program which is being applied in many sectors and which Canada will continue to implement to the benefit of South Africa's black population.

• (1420)

[*English*]

IMPOSITION OF SANCTIONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I know I need not recall to the Prime Minister his words before the session of the United Nations where he received great applause on that occasion. He said: "We are prepared to invoke total sanctions against that country and its repressive regime. If there is no progress in the dismantling of apartheid, our relations with South Africa may have to be severed absolutely".

Yesterday, his colleague, the Secretary of State for External Affairs, admitted that the situation has not improved but that it has deteriorated. What the Government is trying to do here is to play both sides of the street on a very fundamental, sensitive human rights issue. Yesterday, I regret to say, the Secretary of State for External Affairs took some cheap partisan shots at anyone who suggested that total sanctions, diplomatic and economic, were not in order.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Quite seriously, I ask the Prime Minister is he still speaking for the Government on the issue of South Africa? Does he hold to his commitment made two years ago before the United Nations? Will that be the position he takes at the Commonwealth meeting in Vancouver?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it is somewhat bizarre to see the Leader of the Opposition accuse the Government of playing both sides of the

street on this "sensitive" issue, and then in the same breath accuse the Secretary of State for External Affairs of taking cheap political shots. Surely nothing could discredit the Right Hon. Leader's thesis more than the manner in which he has just set it out. It should be evident to him and to members of his Party that in a number of areas, including this very sensitive area, the leadership provided by the Secretary of State for External Affairs is well known here and around the world. I think the right hon. gentleman should be applauding that fact.

With regard to what we are trying to accomplish, it is what the Secretary of State set out yesterday. There has been no change from the position that I set out on behalf of the Government to the United Nations. There has been no wavering in our commitment to attempt to secure the lessening and the ultimate removal of the system of apartheid in South Africa.

We provided a leadership role, to some modest extent, in Nassau and in London. The Secretary of State has just returned from southern Africa. I think it is a comment on the effectiveness of Canada that, within the space of 24 hours, the Secretary of State for External Affairs was able to meet with leaders of the frontline states, leaders of the ANC, and the leadership of the Government in Pretoria, seeking a constructive solution. Everyone acknowledges that a negotiated solution would, of course, be the best.

In the absence of that, and if we are unable to persuade Pretoria of that, Canada shall not hesitate to implement fully the sanctions and the attitudes that I expressed at the United Nations. I think that is an honourable course for Canada to pursue.

Some Hon. Members: Hear, hear!

FORTHCOMING COMMONWEALTH CONFERENCE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister's commitment on behalf of the country before the leading forum of the world, the United Nations, two years ago was that if the situation continued to deteriorate he would lead the country into total economic sanctions against South Africa and a breach of diplomatic relations.

Now, two years later, there seems to be a backing off from that position by the Secretary of State for External Affairs. The Prime Minister will have an admirable opportunity in Vancouver to exercise the leadership role that his rhetoric seemed to symbolize two years ago. Is that his position now? Is that the position that he will advance in Vancouver in order to give some credence to the words he uttered before the United Nations on behalf of our country two years ago?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my recollection of the statement to the United Nations was that, indeed, in the absence of progress, that relationship "I think may have to be severed". That is still very strongly our position. We have taken just about—and I may be wrong—every conceivable sanction that a western Government can take or has taken. We are interested in applying further sanctions.

Our view is not that sanctions do not work; our view is that if all countries applied sanctions as effectively and vigorously as Canada there would be more movement in South Africa. We would like to take that attitude, together with any other instruments that would be designed to provoke beneficial change in South Africa.

• (1425)

That is the position that the leadership of Canada will attempt to bring about at the Commonwealth Conference in Vancouver; most recently at *La Francophonie* in Quebec City there was a little further progress. Constant efforts and movement by countries such as Canada toward the solution that we all seek, from all corners in this House, will be beneficial to the people of South Africa, particularly those people in South Africa who have been deprived of their most fundamental rights for so long.

* * *

IMMIGRATION

GRANTING OF IMMIGRANT STATUS

Mr. Sergio Marchi (York West): Mr. Speaker, my question is directed to the Prime Minister and it concerns the Grossmann affair.

In the House yesterday in response to my question, the Minister of State for Immigration stated:

> There was never any involvement by the Prime Minister's Office in that particular dossier or in any dossier.

However, *The Globe and Mail* has obtained a letter dated January 16 from the Prime Minister's special assistant to the office of the Minister, and an additional June 3 memorandum from the Deputy Minister's office which states, "that the Prime Minister's Office requests facilitation in getting Mr. Grossmann's family landed status."

I wish to ask the Prime Minister very directly and simply, will he categorically confirm or deny his involvement in the Grossmann file? Does he not think it is high time that he break his silence on this issue, rather than passing notes to his junior Minister?

Hon. Gerry Weiner (Minister of State (Immigration)): For those who were not here yesterday let me make it perfectly clear—

Mr. Turner (Vancouver Quadra): We did not miss much.

Mr. Weiner: There were some who were not here—there was no involvement. Here are the facts. The Member refers to

a letter that a special assistant in the Prime Minister's Office sent to my chief of staff which states, "Please find enclosed copy of correspondence—" for my attention. "The family wish to reside here. I thank you for your kind assistance".

If that is the type of representation that is bothering the Member, it is the right of every Member of Parliament to divert pieces of correspondence, as other Members have done, and some 7,000 have been received in my office in the last 13 months.

Some Hon. Members: Hear, hear!

JUSTIFICATION FOR DECISION

Mr. Sergio Marchi (York West): As a result of government orders, the Ottawa immigration counsellor wrote in her notes, "I thought we were employed by the Treasury Board and not a political Party"—and the Justice Minister laughs.

Mr. Hnatyshyn: You are a joke. You are a disgrace.

Mr. Marchi: Therefore, I wish to ask the Minister why were there special orders and a ministerial permit issued on behalf of Mr. Grossmann when the gentleman had not even submitted an application form to the Ottawa office, and furthermore had failed to make the appropriate request at a scheduled appointment at our Canadian Embassy in Paris? What possible reasons justify such a flagrant disregard of the process and of our Immigration Act?

An Hon. Member: Resign!

Mr. Marchi: I will put my seat on the line.

Mr. Epp (Provencher): John, there goes another one.

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, I do not know why there has been such a fuss about this case.

Some Hon. Members: Oh, oh!

Mr. Rossi: You should know, Gerry.

Mr. Weiner: There are provisions in the Act to apply for immigrant status.

The Leader of the Opposition perhaps remembers the time he called my office and wished some attention.

Mr. Mazankowski: Shame on you, John!

An Hon. Member: Resign!

An Hon. Member: No, don't resign. Stay right there.

Mr. Speaker: I am sure that the Hon. Minister will answer the question as briefly as possible.

Mr. Weiner: This case is no different from hundreds of others that are handled in a routine manner.

The immigration guidelines are public, and they contain specific instructions for dealing with people like Mr. Grossmann who have good prospects for employment, have established a home, and have raised and educated children here. I wish to quote from the guidelines of instructions to our officers which state:

> Officers may consider sympathetically the situation of long-term employment authorization holders who request processing of their application for permanent residence from within Canada.

I am prepared to table those guidelines, Mr. Speaker.

• (1430)

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for New Westminster—Coquitlam.

Ms. Jewett: Mr. Speaker, my question is for the Secretary of State for External Affairs and concerns what signal Canada is giving to the black majority in South Africa—

Some Hon. Members: Oh, oh!

Mr. Speaker: Perhaps Hon. Members on the government side and in the ranks of Her Majesty's Official Opposition might wait until the next round when they could carry on their discussions.

* * *

APARTHEID

SOUTH AFRICA—ISSUE OF VIOLENCE

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my question is for the Secretary of State for External Affairs and concerns what signal Canada is giving to the black majority in South Africa, first relating to violent struggle.

The Prime Minister has said that while we don't condone violence, we can understand why South African blacks sometimes resort to violence when violence sanctioned by the state is used to maintain the apartheid regime.

In late August the Minister told Oliver Tambo, I understand, that the ANC should abandon violent struggle in return for Canadian support.

What is the black majority in South Africa to believe?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have written today to *The Globe and Mail* with regard to the article which the Hon. Member is citing, pointing out the inaccuracy of the suggestion she has just made that was made in *The Globe and Mail* with regard to the conversations with Mr. Tambo.

One thing that the black community in South Africa should not believe is the news reports occasionally filed by Mr. Windsor. I regret to say that.

The signal that we are trying to send to them, essentially, is that we expect and will do everything we can to achieve the result that the Commonwealth Conference in Vancouver will continue to increase the pressure for change in the apartheid system upon the Government of South Africa.

ROOT OF VIOLENCE

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, would the Minister not agree with the black majority in South Africa that the real root of violence in South Africa is the apartheid regime itself?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there is absolutely no question about that. The Hon. Member would probably be aware of a study recently done by the University of Pretoria which indicated that in a period, I believe beginning in 1985, while it was possible to attribute something between 100 and 200 deaths to the ANC, it was possible in that same period to attribute between 1,000 and 2,000 deaths to the activities of the South African Government.

Not only is violence at the heart and core of apartheid, but violence is also being practised in a deathly fashion by the Government of South Africa.

MINISTER'S POSITION

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, my supplementary question is for the same Minister. To make this amply clear, since we do want one message to go to the black majority in South Africa, will the Minister also agree that since the root of the violence is apartheid itself sometimes a resort to violence is absolutely essential in the struggle?

Some Hon. Members: No, no!

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Prime Minister has made clear and I have made clear that this Government does not and will not condone the use of violence.

Some Hon. Members: Hear, hear!

Mr. Clark (Yellowhead): We do, however, understand those frustrations and those forces which can cause violence to be resorted to. We understand that violence is at the heart of the apartheid system, and that is why we are determined to do everything we can, while there is still a breath of influence left in Canada, to bring an end to the apartheid system.

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MINISTER OF STATE FOR FOREIGN AFFAIRS, FEDERAL REPUBLIC OF GERMANY

Mr. Speaker: I wish to draw to the attention of Hon. Members the presence in the gallery today of the Honourable Helmut Schäfer, Minister of State for Foreign Affairs for the Federal Republic of Germany.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

IMMIGRATION

GROSSMANN AFFAIR—ALLEGED HUMANITARIAN CONSIDERATIONS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I should like to return to the Minister of State (Immigration) and ask him the following question. We know that under the Immigration Act, whoever wants to submit an application for landed immigrant status must do so outside Canada. We know also that Mr. Grossmann never submitted an official application while outside Canada. On the basis of some press reports, as well as comments made by the Minister himself, we know that irregularities were committed.

In view of what the Minister replied yesterday when asked about the compassionate or humanitarian grounds which brought about this decision, I should like him to share with the House today and identify what these compassionate and humanitarian grounds were.

Mr. Rossi: Well, he knows the Prime Minister!

[*English*]

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, for the benefit of the Hon. Member, I have already tabled the guidelines under which this particular case was considered. Just as a refresher, because obviously the Member should be as completely clear about the facts as I am, from the time that letter was referred to my office in January it took us some four months to act. That is not exactly expeditious treatment, that is not exactly jumping to attention. If that is the kind of favouritism somebody in the Prime Minister's Office asked them to get, that is just normal processing.

I made a decision on May 4—

Mr. Marchi: Jump higher, Gerry.

Mr. Weiner: I was not involved in any technical details beyond that decision, but that was a decision to allow inland processing in this case. That is completely normal. Fifteen thousand Minister's permits are issued. Something like 20 per cent or 25 per cent of all immigrants are landed by that

process through Order in Council, and it is completely within the immigration law.

[*Translation*]

DEMAND FOR EXPLANATION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I should like to find out from the Minister why they went over the heads of officials. Why did they use intimidating measures with the officials? Why were pressures brought to bear from high above to accelerate the processing of the Georges Grossmann file? And why does the Minister refuse to answer the following question: What were the humanitarian considerations which prevailed and weighed heavily in this case?

Mr. Malépart: Why it is Mila and not Brian!

Mr. Rossi: It's the Prime Minister who told him to let the man in.

An Hon. Member: Carlo, listen!

[*English*]

Hon. Gerry Weiner (Minister of State (Immigration)): What a shameful and deplorable attack! What an issue of petty politics I have ever seen in my life! Things must look pretty good out in the country during this summer—the jobs we have created, the lower interest rates—

Mr. Gauthier: Answer the question or sit down.

Mr. Rossi: Why don't you answer the question?

Mr. Riis: You are on record, Gerry.

Mr. Speaker: The Hon. Minister.

Mr. Weiner: We are running the country so well, as even the editorialists have had to admit, that it must be shaking up the Hon. Members—

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member for Kamloops—Shuswap.

REASONS FOR DECISION

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is also directed to the Minister of State for Immigration and concerns the Grossmann immigration scandal.

When the local immigration office made a special provision for Mr. Grossmann to be interviewed in Paris, when he was holidaying in Paris during the summer, he did not even bother to show up for his interview.

Mr. Grossmann applied for some special consideration. The Minister says that he looked into the case and considered that there was indeed an opportunity for him to intervene. Was it because there is a lack of French teachers in the Ottawa area, or just what were the special circumstances which enabled the Minister to make his decision?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, clearly Mr. Grossmann had been here on employment authorization, the first one given by the Hon. Member for Winnipeg—Fort Garry—so was the second one and so was the third one—in his capacity as Minister. We had three renewals. Now, it seemed to me that with that kind of long-term stay in the country, with children who had grown up here, a son who is apparently married to a Canadian and could have sponsored him—

Mr. Fulton: Why only "apparently"?

Mr. Weiner: —his prospects were pretty good.

When the case was referred to me, it looked perfectly normal that we should allow an inland processing. I asked my officials to do so through a Minister's permit. There was no further follow-up on the part of myself or my office because I know, once it is asked there is nothing further that has to be asked, and I knew that everything was going well.

• (1440)

INVOLVEMENT OF OFFICIALS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the Minister gives the impression that this case is a very straightforward case.

Some Hon. Members: It is.

Mr. Shields: You have finally got it.

Mr. Riis: We have had the Prime Minister's office, the Minister of State's office, the Deputy Minister of Immigration's office, the Executive Director of Immigration's Office, the Deputy Minister's executive assistant's office, the Minister's office and countless other senior officials all intervening in this case. Will the Minister explain why it took all of these people's interventions to process what he says is a very straightforward immigration case?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, every Member in the House has received communication, perhaps he or she has had a letter dropped off, which has been advanced through to my office, as have many other Canadians, journalists, elected people at all levels, academics, businessmen—this is an everyday routine—all knowing that in the Immigration Act the Minister of Employment and Immigration has the authority to act on humanitarian and compassionate conditions.

Mr. Keeper: Name the journalists.

[*Translation*]

TAX REFORM

OPPORTUNITY NOT TO TAX FOOD

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the Minister of Finance. The Canadian Food Supply Association states that food costs will increase by 12 to 13 per cent if the Government goes along with its option to put an 8 per cent tax on food. Moreover, the Canadian Council of Social Welfare has stated that the present sales tax credit is inadequate, and has clearly shown that a family with a $10,000 income has to pay, as a result of increasing consumer taxes levied by this Tory Government, $353 while only getting a $150 tax credit.

Considering the failure and the inadequacy of the sales tax credit and in view of the position of the Canadian people, will the Minister not believe that it would be advisable to scrap this idea of taxing food?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am not sure where the Hon. Member was yesterday, but I answered part of the same question to his colleague from Trinity. The Hon. Member in the course of his preamble said that the tax credit, the existing refundable sales tax credit, today is insufficient. We agree with that. That is why we have said that there will be a major increase—so it will be in the hundreds of dollars—in the refundable sales tax credit. It will be paid regularly to recipients. It will be paid in advance to recipients.

Those are the key elements of the proposal. These are the things on which we want to consult with members of the general public through the activities of the Finance Committee and that way come up with an appropriate combination of factors which will result in a fairer, more effective sales tax system than we have today.

The Hon. Member, I am sure, is very well aware that the position of his Party, as is the position of the New Democratic Party, is to change the existing sales tax system because the existing system is not equitable.

[*Translation*]

COMPLETE REIMBURSEMENT OF CONSUMER TAXES—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, I am pleased to see that the Minister admits the failure of his sales tax credit and all the taxes he has levied, and that he also acknowledges that families with children are penalized. My question is simple. In view of this failure and the acknowledgement he just made before carrying out his proposal and adding an extra tax on food and imposing new taxes, would the Minister be ready to table a motion aimed at refunding completely the consumer taxes levied by his Government since Septembre 4, 1984, and not 50 per cent like he is doing now, since the Minister has admitted that the tax credit is not high enough?

[*English*]

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am absolutely stunned by the allegations which the Hon. Member has just made. There has been a sales tax in this country for 62 years. A refundable sales tax credit was brought in this past year, in 1986. The previous Government had been around many, many years. The Government which the Member supported for many years had opportunities to bring in a refundable sales tax credit. If the Hon. Member could close his mouth and just listen for a while he might learn something.

Some Hon. Members: Oh, oh!

Mr. Wilson (Etobicoke Centre): I know it is difficult for him to do that because I know he has to be out there making a lot of noise, but let me tell him—

Mr. Speaker: The Hon. Member for Skeena.

* * *

ENERGY

GAS EXPORTS TO UNITED STATES—ELIMINATION OF SURPLUS TEST

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is for the Deputy Prime Minister. Up until May, 1986, there was a 25-year surplus test for gas exports, a policy kept in place while the Hon. Member for Yellowhead was the Prime Minister of Canada. It was dropped a year ago to a 15-year surplus test and, as of today, there is no longer a surplus test.

Could the Deputy Prime Minister explain why no surplus test is required for this non-renewable resource, or is the removal of the 15-year surplus test part of the free trade deal whereby energy policy will be set in Washington?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Hon. Member's suggestion is absolutely false. The National Energy Board has come down with a ruling. The Government welcomes the new procedure which is fully compatible and co-existent with the market oriented policy that we have established for oil and gas. The procedure clearly has sufficient protective provisions in it for Canadian consumers. When there are any difficulties, the NEB can intervene whenever it finds an increase in exports would impair the ability to serve the Canadian market.

EFFECT OF POLICY

Mr. Jim Fulton (Skeena): Mr. Speaker, my supplementary question is also for the Deputy Prime Minister. Would he explain that part of his market policy? At the present time the

Canadian gas industry has twice the export volume permits as it is able to sell and B.C. consumers are paying five cents a gigacoule more for B.C. gas than Americans pay to get the same B.C. gas. Would the Deputy Prime Minister explain to Canadians why on those two counts this deregulation policy, and this policy of no longer having a surplus test, is good for Canada?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I just indicated that the National Energy Board has a feature whereby it can intervene if the market is such that it would impair the Canadian consumer.

I know the New Democratic Party policy is to phase out all exports of natural gas and oil. That is something certainly not consistent with the oil energy policy.

Mr. Riis: What a phoney.

Mr. Mazankowski: As a matter of fact, if the Hon. Member would familiarize himself with the reality in the producing provinces, he would know that this has gone over very well. The ruling is likely to kick off a gas boom. I am sure that is what the Hon. Member would want. Let me quote, "Benefits offset costs from new gas rules". It is good for the consumer. It is good for the producer, and it should be good for everybody in Canada, except the NDP, and we don't mind that at all.

* * *

SOVEREIGNTY

BEAUFORT SEA—UNITED STATES SALE OF OIL AND GAS LEASES

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, my question is for the Secretary of State for External Affairs. On August 20 the Minerals Management Service of the United States Department of the Interior published a notice of sales of oil and gas leases for certain areas of the Beaufort Sea, part of which is Canadian territory.

On September 3 the Deputy Prime Minister and the Minister of the Environment were asked about this notice of sale and about the oil and gas leases. They didn't know anything about them at that time. Surely the United States Government notified the Canadian Government about this notice of sales of oil and gas leases. When did the United States Government notify the Canadian Government that this notice of sales would be published and that it would be considering bids? What is the Government's response? What response did it give the United States Government?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, this is an old issue which has been discussed in the House before but that does not make it any less important. The situation is, as I think the Hon. Member might know, that any bids that have to do with disputed territory will be put in escrow until the dispute is resolved. That position has been adopted by the Government of the United States as a result of the representations made by myself on behalf of the Government of Canada nearly nine or ten months ago.

With regard to the decision that was taken in August which extends the application of bids to areas in disputed waters and areas not in disputed waters, the same rules apply. Just to make doubly certain of that, I have been in touch again with the United States Government to indicate that we require and expect that bids in disputed waters in this case will go into escrow.

• (1450)

CANADIAN POSITION

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, the Secretary of State for External Affairs said that he would not be taking any direct action while environmental hearings were going on and would wait until there was a consideration of bids. I think that point has arrived.

I am concerned that the United States is strengthening its case in this disputed territory. What will Canada do to strengthen its case in this disputed territory, or will this be another blatant giveaway in an attempt to secure a free trade agreement with the United States?

Right Hon. Joe Clark (Secretary of State for External Affairs): No, Mr. Speaker, it will not be any kind of a giveaway. The Hon. Member may not have understood my earlier answer and I am sure that was my fault.

The situation is that there has been and is a policy in place providing that any bids relating to the disputed waters, precisely because they are disputed, will be put in escrow. That does not affect the question of the dispute.

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SENIOR CITIZENS

MINISTER'S DISCHARGE OF RESPONSIBILITIES

Mr. Jim Edwards (Edmonton South): Mr. Speaker, a certain Hon. Member opposite has suggested that the new Ministry for Senior Citizens might have more to do with cutting ribbons than with helping seniors. I would like to address a question to the Minister of Veterans Affairs who is the Minister responsible for senior citizens.

Can the Minister assure the House that he will bring to the administration of seniors' affairs the same skill and resolve, consultation, compassion and sensitivity that he has demonstrated in his Veterans Affairs portfolio?

Some Hon. Members: Hear, hear!

Hon. George Hees (Minister of Veterans Affairs and Minister of State (Senior Citizens)): Mr. Speaker, the Hon.

Member's question has caused me to do something I have not done in this House in my 37 years here, and that is to blush with modesty. I thank him very much for this very constructive question.

The Hon. Member has always shown a great interest in seniors. Year by year, naturally people like me are more and more pleased to hear of that kind of interest.

I can assure him and all Hon. Members that I will be doing everything possible to encourage seniors and seniors' organizations, including the National Advisory Council on Aging, to let me know what thoughts, suggestions, and ideas they have for improvements in life for seniors, so that these can be given very serious consideration by the Government with a view to bringing in measures of this kind as soon as they can be afforded and are practical.

Our seniors have made this country what it is today, and are continuing to make a very important contribution to our country day by day. That is why they fully deserve our very best efforts on their behalf, and I can assure you that they are damned well going to get them!

Some Hon. Members: Hear, hear!

Mr. Speaker: I want to assure all Hon. Members on the opposition side that I will arrange to give them equal time.

Some Hon. Members: Oh, oh!

* * *

CANADA POST CORPORATION

PAYMENT OF TRAINEE STRIKE-BREAKERS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the Post Office. He will be aware that an arbitrator has indicated to Canada Post that it has to pay the people it has been training as strike-breakers union rates rather than the minimum wage. I wonder if the Minister has considered asking the Post Office not only to abandon its policy of using strike-breakers but also to abandon its policy of poverty-level wages? Does he not recognize that a person who works for a public service in Canada has a reasonable expectation of receiving a livable wage?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, that is the first time I have ever heard it suggested that post office employees were underpaid. This is amazing. I believe the Marchment committee identified post office wages as being 14 to 22 per cent above national industrial averages.

Regarding the specific question about the ruling of the arbitrator, I am informed by the Post Office that it is looking into the decision to see in fact what it means. It is still not clear on what it means and is considering things like whether or not to appeal.

As to the Hon. Member's suggestion that I intervene in the management of the Post Office, I would be in contempt of Parliament if I did that because in 1981, his Party, the Liberal Party, and this Party all agreed that Canada Post should become a Crown corporation and that we should try to avoid political interference of the kind he is now suggesting I engage in.

FRANCHISE POLICY—REQUEST FOR RE-EXAMINATION

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, I am sure the Minister is aware that his own plan calls for franchising which implies the use of people paid a minimum wage. Will he not then recognize that it is his own policy that is driving Canada Post to a poverty-level wage strategy? Will he take the opportunity to re-examine his policy in light of the ruling of the arbitrator and the ruling made by the Canadian Labour Relations Board last week?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, the corporate plan which was approved by the Government does indeed call for the opening of 6,000 new postal outlets over the next 10 years in order to give customers better service. These outlets will be in shopping centres where people go for their normal commercial activities. There will be parking and they will be open from ten o'clock in the morning to ten o'clock at night. It will be more convenient for the public. Is it the position of the NDP that the public be damned, what we must look after is J. C. Parrot?

* * *

CHILDREN

TELEVISION DOCUMENTARY ON RUNAWAYS

Mr. Alan Redway (York East): Mr. Speaker, I have a question for the Minister of National Health and Welfare. Last night thousands of Canadians watched an extremely disturbing television documentary production entitled *Runaways* which told the story of teenagers who run away from home and live on the streets in cities right across Canada. The social problems that were portrayed in that documentary are obviously national in scope and demand immediate and urgent attention. What will the Minister do about it?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I saw part of that program yesterday. I believe it was a two-hour program and I saw approximately half of it. This is not done very often, but I think we should commend the people who produced that program.

What many of us recognize is that this is a multidisciplinary problem. I am not trying in any way to minimize the difficulties related to missing children. As a Government, we have tried to address some components of the issue. For example,

we have named a director for the Child Abuse Centre. There have been family violence initiatives and a missing children registry has been instituted. Special studies are now being done in four cities relating to missing children. I cannot give any more detail about that program because of time constraints. We are dealing with the matters of pornography and drug abuse.

I hope that once and for all, at least in this House, we could put aside the question of whether or not there is a drug problem. I do not care about the numbers, what I care about is that there are kids on the streets who have drug problems and we have to address that. We are trying to do so as best we can, not only as a Government but as a society.

While it is a multidisciplinary approach, we have to be as supportive as we can in our policy to families and parents. From time to time we make mistakes, but these are complex issues and I think support for non-governmental agencies, parents and different levels of government is essential if we can at least prevent some of the tragedies that were displayed yesterday, as well as rehabilitate some of those people.

* * *

[*Translation*]

CANADA POST

POSSIBILITY OF STRIKE—REQUEST FOR GOVERNMENT COMMITMENT NOT TO HIRE STRIKE-BREAKERS

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, during the strike staged by letter carriers in May last, which was the first postal strike since the creation of the Canada Post Corporation in 1981, the Government has allowed Canada Post to hire scabs and to stir up violence in our post offices.

Given that we are facing a possible strike by postal workers, is the Minister prepared to give a commitment today in this House that he will forbid Canada Post to hire scabs in order to avoid the shameful incidents that we have witnessed during the last strike?

• (1500)

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, just to refresh the memory of both the Hon. Member and the House, the conciliation commissioner dealing with the LCUC dispute, Mr. Swan, commented in his report that the Post Office has a social obligation to try to deliver the mail even in the face of a strike. It attempted to fulfil that obligation and by and large did so through the use of replacement workers, which is perfectly consistent with the law. Is the Hon. Member suggesting we go beyond that?

The instructions to the Post Office are very clear. They must obey the law. They have a social obligation to deliver the mail. If the Hon. Member is suggesting we should perhaps shut down the Post Office in the face of a strike, then let him say that on behalf of his Party.

Perhaps he is suggesting we give the union everything it wants. Let him say that.

Perhaps he is suggesting that we outlaw strikes. Let him take that position. The Hon. Member cannot have the luxury of being critical without looking at the alternatives.

MINISTER'S POSITION

Mr. Alfonso Gagliano (Saint-Léonard—Anjou): Mr. Speaker, it is very clear from that answer that the Minister condones Canada Post hiring scabs. Is the Minister a scab? If not, why does he not order Canada Post not to hire scabs?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): I suggest the Hon. Member have a conversation with his colleague, the Hon. Member for Papineau.

Mr. Ouellet: No, no, I never authorized scabs.

Mr. Andre: He stated publicly in an interview that the Government ought not to get itself involved in the operations of the Post Office. We are not getting ourselves involved in the operations of the Post Office.

Mr. Gagliano: Then resign. We do not need a Minister.

Mr. Andre: We require Canada Post, like every other Crown corporation, to obey the law. They have a social obligation to deliver the mail, as pointed out by Commissioner Swan, and they attempted to do that.

I question the wisdom which says if someone threatens violence, that is enough to require you to take actions contrary to what your social obligations dictate.

* * *

BANKRUPTCY ACT

TIMING OF INTRODUCTION OF AMENDMENTS

Mr. Jim Jepson (London East): Mr. Speaker, my question is directed to the same Minister. The Bankruptcy Act was introduced in 1949 and has not been changed since. Many Canadians are being burned by this hopelessly outdated piece of legislation. Can the Minister tell the House when we might expect the legislation he is presently working on to be brought forward so we can bring progressive changes to this hopelessly outdated Act?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Hopefully very soon, Mr. Speaker. The Hon. Member is right. There have been six attempts to amend the Act and all have died on the Order Paper. We are trying to avoid that fate for the proposals we are bringing forward. I will

be making a presentation to my cabinet colleagues this month and hopefully there will soon be legislation before the House which will correct most, if not all, of the inadequacies of the current law.

Mr. Speaker: This will be the last question. The Hon. Member for Regina East.

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FINANCIAL INSTITUTIONS

PRINCIPAL GROUP BANKRUPTCY—CONDUCT OF INVESTIGATION

Mr. Simon de Jong (Regina East): Mr. Speaker, my question is directed to the same Minister. He has repeatedly assured this House and thousands of Principal Group investors that a federal investigation of possible misrepresentations by First Investors and Associated Investors would be completed by the end of August. We are well into the second week of September and investors are still waiting to be told if the investigation is completed. Can the Minister now report to the House that the investigation has been completed and, if so, will the Attorney General be laying any charges?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Unfortunately, Mr. Speaker, I am unable to make that report although I wish I could. I am informed by the Competition Bureau, which has the mandate for this investigation, that they are proceeding with it as extensively and expeditiously as possible. Although they hesitate to put a date on it, they tell me they will soon be making recommendations to the Attorney General.

REQUEST THAT INVESTIGATION BE ACCELERATED

Mr. Simon de Jong (Regina East): Mr. Speaker, the Minister is aware that his Department has been aware of allegations of misrepresentation as early as July 14. Again I urge the Minister to speed up the investigation, and can he explain why it is taking so long?

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Unfortunately, I cannot explain. The Marketing Practices Branch of the Competition Bureau has a relationship with me much like the Solicitor General and the RCMP. It is contrary to law for me to intervene and tell them to proceed in this or that fashion. What I have said is based on information they have given me about their expectations. I have transmitted that to the House, and I will ask them to try to live up to that obligation. I cannot legally lean on them.

[*Translation*]

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I would now like to ask the usual question that is put on Thursday. I would ask the spokesmen for the Government to give us a statement of the business the Government expects to present to the House during the coming week.

[*English*]

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, we are making good progress on third reading of Bill C-84. In the event that it passes today, we will proceed tomorrow to Bill C-68, also known as the Bretton Woods Agreements, and thereafter to Bill C-61, proceeds of crime; then to two other justice Bills, C-53, amendments to the Supreme Court Act, and C-58, mutual legal assistance. We will continue with those on Monday, and it is my intention to get together with the other House Leaders to try and arrange the orderly procedure of business for next week.

Mr. Deputy Speaker: On the same point of order, the Hon. Member for Skeena (Mr. Fulton)?

Mr. Fulton: It is a separate point of order. During Question Period the Deputy Prime Minister (Mr. Mazankowski) incorrectly stated that the policy of the NDP is that we oppose any gas or oil exports from Canada.

Some Hon. Members: Debate.

Mr. Fulton: That is not factually correct.

Mr. Deputy Speaker: Orders of the day.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I understand I am the last speaker to rise in this debate and I do so in solidarity with my colleagues in the NDP. We want to take this opportunity to make a final appeal to the Government to not pass Bill C-84 without amendments. I know at this stage it is impossible to move new amendments, but we want to say once again for the record that we believe a grievous error is being made here. There are many injustices in this Bill which we will all live to regret, including the Conservatives. By and

large it brings shame on Canada as a humanitarian nation, one committed to a refugee policy established under UN conventions.

We have all spoken on this Bill many times, as well as on Bill C-55, but I would like to review the main points for the record.

Mr. Deputy Speaker: Order, please. Thank you. The Hon. Member for Vancouver East (Ms. Mitchell) has the floor.

Ms. Mitchell: Thank you, Mr. Speaker.

First, Bill C-84 was tabled in an atmosphere of panic. It was apparently drafted in a few days time and presented when the Government had no other order of business. Or, perhaps the Government had other business but did not want to deal with it at that time. The Government focused on the landing of 174 refugees in Nova Scotia.

The Bill not only creates harsh restrictions for refugee claimants, it also eased the way for the Government to try and push through its companion Bill, C-55, which we feel very strongly, along with groups who have considerable expertise in the matter, to be even harsher. We know, of course, that the Government was not able to push this through in June and has been using this so-called emergency session this summer to deal with that Bill as well.

• (1510)

Bill C-84 will provide for a number of things which I would like to summarize quickly. First, a new security certificate system will be required for procuring deportation of certain recent arrivals.

Second, we are very concerned about denying those people the right to apply for refugee status. Many people will not have a chance to be processed to determine whether they are legitimate refugees.

Third, the Bill provides for the turning away of ships from our territorial waters if it is believed that they are bringing undocumented passengers. Although there was a small amendment to this particular clause of the Bill which refers to giving due regard to the UN conventions, by and large this was not changed.

Fourth, the Bill provides for the punishment of anyone helping people to come to Canada without the usual passport and visa. As we have said repeatedly, often the turmoil, fear, and situation of having to leave the country on very short notice means that people cannot obtain the full documentation which is expected. We wanted that clause amended but were refused.

Fifth, the Bill establishes punishment for disembarking passengers at sea. It provides for quite excessive new search and seizure powers and more wire-tapping powers.

Finally, the Bill provides for a sunset clause. The day has come when this Bill will be pushed through by the Government despite all our concerns and those of the public of Canada. Therefore, it is more important for this piece of legislation than perhaps any other that it be carefully monitored. All cases which are processed as a result of this Bill should be carefully documented and there should be an independent evaluation of its effectiveness and the challenge to human rights which we believe will result from this legislation. It is very important that it be evaluated and that a reformed piece of legislation be introduced to correct the errors of this Bill. I predict that a new Government would place that very early on its agenda.

I will not take the time to go into the details of these measures. My colleagues have done that in great detail, particularly the Member for Spadina (Mr. Heap) to whom I would like to pay tribute. He has given outstanding leadership and has been the conscience of Parliament in this matter. I commend him for his very hard work on behalf of refugees and Canada. Canadians want to believe that they are doing the right thing and are carrying out the provisions of our Charter which apply to people, whether or not they are Canadian citizens.

We oppose the new security certificates on the ground that the Federal Court lacks the expertise of the new security service in dealing with security matters. We believe it would be better to use a trained police force which is dealing with international security matters than to leave it to the court to decide.

We oppose the denial of access to refugee status because it offends the UN Convention by disregarding danger to life and liberty of a person whose alleged security offence is never thoroughly reviewed and may in fact be based on distorted accusations by his or her persecutors in the country from which the person has fled.

We have concerns about many other areas as well. We moved 12 amendments, not one of which was accepted by the Government. We were making a sincere attempt to make this Bill usable without discriminating against people coming to Canada and without disregarding UN Conventions.

We had some sympathy for the clause dealing with punishment for helping undocumented refugees to come to Canada. We offered amendments to clarify this provision and ensure that only those who tried to evade immigration examination, or organized people to make deliberately false refugee claims were found to be offenders. This was another attempt to be more fair. Of course the Government again refused our amendments.

We oppose the provision of new search and seizure powers because we feel it is a very bad precedent. With regard to the provision for more wire-tapping, we did support two clauses in relation to that, although we do not believe they are adequate to justify the Bill as a whole. That is a summary of Bill C-84 now that we are facing closure and a final vote this afternoon.

I would like to refer to the experience that most of us had in July of this year. Many people phoned our offices with angry reactions. Many angry calls were received in my constituency

office in Vancouver East. It was very interesting that many of the callers used the same phrases which the Minister was using. There is a definite relationship there. Callers talked about people jumping queues, used the phrase "illegal aliens" over and over again, and talked about "sending people back on the boat".

I sympathized very much with many of the callers, although certainly not with those who expressed racist views. However, many of the people with whom I spoke expressed the concern that they wanted an immigration policy which would be fair and which would seem to be fair to Canadians and to those waiting to come to Canada. I hope they also meant that it should be fair for people who are in fear for their lives or suffering economic deprivation and are seeking to come to Canada as refugees.

We on this side of the House still believe that it is very important to ensure that procedures are clearly understood by people before they come to Canada. That has not been the case. There is still a perception that people can exploit the system, as they certainly have. The point is that we do not know whether they are genuine refugees until they get here and have had due process of examination. Those who do qualify as refugees can then go through the proper procedures in order to remain here. New Democrats believe that after having had a fair hearing with the opportunity of having counsel and appeal, any person who is not a legitimate refugee should not be allowed to stay permanently in Canada. To be able to do so would certainly be unfair and an abuse of the policy. I repeat that we do not know this unless these people have an opportunity to be examined and have their case reviewed.

• (1520)

Canadians are very proud of our humanitarian tradition. We opened the doors for Hungarian refugees. I had personal experience in working in refugee camps in Vienna and elsewhere in Austria and saw the generosity of Canadians. While perhaps not generous enough to take people who were unhealthy or could not adjust as easily, we took as many as we could.

It is interesting that this summer we are talking about boat people because we opened our doors to boat people in the South Seas. We welcomed as many people from Southeast Asia as possible and sped up the refugee policy at that time. We tried to bring them here and do much of the processing in Canada. We should not forget that Canadians approved of this and welcomed those people.

I hope Canadians feel the same way in this case. Certainly, in my part of Canada along the western coastline many people are coming from Latin American countries. These are people who suffered a great deal of hardship, and I feel particular concern for a number of women with young children who have had a great struggle in coming through the United States.

Much of the outcry from Canadians about this incident is based on media reports and some of the angry statements by the two Ministers, which really made it difficult for people to look rationally at some other requirements that are needed in a fair immigration policy for refugees. We believe very strongly that this incident would not have occurred had the Government proceeded a year ago to reform the refugee processing policy and procedures and implemented the recommendations of Rabbi Plaut and the recommendations of the all-party parliamentary committee that was concerned with improving the refugee processing system.

People would have known that the Government was taking action, and I believe that people outside Canada, including agents who are exploiting people and telling them to distort the truth in some cases, would have been much more reluctant about encouraging people to come here if they knew the refugee determination process would take two or three months rather than two or three years.

Let us consider present public opinion as a result of the debate in the House and in view of the period in which people have been able to consider the details of these Bills. Canadians have been able to read reports in the media from many experts who appeared at the committee. They have also heard many speeches in the House which I hope have raised very legitimate points.

When I was in Vancouver East last week fulfilling appointments in my office I found quite a change in public opinion. I would be interested to know if this has happened with other Members of Parliament, because it seems to me that tempers have cooled down and people are looking at this issue more reasonably. In fact, many people said that we should make sure that we maintain the kind of justice and humanitarian policies that we believe are so important for Canada.

For example, last week churches, many support organizations and individuals in Vancouver held a major protest asking the Government to modify these Bills and provide protection for people coming to Canada. One young man came to my office saying that he and his mother would have been charged under this Bill since they have given accommodation to refugees from Latin America until they could apply officially.

A Portuguese constituent of mine, now a Canadian citizen, expressed concern that the Government was misleading people by making the general public think that refugees are the same as landed immigrants and are jumping ahead of landed immigrants on the list. He is quite right that there are two different waiting lists. I hope people are more aware of this now.

An organization in Vancouver, Casa Latinoamericana, has expressed a particular concern. I want to read some of the highlights from a very urgent notice they published during the summer. They are very concerned about the recent news that death squads are operating out of Los Angeles. They state:

> According to articles publicized in *The Globe and Mail*, *The Province* and other sources, people actively involved in denouncing U.S. policy in Central

America as well as human rights abuses are under attack by death squads. Such acts of violence include torture, abductions and threats.

Those squads operate the same way as in El Salvador. Therefore, it is suspected that they are not operating on their own but enjoy the support and protection of those individuals who also finance this type of operations in Central America. It also seems evident that LA's death squads members do not fear any reaction on the part of the police department. Finally, these operations might as well be considered as a new psychological approach to crack-down on the flow of Central American refugees to the United States.

In spite of the given situation, refugees seeking safety in Canada might be sent back to an uncertain fate in the U.S.—

That is why we are so worried about Bill C-84 and Bill C-55 which would require some people at our borders to be sent back to the United States. Certainly they could be subject to the death squads.

Casa Latinoamericana urges people to oppose Bill C-55 and Bill C-84 which deprive people of the right to be refugees. They ask that all of us write to the U.S. embassy as well as to the Prime Minister (Mr. Mulroney) and government officials.

I must repeat that it is with great concern and sadness that as Canadians we have to rush through a Bill that was not carefully considered. I am ashamed that the Government has chosen to ignore the appeals and the expertise of various church representatives, refugee support groups and experienced lawyers in this field who have pointed out the errors and dangers in this legislation.

I am also concerned that the Government has brought in closure without really explaining clearly and honestly some of the procedures and impacts these policies will have on people seeking refuge in Canada.

On behalf of my Party, we regret that the Government has made so little effort to change and improve this Bill.

Mr. Harris: Mr. Speaker, I have a brief comment on the remarks of my colleague. Let me say how very disappointed I am to see that Bill C-84 will pass through the House. I fully expected that, being recalled for an emergency piece of legislation, we would see genuine debate and consideration by the Government to any objections that might be raised to what is very hastily arranged legislation to deal with an emergency. There has been much comment from learned groups, in newspapers and from leaders from across the country pointing out shortcomings in the legislation which has been put forward. I refer to the denial of counsel, the denial of the right to determination, and the creation of offences for humanitarian work. These are extreme actions on the part of the Government. The turning back of ships at sea in potentially dangerous circumstances is another shortcoming of this legislation. I expected that the Government would have listened to these groups and individuals who wholeheartedly and almost unanimously suggested that this measure is extreme. I thought that the Government would have made some changes to remove these extreme measures.

• (1530)

The Government has taken the position, and we heard the Deputy Prime Minister (Mr. Mazankowski) on national television the other day repeat it, that the people of Canada wanted action, and we have acted. This is a justification for this action, a justification that could be used for any action that a government might take. It can justify very extreme measures. The people of Canada had better be very wary in asking the Government to take action. We are afraid that it will not be considered action and that it will not listen to reasonable objections to the actions that it proposes.

Those are my comments. I am very disappointed in seeing the Government not listen to the objections to this Bill.

Ms. Mitchell: Mr. Speaker, I must say to my colleague, the Hon. Member for St. John's East (Mr. Harris), that he said very succinctly and much more skillfully than I what I raised in my remarks. I wish that he had time to make a full speech on this matter. I think that with his expertise in the legal field, as well as his humanitarian instincts in being a New Democrat, the House would have a lot to learn from him. I want to thank him for his comments.

[*Translation*]

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

Some Hon. Members: Question!

Mr. Deputy Speaker: The question is on the motion by Mr. Bouchard, seconded by Mr. Lewis: That Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be now read a third time and passed.

[*English*]

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

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

And more than five Members having risen:

Mr. Deputy Speaker: Call in the Members.

• (1600)

And the division bells having rung:

Mr. Deputy Speaker: Pursuant to Standing Order 13(4)(a) I have been requested by the Chief Opposition Whip to defer the division until a later time.

Accordingly, pursuant to Standing Order 13(5) the division on the question now before the House stands deferred until six o'clock p.m. Monday, September 14, 1987 at which time the bells to call in the Members will be sounded for not more than 15 minutes.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for St. John's East (Mr. Harris)—Supply and Services—Contract to videotape business excellence awards function—Request for introduction of new tendering process; the Hon. Member for Bow River (Mr. Taylor)—Agriculture—Special Canadian Grains Program—Request for inclusion of hay producers.

GOVERNMENT ORDERS

[*English*]

BRETTON WOODS AND RELATED AGREEMENTS ACT

MEASURE TO AMEND

Mr. Doug Lewis (Minister of State and Minister of State (Treasury Board)) moved that Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, I appreciate the opportunity to move second reading of Bill C-68. The House will know that the purpose of this Bill is to amend the Bretton Woods and Related Agreements Act in three ways. First, it would provide legislative authority for Canada's participation in the Multilateral Investment Guarantee Agency. Second, it would provide funds for the purchase of shares in the agency. Third, it would incorporate an amendment to the articles of agreement of the World Bank into the existing legislation.

The principal objective of this Bill is to establish legislative authority for Canada's participation in the Multilateral Investment Guarantee Agency, also known as MIGA. The convention establishing the Multilateral Investment Guarantee Agency was negotiated under the auspices of the World Bank and opened for signature on October 11, 1986. MIGA's goal will be to help Third World countries find much needed additional resources to finance their development by tapping the private sector. The agency's mandate will be to promote private investment in developing countries and to help create in these countries a climate conducive to foreign investment.

The agency will provide foreign investors with insurance against non-commercial risks, such as currency transfer risk, expropriation and similar measures, breach of contract, and war and civil disturbance. The agency also has a responsibility to conduct research and disseminate information on investment opportunities in developing member countries as well as to undertake other activities to promote foreign investment.

Foreign private investment will enhance the developmental prospects of host countries through the provision of non-debt-creating transfers of resources as well as a transfer of technology and managerial skills. This Government has emphasized the importance of the private sector to Third World development and the role to be played by non-debt-creating foreign investment. The benefits of MIGA for the developing countries are substantial. Canadians will also benefit from Canada's participation in MIGA. Over time, MIGA is expected to help improve economic conditions in developing countries. Canadians would stand to benefit from improved export opportunities, and there is no question about that, Mr. Speaker. More immediately, Canadian companies investing abroad will be able to compete on an equal footing with companies from other countries that have joined MIGA.

The Multilateral Investment Guarantee Agency will complement national and regional programs rather than compete with them. Canada's Export Development Corporation, EDC, already provides insurance and guarantee cover for some non-commercial risks. MIGA is therefore expected to focus on guaranteeing investments from members without a national program, co-guaranteeing with national and regional agencies, providing re-insurance for national and regional agencies, and guaranteeing investment jointly financed by investors from different member countries. The convention establishes MIGA as an autonomous international organization. Although legally separate from the World Bank, the president of the World Bank would be *ex officio* chairman of the board of directors and would nominate MIGA's president. In addition, MIGA is expected to draw heavily on the services of the World Bank group. This relationship is intended to promote the agency as an international developmental institution and assist it to gain recognition.

Canada is entitled to purchase 2,965 shares in the agency at a total cost of $32,081,300 U.S. Within 90 days of the convention establishing MIGA coming into force, Canada will be required to pay 10 per cent of the above amount in cash, a further 10 per cent in non-negotiable, non-interest bearing demand notes. The remaining 80 per cent is subject to call. Accordingly, Bill C-68 also authorizes the Minister of Finance (Mr. Wilson) to pay up to $6,416,260 U.S. for the purchase of the shares allotted to Canada under the convention. These funds would come from Canada's official development assistance program.

The Bill also provides for a minor amendment to the articles of agreement of the International Bank for Reconstruction and Development, which is the main component of the World Bank group. The amendment raises the share of the total voting power required to accept amendments to the institution's articles of agreement from 80 per cent to 85 per cent. This amendment was agreed to by Canada and the other industrialized countries as part of the recent negotiations for the funding of the International Development Association, the arm of the World Bank which provides concessional loans to the poorest countries.

• (1610)

This Bill will help developing countries marshal the resources they need to finance development. It will do this without creating new debt and obligations for these hard-pressed countries and, at the same time, it will provide useful investment opportunities for Canadians. It is a Bill which deserves our strong support.

Miss Aideen Nicholson (Trinity): Mr. Speaker, may I begin by congratulating the Hon. Minister on the first speech he has delivered since he has been elevated to the Cabinet.

Some Hon. Members: Hear, hear!

Miss Nicholson (Trinity): Mr. Speaker, today, perhaps more than at any other time since World War II, Canadians are aware that their own well-being is inextricably linked to the economic and political security of other parts of the world. The Bill before us today is a reflection of that recognition and of Canada's involvement in international organizations.

The idea for an international insurance scheme has been around since 1948 but was first given serious study from 1960 onward. In 1973, with the rise of protectionism, discussions were suspended. As well, there were ideological differences between the rich and the poor countries, which interfered with negotiations.

In 1981, the then World Bank President raised the idea again and, at that time, it received general acceptance, particularly among countries suffering under crippling foreign debts. In March 1985, a draft convention on the establishment of the Multilateral Investment Guarantee Agency was circulated to member Governments of the World Bank. Since then, more than 20 countries have signed the convention, and Canada signed it on April 10, 1986. Parliament is now being asked to ratify the convention.

At this time, at least 15 developing countries have ratified the convention. In order to be established, it is also required that five developed countries sign it. Of the developed countries, only Japan and West Germany have ratified it. In the United States, both the House of Representatives and the Senate have approved the convention, but the Senate added some conditions which have complicated matters. The conditions are designed to protect U.S. employment and production against possible competition from investments covered by this new agency.

The new Multilateral Investment Guarantee Agency, which is known by it acronym, MIGA, has two main purposes: to guarantee non-commercial risks and to enhance mutual understanding between host Governments and foreign investors. It is designed to be self-sustaining after the original investment. It will be able to vary its premiums charged to investors in accordance with the actual risks assumed, and only investments which are economically sound are to be insured.

MIGA is not meant to compete with national insurance agencies. Rather, it is meant to supplement and to complement them. In Canada, the Crown-owned Export Development Corporation already insures some types of investments, mainly against commercial risks. Most capital exporting countries have investment insurance schemes of their own, but the coverage they provide is far from adequate. It is estimated that all the national programs combined cover less than 20 per cent of current direct investment flowing to developing countries. Moreover, private coverage is often very expensive and limited to the short term.

If MIGA were successfully established, it has been estimated that by 1990, about $2 billion-worth of MIGA guaranteed projects could be in place, many of which would not have been undertaken otherwise. It would appear at first blush that this agency will fill an obvious gap since developing countries are in great need of funds to finance their investments.

The volume of investments directed to developing countries has been substantially reduced in recent years from more than $17 billion in 1980 to some $10 billion in 1983. Commercial bank loans have plummeted since 1981 and are not expected to regain earlier levels in the foreseeable future. Official aid flows are also stagnating.

Developing countries have traditionally viewed foreign direct investments with mixed feelings, but the world debt crisis made many realize some of the advantages that equity investments have over commercial bank loans. Loans must be regularly serviced by the recipient country regardless of whether or not the money was well invested. Foreign direct investments on the other hand must first produce a net benefit before any payment abroad must be contemplated. However, many countries still continue to see foreign investment as a threat to sovereignty, and this probably explains why some countries have not shown any indication of wanting to join this new organization. Conscious of these problems, those who are organizing the new agency have written into its statutes that it will not conclude any contract or guarantee before the host Government or the recipient country approves the issuance of the guarantee.

In Canada, the Foreign Affairs Committee in the other place released a report last May on the debt problem of developing countries. The position taken on MIGA was somewhat neutral. The committee did not see MIGA as being a major player in solving the Third World debt problem, but it

thought that it could be a positive factor in encouraging needed private investment capital into Third World enterprises. As I said, the Senate committee here did not have a specific recommendation on MIGA.

As was said earlier, the mandate of the new agency will be to promote private investment in developing countries and to help create in those countries a climate conducive to foreign investment. The agency will provide foreign investors with insurance against non-commercial risks in developing countries, risks such as currency transfer risks, expropriation, breach of contract and war or civil disturbance. The agency will also carry out other promotional activities. It is hoped that foreign private investment will enhance the developmental prospects of host countries through the provision of non-debt-creating transfers of resources as well as a transfer of technology and managerial skills.

MIGA will be the third affiliate of the International Bank for Reconstruction and Development, generally known as the World Bank. Canada has always supported the activities of the World Bank since its foundation in the 1940s. Canadian staff have rendered distinguished service to the World Bank and its affiliates.

• (1620)

The Bill before us provides for Canadian membership in MIGA, as the Hon. Minister said. It designates the Bank of Canada as the depository in Canada for the holding of Canadian currency and other assets of MIGA. It also provides the Minister of Finance (Mr. Wilson) with authority to provide financial assistance to MIGA for the purpose of purchasing shares.

The immediate question that comes to mind is, why are we looking today at new expenditures which were not in the Estimates? Why are we having a surprise in September? The reason given by officials is that they had no authority to put it in the Estimates before the Bill was brought to Parliament and the convention ratified. That is logical, but it illustrates a continuing problem for parliamentarians in trying to determine the proposed expenditures of the Government and matching them with actual results.

Since the foundation of this new agency has been in the works for many years and the convention was signed by Canada almost a year ago, I think in future it is incumbent upon the Department of Finance to find a way to give Members of Parliament advance notice of proposed disbursements. This can be done by including them in the Estimates as a possible disbursement. The money involved here, as government expenditures go, is not very large, but there is a principle that if Members of Parliament are responsible for the public purse we need solid information and it needs to be timely.

Canada is entitled to purchase 2,965 shares in the agency at a total cost of some $32 million U.S. The customary arrangement is that only a small portion of this is paid immediately. Within 90 days of the convention coming into force, Canada will be required to pay 10 per cent of that amount in cash and a further 10 per cent in non-negotiable, non-interest bearing demand notes. The remaining 80 per cent is subject to call. Therefore, the Bill also authorizes the Minister of Finance to pay up to $6,416,260 for the purchase of shares allotted to Canada under the convention.

As I said earlier, this convention requires ratification by five developed and 15 developing countries whose subscriptions total one-third of MIGA's authorized capital. In a report last July it was said that 15 of the developing countries had already ratified the convention and many others were interested. As I said earlier, the developed countries have been slower to respond.

The broad objectives of MIGA are such that most people in this House would support them. The encouragement of investment flows for productive purposes among developing countries is a mandate which goes past merely being an insurer against political risks. Most countries are interested in having an international agency which will work towards the improvement of investment conditions in member countries through a number of advisory and technical services which go hand in hand with the guarantee operations.

As I said earlier, Canada was one of the founding members of the World Bank and has supported it with both money and personnel over the years. It is therefore logical that we want to be involved in this extension of the bank's activities, particularly at a time when the world economy is not functioning particularly well. Over the past decade, even the richest countries have had to face unemployment, stagnant rates of economic growth, and spiralling inflation. However, the weaker countries have suffered far more. We have seen developing countries crushed under debt, partly because of the rapid increases in energy prices, and partly because of attempts to service a load of international debt. Recently we have seen some major banks write off some of that debt in an effort to assist the developing countries to get a little above water.

I hope this measure before us, by encouraging investment and the development of technological advice and assistance to less developed countries, will continue the aid to those countries. This is something in which we all have an interest, not only for humanitarian reasons but also for reasons of self-interest. It is in the interests of all of us that other human beings in other countries have the same rights to education, to a level of prosperity, and to developing their own goals and aims that we do. The more prosperous the developing countries are, the more markets we have for our products and the more we are able to look forward to alliances with strong functioning partners.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is a pleasure to have this opportunity to say something about Bill C-68. I want to join with my friend, the Hon. Member for Trinity (Miss Nicholson), in congratulating the new Minister of State for the Treasury Board (Mr. Lewis) on his first speech

in that capacity. I look forward to hearing many more speeches, particularly of this nature, when we are adding something positive to the Government's program. Let us hope that it is a harbinger of good things to come.

I do not know if you remember back in 1948 when this whole discussion began. It was then that the idea of an international insurance scheme was first suggested. In the 1960s, serious study was given to the concept of encouraging international investment, particularly in the developing countries. The idea was then shelved in 1972 by and large because of lack of interest by the various member states. Perhaps the real reason was the profound ideological differences between the northern countries and the southern countries, the well-to-do and the lesser developed. Those ideological differences really set this whole concept of an international commercial insurance scheme on the back burner for a number of years. In 1981, the then World Bank President, Mr. Clausen, raised the idea again and found relative acceptance.

I think it has been a surprise to most of us to see the relative haste with which various countries got on board and said that now is the time. I have asked myself what on earth led to this enthusiastic response after so many years of receiving little support. I think it may have to do with the growing international debt which causes extreme economic hardship in the developing countries and has caused us some concern as well. It affects international financial institutions and, more specifically, Canadian banks which have become very seriously exposed as a result of many loans to the developing countries which were unsecured.

• (1630)

Although I am not sure it is all that altruistic, we have decided to come on board. In April of last year the Minister of Finance (Mr. Wilson) indicated that Canada was willing to participate in the Multilateral Investment Guarantee Agency. The Minister of Finance agreed at that time that Canada would be a participant, which would require legislation passed by the House of Commons. We are aiming at an October 30 deadline and it looks as though we are pretty well on target.

The purpose of Bill C-68 is to amend the Bretton Woods and Related Agreements Act to provide the authority for Canada's membership in the Multilateral Investment Guarantee Agency with a target date of October 30, 1987. If the legislation is approved the Minister of Finance will be allowed to purchase shares under the convention for up to $6,416,260 U.S. It will also amend Section 6 of the Bretton Woods Act, the articles of agreement of the International Bank for Reconstruction and Development. That is a very important amendment for obvious reasons which do not necessarily require elaboration at this point.

The Multilateral Investment Guarantee Agency will provide foreign investors with insurance against non-commercial risk in developing countries such as currency transfer risk, expropriation, breach of contract, war and civil disturbances. It will also carry out other promotional activities to facilitate investment in many of these developing countries. The agency will also supplement Canada's Export Development Corporation which already provides insurance and guarantee cover for non-commercial risks. It will be able to give guarantees in countries the EDC will presently not cover.

Many people have been asking why Canada needs to participate in this international agency when we have the Export Development Corporation doing, in a sense, the same work. There are some areas of the world in which the EDC is very reluctant to operate and some areas in which it simply refuses to offer insurance because of the high risk nature of those areas. If Canadian investors are interested in participating in those countries they will now be able to have the appropriate insurance.

New Democrats support this initiative. Canada's participation in this proposal of the World Bank to guarantee activity in developing countries is not costly to the Canadian taxpayer and we believe could be of some assistance, albeit small, in encouraging investment activity by less developed countries.

In real cash terms, our investment will be only a little more than $3 million U.S., with a total commitment of $30 million U.S. To make a comparison, that is a small percentage of what it would cost to construct a new prison. As this would be a step in the right direction in terms of facilitating Canadian investors, developers and enterprises to participate in third world development, I think it would be $3 million well invested by the federal Government.

Canada's EDC already has extensive coverage for investment in developing countries. Therefore, we do not expect to see a very large change in Canadian investment patterns as a result of MIGA's activities.

I think all Members of Parliament have been involved in a variety of activities of Canadians overseas. Canadians in many developing countries have taken advantage of what the EDC has to offer. Therefore, I do not think we can expect a major shift in investment or a major increase in economic activities by Canadians overseas as a result of this initiative. However, we believe it is a step in the right direction and an appropriate initiative to be taken at this time to widen insurance coverage and to widen the promotional and development support which the EDC provides in some countries. We will now be able to have the same support in other countries.

The benefit of MIGA derives not so much from what it will do directly for Canadians and Canadian companies in their foreign investments; it is more important in that it is an international organization and Canada is able to confirm its long-standing commitment to participate and encourage participation in world organizations. We will, at relatively small cost, be encouraging further much needed collaboration on this front by countries working together to assist those countries which find themselves in dire economic straits.

MIGA will also encourage attention to the role of foreign investment in developing countries. We have argued that this ought to have been examined in detail for many years. It would be naive to assume that all foreign investment is automatically good. That is not the case. We have seen too many of our investment programs and, I am sad to say, some of our international assistance from government and in some cases non- governmental organizations not result in the best interest of some people in some countries.

We hope that this international agency will encourage the Government and the people of Canada to focus more attention than ever on the role of foreign investment in developing countries. Steps ought to be taken to ensure that investment which takes place is done, not only in our best interest, but in the best interest of the people in those countries.

To the extent that MIGA will allow investment by one less developed country in another, it will improve south-to-south trade and enhance trade flow within the lesser developed countries. We believe that this is an important initiative. When we look at economic development in the lesser developed countries we assume that there is only a one-way flow that is of any benefit to the developing countries. Such is not the case, and anything we can do to facilitate international trade between the lesser developed countries will be of benefit to them in improving their economic infrastructure. For that reason as well we support this initiative.

The agreement requires that at least five developed countries and 15 developing countries participate. To date, 15 developing countries have ratified the convention. Japan and Germany have now ratified the convention, and the Netherlands and, of course, Canada, are well on the way to doing the same. I notice with interest that when President Reagan tabled his budget it included moneys for MIGA. That is an important initiative for the American administration and Congress to take. I only hope it is not stalled in the Senate.

• (1640)

However, at the moment, while the Senate has attached some amendments to the Bill for ratification and the House did not, I think there is still hope that they will come up with something consistent with the MIGA Convention. It looks encouraging that by the October 30 deadline, five developed countries and 15 developing countries will have placed their signatures to the convention.

It is important that in passing this Bill we do not construe this initiative as a replacement for real economic aid to these developing countries. While MIGA may be of some assistance to the economy of the developing world by providing insurance for investors, we must be careful not to mistake this kind of activity for aid.

I sense a rather enthusiastic response by members of the Government in particular in that they believe this will be a major aid initiative. In fact, it is not an aid initiative but an economic, business initiative. To the extent that it will help the developing country economically in terms of job-creation and tax and financial flows within that country, we support it. However, let us not ever consider that this ought to be termed any sort of real Canadian aid for the developing countries.

We agree that aid must not be tied to domestic export development. What developing countries need most is commitment from countries like Canada to long-term infrastructural development assistance of the kind that will allow a broad based and self-sustainable economic and social development in the recipient countries.

We have learned in the last while that many of our traditional aid projects have often provided a hindrance to economic and social development in developing countries. Now we can make our greatest contribution by assisting in the development of a sophisticated economic and social infrastructure.

I was pleased to see our community college in Kamloops, one of the communities I represent, accepting a number of international students to study there for the first time. They bring with them not only a renewed and increased cultural awareness for Canadians, but also they create the much needed links between ourselves and other countries, including developing countries. It is in this area that Canada can and has been using its expertise in technological development and instruction to make a real contribution both through official government aid and through the NGOs.

I believe we all have to share some disappointment about the fact that Canada's percentage of Gross National Product devoted to development has been slipping in recent years. While we find this disturbing at a time when it is essential that Canada display its commitment to long-term development, let us hope that this downward slide will be reversed and we will see a renewed commitment to Canada placing aside sums of money toward real development aid so that our aid as a percentage of our GNP will reach the target set by the Prime Minister (Mr. Mulroney) three years ago. I do not have to remind the House that the Prime Minister was quite specific as to what he believed that target ought to be in terms of government aid to assist less developed countries than ours. I only hope that by the end of his administration we will have reached that target.

In conclusion, I look forward to this Bill going to a legislative committee where we can study it in detail and ensure that it will be effective. As I indicated earlier, I noticed that the American Senate has looked at the convention and decided in its wisdom that improvements could be made in terms of the American commitment. I think it behooves us to follow that initiative, and to consider this carefully in the legislative committee to see if it cannot be made more effective in facilitating Canadian investment in developing countries.

I want to ensure that the legislative committee calls witnesses such as the Canadian Exporters Association, which has strong views on this legislation. We would also like to hear from the Canadian Chamber of Commerce, which obviously has a direct interest, in some cases even a vested interest, in the

final outcome of this legislation. Of course, we want to hear from the Canadian International Development Agency and other outside experts on developing countries.

It is a pleasure to participate in a debate of this kind, to see the Government put its signature to this Convention and follow up with this initiative in Bill C-68. We look forward to completing discussion and debate at the legislative committee stage as well as at third reading.

[*Translation*]

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I am pleased to speak to Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act. Last June 17, when the Minister of State tabled in the House of Commons a Bill to amend the Bretton Woods and Related Agreements, he gave us to understand that this legislative measure would be called for debate in the fall, and I have to say he has kept his word. Here we are today debating this important Bill, and although I do not think it is a contentious issue it does require a minumum of debate, long enough to explain the purpose of the Bill, which is to secure the ratification of Canada and its participation in the Multilateral Investment Guarantee Agency, MIGA for short.

MIGA's mandate will be to promote private investment in developing countries and help create in these countries a climate likely to attract foreign capital. MIGA will provide foreign investors with insurance against non-commercial risks in developing countries. Currency transfer, expropriation, breach of contract, war and civil disturbance are some examples of non-commercial risks. MIGA will also have other promotion activities. Foreign private investment will contribute to enhance the development prospects of host countries through the transfer of non-debt-generating resources, technology, and sound management.

The Canadian Export Development Corporation, the EDC, already provides major insurance coverage and guarantees against non-commercial risks. The Multilateral Investment Guarantee Agency (MIGA) will be in a position to increase and complete that coverage for possible Canadian investors. For instance, MIGA could cover investments in countries that are not insured by the EDC.

MIGA will be the third affiliate of the International Bank for Reconstruction and Development. The two other affiliates are the International Development Association and the International Finance Corporation. Since MIGA is an affiliate of the World Bank, this Bill implements the agreement establishing MIGA by amending the Bretton Woods and Related Agreements Act. That Act deals with Canada's participation in the institutions set up under the Bretton Woods Agreements, namely the International Monetary Fund and the three World Bank institutions, IBRD, IDA and IFC.

Bill C-68 provides for Canada's participation in MIGA, first by adding MIGA's name to the Bretton Woods and Related Agreements Act's full title; second, by including MIGA in the Act's preamble, Section 2; third, by adding the Convention establishing the Multilateral Investment Guarantee Agency in the Fifth Schedule, Articles 3 and 7; four, by instituting the Bank of Canada as the depository in Canada for the holdings of Canadian currency and other assets of MIGA, section 4; finally, by granting to the Minister of Finance authority to extend financial assistance to MIGA for the subscription of shares.

Mr. Speaker, Canada is authorized to purchase 2,965 shares of the Agency, for a total $32,081,300 U.S. Within 90 days from the date on which the Convention establishing the Multilateral Investment Guarantee Agency, Canada shall pay in cash 10 per cent of said amount, and an additional 10 per cent in the form of non-negotiable, non-interest bearing notes. The remaining 80 per cent shall be subject to call by the Agency when required. Similarly, Bill C-68 grants the Minister of Finance authority to subscribe shares allotted to Canada under the Convention for a total cost of $6,416,260 U.S.

The Convention establishing MIGA was presented for signature in October, 1985. Canada signed it in April, 1986. It should come into force before October 11, 1987. Therefore Canada must have ratified the Convention by then in order to attend MIGA's first meetings, which will deal with the drafting of regulations.

Bill C-68 also includes a minor amendment to the IBRD's articles included in the Second Schedule to the Bretton Woods and Related Agreements Act. That amendment raises from 80 to 85 per cent the percentage of votes needed to carry an amendment to the IBRD's articles. Canada and the other industrialized nations have agreed to that amendment during the negotiations on the eighth replenishment of the resources of the International Development Association, a World Bank agency that, as we know, extends loans under favourable terms.

The clauses of the Bill dealing with MIGA will come into force at the same time as the agency itself. The amendment to the schedule including IBRD's articles would come into force at a date set down by proclamation.

If I may give some background, Mr. Speaker, the idea for an international insurance scheme has been around since 1948, but was first given serious study from 1960 on. In 1973, discussions were suspended because of a lack of interest from member countries and ideological differences in the rich and developing countries. In 1981, then World Bank President A.W. Clausen raised the idea again, and at that time, it received general acceptance, particularly among countries suffering under crippling debts. In March 1985, member countries received a draft convention on the establishment of the Multilateral Investment Guarantee Agency. On October 11, 1985, after an animated debate, the Governors of the World Bank agreed to the existing convention and invited the participant countries to sign it. More than 20 countries have already signed the Convention, Mr. Speaker. The Minister of

Finance, the Hon. Michael Wilson, signed it himself on behalf of the Canadian Government on April 10, 1986. Parliament is now being asked to ratify the Convention, which will come into effect when it has been ratified by at least five developed countries and 15 developing countries on the understanding that these countries will provide at least one-third of the capital authorized by MIGA.

At this time, at least 15 developing countries have ratified the Convention. Of the developed countries, only Japan and West Germany have ratified it. In the United States, both the House of Representatives and the Senate have approved the Convention, which is now being considered by a joint committee of Congress. In contrast with the version adopted by the House of Representatives in the United States, the Senate Bill sets various conditions to ratification by the United States, which are designed mostly to protect U.S. employment and production against possible competition from investments covered by MIGA.

MIGA has two main purposes: To guarantee non-commercial risks and to enhance mutual understanding between host Governments and foreign investors. It is designed to be self-sustaining. It will have to operate in accordance with the principles of sound commercial practice and sensible financial management. It will be able to vary its premiums charged to investors in accordance with the actual risks assumed, and only investments which are economically sound are to be ensured. MIGA is not meant to compete with national insurance agencies. Rather it is meant to supplement and to complement them.

In Canada, the Crown-owned Export Development Corporation already insures some types of investments, mainly against commercial risks.

Most capital exporting countries have investment insurance schemes of their own—either public or private—but the coverage they provide is far from adequate. It is estimated that all the national programs combined cover less than 20 per cent of current direct investment flowing to developing countries. Moreover, private coverage is often very expensive and limited to the short term. If MIGA were successfully established, it has been estimated that by 1990, about $2 billion-worth of MIGA guaranteed projects could be in place, many of which would not have been undertaken otherwise.

It would appear that MIGA will fill an obvious gap since developing countries are in great need of funds to finance their investments. The volume of investments directed to developing countries has been substantially reduced in recent years from more than $17 billion in 1981 to some $10 billion in 1983 according to conservative estimates. Commercial bank loans have plummeted since 1981 and are not expected to regain earlier levels in the foreseeable future. Official aid flows are also stagnating.

Developing countries have traditionally viewed foreign direct investments with mixed feelings but the world debt crisis made many realize some of the advantages that equity investments have over commercial bank loans. Loans must be regularly serviced by the recipient country regardless of whether the money was well invested or not or whether mistakes were made or not. Foreign direct investments on the other hand must first produce a net benefit before any payment abroad must be comtemplated. However, many countries still continue to see foreign investment as a threat to sovereignty and this probably explains why some countries such as India and some Latin American countries have not shown any indication of wanting to join this new organization. Conscious of these problems, those who are organizing the new agency have written into its statutes that it will not conclude any contract or guarantee before the host Government or the recipient country approves the issuance of the garantee.

Mr. Speaker, the Foreign Affairs Committee in the other place released a report on May 13, 1987 on the debt problem of developing countries. The committee did not see MIGA as being a major player in solving the Third World debt problem but it thought that it could be a positive factor in encouraging needed private investment capital into Third World enterprises. The Senate committee here did not have a specific recommendation on MIGA.

Mr. Speaker, I was pleased to have this opportunity to comment briefly on Bill C-68. I hope that in the coming days the House will adopt this measure which I think is serious, a legislative measure which we feel is altogether acceptable and which will be of great help to all these developing countries. Canada will contribute to development loans which will be generously guaranteed so that these countries may get their fair share of international trade, develop their local economies, and create the jobs they so badly need.

• (1650)

[*English*]

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

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

Mr. Deputy Speaker: It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*English*]

EXTERNAL AFFAIRS

ADVISABILITY OF SIGNING PROTOCOL TO CONTADORA TREATY

Ms. Pauline Jewett (New Westminster—Coquitlam) moved:

That, in the opinion of this House, the government should consider the advisability of signing the protocol to the draft Contadora Treaty and thus become an active member of the Contadora Support Group.

● (1700)

She said: Mr. Speaker, no region of the world and no foreign policy issue is of more concern to Canadians than the continuing and tragic conflict in Central America.

As a member of the External Affairs and International Trade Committee of the House, and last year as a member of the special joint committee of the House and Senate studying Canada's international relations, I have been repeatedly impressed by the well articulated and deep concern of thousands of Canadians about Central America. It was Central America that was the issue for which we received the largest number of briefs and presentations at the meetings of the special joint committee.

There is no question about the concern of vast numbers of Canadians. When speaking in the House a week or so ago, my colleague, the Hon. Member for Spadina (Mr. Heap), outlined in great detail the expressions of concern of Canadians and how they were taking real form. He said, "Thousands have been involved for years in the struggle for a just and lasting peace in Central America. They have donated their time, energy, money, and sometimes risked their lives to help Central Americans. There is a Canadian people-to-people peace initiative".

At the present time there is a mission for peace in Nicaragua. This mission for peace is sponsored by Oxfam and the Canadian churches. I am sorry to say that although both the Liberal Party and the New Democratic Party sent Members of Parliament on this fact-finding mission for peace, for some reason that I do not understand, the Conservatives refused an invitation to have one of their Members go on this mission for peace this week. According to a newspaper story, apparently the Prime Minister (Mr. Mulroney) refused the invitation to send any Tories with opposition MPs and church groups on the mission for peace to Nicaragua.

As we were recently reminded by the excellent documentary on the CBC television current affairs program *The Journal*, since 1978, 200,000 people have died as a result of the political violence in Guatemala, El Salvador and Nicaragua. Domestic injustice, poverty, oppression, and in some cases state terrorism and violence between states, continue to threaten to escalate further.

In the past, there has been a complete absence of peaceful solutions to the critical problems of the region. The possibilities of escalating military conflict, the absence of peaceful conflict resolution, and the escalating foreign military intervention, primarily from the United States in the form of military support for the Contras, led to an initiative by Mexico, Venezuela, Colombia, and Panama.

This initiative sought the creation of a process for conflict resolution and the creation of a peace treaty among the five Central American republics. The initiative was named after the Panamanian island, Contadora, where the Ministers from Mexico, Venezuela, Colombia, and Panama initially met. The Contadora initiative provided much needed diplomatic impetus in the region. These efforts resulted in a draft peace treaty, which, I remind the House, met with full Nicaraguan support and the initial support of the other republics. However, the support of Honduras and El Salvador cooled under pressure from Washington.

The Contadora Peace Treaty calls for the reduction and eventual elimination of all foreign military advisers and bases in Central America; a freeze, and then reduction of the level of arms and armed forces in the region; the elimination of arms traffic; and the establishment of verification and control measures with international supervision.

All major Latin American countries quickly formally endorsed the treaty, as did Sweden and France, and formed themselves into the Contadora support group, or the Lima support group, as it is sometimes called.

I, and others in my Party, have repeatedly called on the Government of Canada to endorse the Contadora Treaty and lend Canada's diplomatic weight and concrete efforts to peace in Central America. My Party called for such efforts in great detail at its convention in Ottawa in 1985. In 1985, I also called on the Government to support the plea of the Contadora support group for the resumption of bilateral talks between the United States and Nicaragua.

We have repeatedly urged that Canada actively discourage the United States from its military and financial aid to the Contras. I am sorry to say that we have met with little success. Apparently the Secretary of State for External Affairs (Mr. Clark) does raise the issue with the Secretary of State for the United States at their frequent meetings, but the Secretary of State for External Affairs is told that that is simply not an item on the agenda, and the Americans do not wish to listen to what he has to say on that subject.

At an important meeting held recently in southern California, I received copies of all the press coverage on the public part of the meetings. Unfortunately, the Secretary of State for External Affairs said nothing publicly about what he has privately said he opposes vehemently, namely, U.S. administration military support for the Contras who are fighting to overthrow the democratically elected Government of Nicaragua.

When this motion was originally presented in October, 1986, there was widespread Canadian and international concern about war and peace in Central America, and in particular on the survival of Contadora. Since that time we have seen the creation of the Arias Peace Plan drawn from Contadora, and the acceptance of the plan by the five Central American Presidents in Guatemala last month. The Contadora support group has since endorsed the plan, and moves have begun to implement parts of it. I remind the House of the agreement to talks that have now taken place between the Government and Opposition in El Salavador, and I remind the House of the Nicaraguans setting up a commission of national reconciliation in Nicaragua, and other activities that have taken place.

The Canadian Government has declared its support for the Arias Peace Plan, and has long been on record as supporting, in theory at least, the Contadora peace process. In one specific area, Canada has offered verification and other advice in this peace effort.

Now it is even more timely, urgent, and useful for the Government to record its support for the original Contadora Treaty, and to join with the Contadora support group in its endorsement of the Arias Peace Plan. A clear message from the Government that Canada will sign the Contadora Treaty protocol, and join in an active way with the Contadora support group would be consistent with government policy and activities to date, and would be consistent with the general position of all three Parties. It would be an important response to widespread interest and concern of Canadians in Central America, as I have already mentioned. It would send a clear, important, and positive signal to our sister nations in the hemisphere that Canada and Canadians are deeply committed to the urgent task of creating peace in Central America. It would support Canada's development assistance efforts and refugee concerns in the region.

This would be an important expression of the will and interest of Canada, and an important reaffirmation of the commitment of Canadians to peace and conflict resolution.

• (1710)

On August 17, I noted in the House that External Affairs officials were going to Central America. Indeed, I asked the Minister at that time whether this was not a fairly good indication of our need for a more permanent and stronger diplomatic presence in Central America, the fact that we had to send officials down there to see what the different countries were doing in connection with the Arias Peace Plan. Once again I urged the Minister to strengthen Canada's diplomatic presence in the region and called specifically for the long overdue opening of an embassy in Managua.

Mr. Prud'homme: I agree with you.

Ms. Jewett: I regret that once again the Minister rejected the suggestion. I am delighted that the Hon. Member for Saint-Denis (Mr. Prud'homme) agrees, because he once objected to it, too.

Mr. Prud'homme: Mr. Speaker, I rise on a point of order. I am sure the hon. Doctor of Political Science is just teasing me. I am clearly on record in that regard; I have always supported the idea.

I know she is just teasing, but in a few years from now those who read her speech will think that I opposed it. I never opposed it, and she knows that I did not.

Ms. Jewett: Canada must do more for peace than just rhetoric, the kind of rhetoric we have just heard. Canada must be seen as willing to do more, and I agree with the Minister that Canada has the capacity to do more. I continue to call upon him and the Government to use that capacity.

I call upon them to sign the protocol to the Contadora Treaty; to offer technical, financial and diplomatic help to the Central American Republics in meeting the requirements of the Arias Peace Plan in respect of amnesties, refugees, civil rights and press freedom, the conduct of elections, negotiations, arms control, and reduction verification; to urge the United States and Nicaragua to resume their essential bilateral talks, including offering Canada as a site for such talks; and to offer to increase direct economic assistance to the region, especially to Nicaragua, because of the vast foreign interference in that country, the U.S. economic blockade, the destabilizing and bankrupting of the economy, recognizing that a collapsing Nicaraguan economy and heightened security concerns will impede any peace settlement.

In conclusion, Canadians expect—and Central America desperately needs it—some greater Canadian diplomatic and political initiative. One initiative mentioned by the Hon. Member for Spadina was that we should take a leading role in rallying international support through the United Nations and in organizing a multilateral support group and peace fund in support of the peace accord verification process. On September 1 in the House my colleague said that such steps would help to sustain the Central American peace accord against attacks from the Reagan administration.

We want to help build and secure peace in our hemisphere. As I mentioned, Canadians do a great deal as individuals. Just the other day in Vancouver I visited a group of fishermen, longshoremen, carpenters, and other workers who in their spare time—perhaps it is a couple of hours a day; in some cases it is only a couple of hours a week—are building a great fishing boat for a village in Nicaragua. The villagers are expecting it. They do not have any boats now except ones which have long since ceased to be useful or practical. They still need money for the engine, and we are hoping to be able to raise it. However, we have that strong feeling of Canadians wanting to give help.

The Government can respond more. Signing the protocol to the Contadora Treaty would be an illuminating expression of

the Government's concern for the building and securing of peace in our hemisphere.

Finally, Canada's resources and strong traditions enable and indeed require us to play such a role.

[*Translation*]

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, I am pleased today to bring the House up to date on progress accomplished in the peace process in Central America. I am all the more pleased that "progress" is the right word, if recent events are taken into account. As Hon. Members would know, the presidents of the five Central American countries recently agreed on a new peace plan for the region, supported by the other major interested countries, particularly the United States, Cuba and the Soviet Union. This is an extremely positive development.

Still I would not want to create the impression that this plan will solve all the problems of the region. In recent years the negotiations sponsored by the countries of the Contadora Group—Mexico, Panama, Columbia and Venezuela—raised expectations which too often turned into disillusions. Of course this does not take anything away from the efforts of the countries of the Contadora Group which, despite huge obstacles, displayed resolution and determination.

It seems to us that the worst of these obstacles is the existence of serious socio-economic disparities. Guerillas in Salvador, Nicaragua and Guatemala also stand in the way of a peaceful settlement. Finally, and this may be the key factor, the influence fight between the two superpowers tends to make regional conflicts even worse. Canada sincerely hopes that the good will shown by all parties in recent weeks will lead to an honest effort to overcome the obstacles.

Canada has a clear policy as concerns the situation in Central America. In his speech last year before the Inter-American Press Association, the Prime Minister (Mr. Mulroney) described the Contadora initiative as the best tool for reconciliation in Central America. The Secretary of State for External Affairs (Mr. Clark) has also expressed in public statements both in Canada and abroad the firm support of Canada for the Contadora process. Mr. Clark re-affirmed his position during his visits to Argentina, Uruguay and Venezuela in 1986. In January 1987, in a message addressed to the Ministers of Foreign Affairs of the Contadora Group and the Lima Support Group, as well as the Secretaries General of the United Nations and the Organization of American States on the occasion of their mission to the countries of Central America, Mr. Clark stated that the efforts of the Contadora Group have sustained the hope of the international community to see a lasting solution to the crisis in Central America. Moreover, in 1986, the Canadian delegation to the General Asembly of the United Nations made a statement in support of the Contadora Group.

Canada has also provided constructive and practical support to the Contadora Group and the peace process in general. During his visit to Mexico in 1985, Mr. Clark had an opportunity to discuss the situation in Central America and the Contadora Group plan with President de la Madrid and his Minister of Foreign Affairs, Mr. Sepulveda. He emphasized the firm support of Canada to the Contadora initiative and its desire to play in due time a constructive role in the peace process. Mr. Clark stated that Canada is willing to share its peace-keeping operations experience with the parties involved. Since then, the Canadian Government has written at the request of the Contadora Group countries a series of comments on the provisions of the draft act on security and follow-up.

These comments are based on a number of considerations, such as the need to impart to our observations a neutral, objective and impartial character.

We also were aware of the need to ensure the viability of any verification and follow-up commission that could be established under the Contadora Act. More specifically, we thought that the funding for such an operation should be closely examined by all the parties involved for the selected mechanisms to be as efficient as possible in the circumstances.

We believe that the concept of a regional solution to that problem needs to be emphasized. In that respect, we feel that the Central American parties themselves should be involved as much as possible in the peacekeeping mechanisms, inasmuch as such involvement contributes to the efficient operation of a verification and follow-up commission. The commission should have specific and firm guarantees as to its freedom to travel within the area, and should also enjoy unimpaired communications with the media. Finally, we believe that a political authority should of necessity be appointed to sponsor the commission, whose mandate would be for a specific period.

The Government feels that the principles stated two years ago for the follow-up and verification are still relevant and should be applied to the present peace plan.

On August 7, at the end of the historic Guatemala Summit, the Central American nations' Presidents announced the conclusion of an agreement on a new peace plan for the area. The plan provides that the Ministers of Foreign Affairs will meet within fifteen days after the agreement is signed, to initiate the implementation of provisions dealing with an amnesty for the insurgents, a cease-fire, a dialogue with the unarmed opposition groups, which should come to an end after ninety days, that is November 7. The Contadora Group countries among others will be called upon to set up a verification and follow-up commission that will be responsible for monitoring the level of forces in place.

Mr. Speaker, the same day it was signed, we welcomed that Agreement which was supported by Mr. Clark. Later on, two envoys sent by Mr. Clark went to the area to express Canada's support and to offer technical advice on the development of the peace-keeping mechanisms. Countries in the area welcomed the envoys and Canada's offer.

Other facts provide hope. As I said, under the Agreement, the Ministers of Foreign Affairs were to meet within fifteen days. That meeting took place on August 19 and 20, in San Salvador. Later, on August 22 and 23, in Caracas, the Ministers met their counterparts from the Contadora Group and the Lima Support Group, as well as representatives from the United Nations and the OAS, and agreed to set up a verification commission. Not being part of the area, Canada is not a member of the commission. However, we informed all the governments involved that we were willing if need be to provide the commission with technical advice.

Therefore, Mr. Speaker, we may safely conclude that real progress has been made. However, we should avoid deceiving ourselves. Guerilla warfare continues, as well as competition between the superpowers. The problem of poverty remains and is compounded by the massive influx of refugees fleeing the conflicts. Human rights, civil liberties and democratic institutions are still trampled in certain parts of the area. The latest events are a positive, albeit hesitating step in the right direction. The Canadian Government will continue to encourage and support Central America and Contadora Group countries and extend any technical advice they will deem useful.

• (1720)

[*English*]

Hon. Donald J. Johnston (Saint-Henri—Westmount): Mr. Speaker, I listened with great interest to the comments of both of my colleagues. I must say that I and others in this House undoubtedly have been heartened and encouraged by the positive developments that one sees emerging from the Guatemala peace plan of August 7. However, I must say that I am not quite as sanguine as the spokesman for the Government with respect to the evolution of the plan as it is designed. I say that largely because of my concerns with the continuing policy of our good neighbour to the south, the United States. Only today Mr. Shultz has testified that the Government wishes to increase its funding to the Contras by $270 million over the forthcoming 18 month period, which is an escalation over the amount of $100 million, the timetable for which expires on September 30. In fact, as I read the press report as it came over the wire, it appeared that Mr. Shultz justifies this because of the timetable. The cease-fire does not take effect until November 7. Hence it is the argument of the U.S. administration that this would leave the Nicaraguan Sandinista regime unconstrained by the threat of the rebel Contra forces during that period, playing into the hands of the Communists. I can only say that this is hardly the basis upon which we should be building a secure and lasting peace in Central America.

I will go back and talk a bit about the history of some of the issues in a moment, but I would like to emphasize to the Conservative Government, and I am sure my colleague, the Hon. Member for New Westminster—Coquitlam (Ms. Jewett), will agree with me, that one thing Canada can do concretely is to exercise our supposed good offices in Washington to bring a stop to this increased funding to the extent possible. In that regard I am confident that the efforts of the Government will be supported by many if not an overwhelming majority of Americans as well as Congressmen.

I need not remind this House of the tremendous opposition which was expressed not only here but in the United States to the funding of the Contras in the first instance. Here, on the very eve of a major breakthrough, we are faced with a reaffirmation and an escalation of that policy which all of us in this House on both sides condemned in the first instance.

I commend the Government on any steps it may take to make Canadian expertise available for the purposes of verification. We know that Canada enjoys an international reputation in that regard, well earned in many corners of the Globe over many many, years, and I am happy that we have officials in Central America at the present time, but there is one major obstacle going far beyond the issue of verification, and that is, the current policy of the U.S. administration. It is with respect to that policy that Canada is in a unique position to exercise influence.

I can say to this House in a personal vein that I am gratified and have been gratified by the tremendous concern shown by my constituents and by Canadians across this land for the circumstances in Central America. I know that my colleague, the Hon. Member for Saint-Denis (Mr. Prud'homme) feels the same way. He has many constituents who continue to make representations to him saying Canada has a major role to play.

Apart from the human tragedy to which we must respond, the refugee issues, the suffering, the fact that a surrogate war is being conducted by untrained teenagers, the great human tragedy of the situation also must be placed in the context of a potential widespread armed confrontation in the western hemisphere; our own Vietnam. The situation in Central America hangs like sword of Damocles over the peace and security of the western hemisphere. It is a matter of the most urgent priority. Hence, the Contadora process which we have all supported seemed almost at one point in recent months to have ceased being a process altogether. There seemed to be so little movement in that regard. Now we have seen in the region itself five Presidents agreeing upon a plan, which is ambiguous in many respects and is perhaps somewhat obscure but basically contains very significant elements which could provide for a major breakthrough. These elements include a ceasefire within 90 days, the agreement from each nation not to supply any rebel group which would try to overthrow any existing Central American Government, no attacks to be launched from other Central American countries, reconciliation and amnesty for rebel forces and a process of democratization, internationally-supervised free elections at the end of each Government's present term of office.

• (1730)

How wonderful it would be if each of these constituent elements could be addressed by those countries in the region. The situation could become stable and there would be the long-term peace and security that the region so desperately requires. However, already we see that there has been a certain amount of equivocation on the part of Honduras. Again, people might suspect that that might be because of the U.S. policy in the region. Honduras might feel itself obligated and perhaps economically indebted to the United States and it has already raised some questions with respect to verification procedures, allegedly for fear of establishing that there are indeed bases located strategically within its frontiers.

That merely points to the great flaw in this plan which is that it requires more than the support of the region, it desperately requires that of the United States. The United States has said that it is supportive, but Mr. Shultz has said: "We are committed to working with its signatories," referring to the signatories to the Guatemalan peace plan, "to strengthen it, to deal with issues not covered by the agreement, to help gain broad support for its purposes and provisions, but," he said, "it is simply not in our national interest to leave the Sandinista regime unconstrained by credible resistance forces on the basis of a hope or a premise".

In conclusion, let me say that that glimmer of hope which we saw emerging in August must be fanned by goodwill. It must be supported by this Government and, as I have said, apart from the technical assistance and other specific steps we can take in that regard, I believe we must send a strong message to Washington.

Over the last several years, my criticism of the posture of the Government has been that while its policies and its rhetoric in the House against aid to Contras, urging the United States basically to withdraw that support and to help bring a peaceful resolution to the problems in Nicaragua have been supported by all of us and while we continue to provide foreign aid to the area, I do not think that our voice has been heard. I think there has been a reluctance to speak out and to deliver a message to our good friends in Washington as good neighbours and friends should. We should speak frankly and candidly to the Americans on this issue and we should support those Members of Congress and those areas of American public opinion with which we are very much in agreement.

[*Translation*]

Mr. Marcel R. Tremblay (Québec Est): Mr. Speaker, I am glad to have this opportunity to debate the motion proposed by the Hon. Member for New Westminster—Coquitlam (Ms. Jewett). Although the motion has been largely overtaken by events, it still addresses the very difficult and complex situation in Central America. This is an important issue because Central America is the scene of some of the most tragic internecine warfare in the world today and it also has become the scene of serious East-West conflict. It is also important to Canada because it is taking place in the western hemisphere, in that part of the third world closest to Canada and in a region with which Canada has growing social, economic and political interests.

My hon. friend, the Member for Beauharnois—Salaberry (Mr. Hudon), has very ably explained the Government's response to the most recent developments in Central America. The emergence of a new peace plan, the initiative of the countries of Central America themselves, is the most encouraging development in the region for several years. As has already been pointed out, the Canadian Government has not stood idly by. While recognizing that Canada has no direct role to play at this stage of the negotiations, we have gone to some lengths to give the maximum possible support and encouragement to the parties. The process of converting the commitments which have been made into a peace settlement will be a difficult one. Our support is more than just rhetorical: the Government stands ready to provide technical advice, where we have the appropriate expertise to offer, in the control and verification process which follows a cease fire in the region.

I want to remind the House, however, that this is not a new approach by the Government. On the contrary, it is entirely consistent with the policies which this Government has pursued with respect to Central America since it was elected. Indeed, our recent effort in support of the new peace plan is a logical extension of the role Canada has sought to play for some time.

Canadian policy towards Central America is a distinct one, shaped by Canadian criteria. It has been developed in recognition of the geopolitical realities of Central America and of the social and economic factors which are at the root of the current problems.

The Canadian Government opposes third party intervention anywhere in Central America and regrets the intrusion into the region of East-West tensions and the related militarization of the area.

Canada does not approve of the supply of armaments by any country to opposing factions in the region. This position has been expressed on numerous occasions to the Governments of Central America, to the United States Government and to the other governments concerned. The United States' decision to provide additional aid to the Contras runs counter to our position. Canada has constantly emphasized its firm belief that the countries of Central America must be free to seek their own solution to their own problems without interference from any outside source.

We strongly share the view that the growth and development of democracy is an important issue in Central America. Canada welcomes the progress which has been made in several countries in the region, while recognizing that there is still room for improvement, particularly in Nicaragua.

Canada does not wish to see Nicaragua locked into the Soviet bloc or involved in destablizing its neighbours. We

encourage Nicaragua to move toward the original goals of the Sandinistra revolution which were recently restated in its new constitution: a commitment to political pluralism, a mixed economy and non-intervention in the internal affairs of other countries.

We believe that improvements must be made in the Nicaraguan civil and human rights record. The continued suspension of many basic civil rights under the State of Emergency is profoundly disturbing. We encourage political pluralism in Nicaragua and we support the ability of legitimate domestic political opposition parties to continue to function. We have deplored the decision to close down the *La Prensa* newspaper, and the harrassment of opposition groups and of the churches. The recent arrest and sentencing of the head of the Nicaraguan Human Rights Commission and the head of the Nicaraguan Bar Association within days of the signing of the peace accord was a disturbing and potentially counterproductive development. It was not consistent with the spirit of the agreement and only served to emphasize the need for reforms within Nicaragua. We hope that the implementation of the peace plan will result in the lifting of the State of Emergency and the removal of the current restrictions on the press and opposition groups and an end to incidents such as that to which I have referred.

The achievement of social justice ranks with the promotion of peace and economic development as one of the highest priorities for Canadian policy in the region. We welcome the fact that the peace plan includes a commitment to representative and pluralist democratic systems of government in all countries in the region.

Human rights violations in Guatemala and El Salvador continue also to be of great concern to the Canadian Government. Canada has been monitoring the human rights situation in both countries, and we have also pursued investigations of a number of cases of particular interest to Canada. Canada has co-sponsored UN General Assembly resolutions expressing deep concern at the continuing violations of human rights in Guatemala, and has voted in favour of resolutions expressing similar concerns in El Salvador.

Canada maintains normal commercial relations with Nicaragua and provides the usual assistance to Canadian firms seeking to do business there. Canada does not support the U.S.A. embargo on trade with Nicaragua, nor has the Government introduced special programs to increase Canadian trade by exploiting the embargo. Nicaragua has established a trading company in Toronto and it is hoped that this initiative will enhance trade opportunities for both countries.

Some critics of the Government's policy on Central America, including the Hon. Member for New Westminster—Coquitlam (Ms. Jewett), have also raised the question of whether Canada should have an embassy in Nicaragua. At present Canada maintains two embassies in Central America, one in San José, Costa Rica, accredited to Costa Rica, Panama, El Salvador, Honduras and Nicaragua, and one in Guatemala City.

The fact that we do not maintain a resident mission in Nicaragua, or indeed in several other Central American countries, does not reflect a political decision on the part of the Canadian Government. The Canadian Government enjoys an excellent working relationship with the Government of Nicaragua, notwithstanding the absence of a resident Canadian Embassy in Managua itself. Ideally, we should like to have resident diplomatic missions in virtually every capital of the world. Economic constraints rule this out. Especially in the current atmosphere of austerity, as the Governement attempts to reduce the national deficit, it would be unrealistic to consider adding to the number of diplomatic posts. In fact, the Government has recently closed a number of missions abroad.

Nevertheless, as a reflection of Canada's growing concern for stability in Central America, the personnel resources of our Embassy in San José have been augmented and program responsibilities rearranged in order to be able to devote more attention to Nicaraguan affairs.

It is our view that, through frequent visits to Nicaragua by our Ambassador and his staff (every two weeks on average), we receive accurate and detailed reporting on Nicaragua's domestic political situation, its economic problems and international outreach. Our Embassy has built a wide network of close contacts including, of course, government leaders and senior officials. In addition, the Department of External Affairs maintains close relations with Nicaraguan diplomatic staff in Ottawa, and we discuss Central American issues with many other governments as well as with private organizations in Canada.

There are approximately 50 Canadians residing in Nicaragua who have registered with the embassy in Costa Rica. In addition, a large number of Canadians visit Nicaragua, most in organized groups. Routine consular services of an immediate nature (passport renewal, replacement of stolen documents, et cetera) are provided the British Embassy in Managua. In case of a major emergency, contingency plans are in place to help Canadians leave the country.

In conclusion, Mr. Speaker, let me reiterate the Government's satisfaction that negotiations for a peaceful settlement in Central America are underway again. We are under no illusions about the serious obstacles which lie in the way of a just peace but Canada stands ready to do what it can to support the process, as the Government has done since it took office.

• (1740)

[*English*]

Mr. Dan Heap (Spadina): Mr. Speaker, I welcome the introduction of the subject of peace in Central America by my colleague, the Hon. Member for New Westminster—Coquitlam (Ms. Jewett), and move to ask and answer, if I can, the question of why Central America is important to the peace of

Canadians. It seems strange in a way. For myself, I have to admit that five and a half years ago I did not know where Tegucigalpa, capital of Honduras, was. I did not know where Managua, capital of Nicaragua, was. However, over the last few years, with many other Canadians, I have been learning fast about the importance of those small countries in Central America.

I found the Central American people to be very lively. I am not referring just to their colours and their dancing and music. I mean the refugees I have met are hardy, they survive, and they are loving. They are human, intensely human. In each country a few million people are standing up against the United States and refusing to submit. The Central American peace plan reflects that. That agreement was made despite the pressure of Reagan's diplomats and military threats and dollar subsidies. The churches are also active in both those countries, helping the common people and moving back and forth between those countries and North America, making us aware of what is going on. This enables us to interact and aid each other.

It is a fact that Central Americans in their conduct inspire many Canadians, but the question still remains. I am forced to reflect that our world is emerging from colonialism. Since World War II, India and most of the colonies of the nations of western Europe and North America achieved formal political independence. Economic independence still lags behind. That, after all, was basic. The interest of the European explorers in the Caribbean islands, Central and South America, Africa, India, Southeast Asia and the islands of the Pacific was not mainly a search for political power. Columbus, Vasco Da Gama, Drake, Pizarro and their successors sought spices, gold, sugar, tea, timber, rubber, and a thousand other riches lying plentifully in those countries. They also sought cheap labour to harvest this wealth. They first enslaved the local people so far as it was possible, and then later resurrected the ancient custom of outright slavery and brought an entire black population from Africa to slave in the Western Hemisphere.

Since World War II, European and North American powers have found it inconvenient to continue ruling or controlling these countries directly. The people in these former colonies are no longer satisfied. Yet the controlling countries found it possible for a few years to continue with unequal economic arrangements, unequal sales arrangements, and when necessary enforcing these arrangements through arming or financing and politically supporting whatever local gang of thugs would sell out the goods and labour of their fellow countrymen cheap.

That whole network of post-world war, post-colonial indirect control of the economies of Central America and other colonies is now falling apart. Cuba signalled 28 years ago that it would no longer support us in the style to which we were accustomed. French Indo-China made itself independent from the Japanese by the end of World War II. It was reconquered by Great Britain and France, defeated French rule in 1954, was reinvaded by the U.S., and defeated them in 1975. Many other former colonial lands have won their economic, military and political freedom or are bent on winning it. Therefore, we have continuing upheavals; local wars, civil wars, revolutions and refugees.

Refugees coming to Canada used to be mainly from eastern Europe and were received respectfully. Now they come mainly from Central America, Africa, Southeast Asia and places like that. Our Government, following the Governments of the U.S. and other NATO countries, now tries to shut them out. These refugees are in fact messengers of the colonial liberation movements. No wonder they bring hope to many Canadians who feel dominated and exploited by the United States of America. No wonder, equally, they bring fear to those who want to continue the old order at home and abroad.

• (1750)

We are finding that a growing number of Canadians who support peace also generally support refugees. They realize that the refugees, regardless of their own intentions sometimes, but because of the reality of their circumstances and the terror which they had to flee in countries like El Salvador, are a symbol of the rejection of the life and rule of war, military control, and the exploitation of men, women and children by the men of war and big business.

The refugees are here. They will continue to come until Canada and Canadians, along with the United States and countries of western Europe recognize that those countries from which the refugees come must be free or we will have no peace.

Mr. Dan McKenzie (Parliamentary Secretary to Minister of Veterans Affairs): Mr. Speaker, the Government believes that the basic cause of tension and political conflict in Central America is the deeply rooted socio-economic disparities present in varying degrees in each of the countries in the region. In the Government's view, the most appropriate contribution that Canada can make to the promotion of regional peace and stability is, on the one hand, the provision of development assistance aimed at helping individuals and communities break out of their cycle of poverty and at promoting economic growth in the region and, on the other hand, through support for a regional peace settlement.

Other speakers today have already spoken about the support that Canada has provided and is providing to efforts to achieve a regional peace settlement. I wish to speak for a few moments about Canadian aid to the people of Central America.

Canadian development assistance to Central America began in 1968 with a loan to El Salvador. Following the 1970 foreign policy review, which recommended a higher Canadian profile in the region, aid activities were initiated in all other countries in the region. After the regional program review in 1975, El Salvador and Honduras became CIDA program countries. In 1979, planning for new bilateral projects in El Salvador was suspended as a consequence of the increasingly violent and unstable situation in that country. In 1981, planning for new

bilateral projects in Guatemala was also suspended because of internal disorder in that country.

In 1982, following a comprehensive review of Canada's relations with Central America, the Government decided to expand significantly its development assistance program to the countries of Central America. Specifically, the Government decided to allocate up to $106 million in government-to-government aid to the region over the five-year period from 1982-83 to 1986-87. This represented a tripling of the level of bilateral aid provided to the region over the previous five-year period.

With respect to the countries which would benefit from this assistance, it was decided that Honduras, the poorest country in Central America, would be the largest recipient of assistance, as it had been in the past. Costa Rica and Nicaragua would also receive increased allocations of aid. Bilateral aid would remain suspended in Guatemala and El Salvador pending improvements in the internal conditions in those countries.

Further, all countries in the region would be eligible for assistance through other aid channels—the Mission Administered Fund Program, the Non-Governmental Organizations Program, the Institutional Co-operation Program, the Industrial Co-operation Program, the Humanitarian Assistance Program, and the International Development Research Centre.

In December, 1984, the Secretary of State for External Affairs (Mr. Clark) announced that government-to-government aid to El Salvador would be resumed. This decision was taken in light of the humanitarian needs of the hundreds of thousands of displaced persons, the economic underdevelopment of El Salvador, the marked improvement in the human rights situation in that country, and the successful return in that country to democratic institutions.

In the five years from 1982-83 to 1986-87, since the Government decided to increase substantially aid to Central America Canada has provided about $106 million in government-to-government aid to the people of Central America. In other words, the Government has met its commitment to triple the level of government-to-government aid to the region. However, the volume of aid is only half the story. The quality and effectiveness of the aid provided is just as, if not more, important.

We believe that Canada's government-to-government aid to Central America is responding effectively to the particular developmental needs and problems of the individual countries in the region. In Honduras, Canadian government-to-government aid is supporting the development and conservation of renewable resources, the creation of rural employment, and the improvement of health care and food supplies in rural areas.

In Costa Rica, Canadian government-to-government aid has been used to provide much needed balance of payments support and to fund an important rural housing program. In Nicaragua, Canada's government-to-government aid has concentrated on basic human needs, food production and energy. In El Salvador, the focus of the government-to-government aid program is assistance to displaced persons and the most disadvantaged.

In addition to the government-to-government aid, during the past five years Canada has provided substantial assistance to the countries of Central America, more than $45 million through other direct assistance channels. These include the Non-Governmental Organizations Program, the Institutional Co-operation Program, the Business Co-operation Program, the Petro-Canada International Assistance Corporation, and the International Development Research Centre.

Further, during the past five years Canada has provided more than $15 million to multilateral organizations such as the United Nations High Commission for Refugees and the International Committee of the Red Cross for their programs to assist refugees and displaced people in Central America.

I believe that Canada, through its official development assistance programs, is responding generously and effectively to the social and economic needs of the people of Central America. On a regional basis Central America is now one of the highest per capita recipients of Canadian official development assistance. The Government and the people of Canada will continue to respond generously to the social and economic needs of the Central American people.

This debate is lacking in that speakers have not pointed out the United States' concern with Communist involvement in Central America. That cannot be ignored. Many Canadians are concerned about the Communist involvement there. It is not one-sided. There are genuine concerns in the United States and here about the Communist infiltration in Central America. The United States must protect itself in that area. That should be on the record. We must lay upon the table that there are genuine concerns and genuine reasons why the United States has involvement in Central America.

[*Translation*]

Mr. Deputy Speaker: Thirty seconds left. The Hon. Member for Saint-Denis (Mr. Prud'homme).

Mr. Marcel Prud'homme (Saint-Denis): I am very glad to have the remaining thirty seconds to say at the outset that I do not share the views of my colleague, especially with respect to his last remarks. I would suggest that what must be understood in all these problems of Latin America, of Central America, I would suggest that what must be understood in the defence of human rights in the whole world is that when a people is tortured, when a people is denied the most elementary things, when a people is deprived of freedom, when a people suffers from illiteracy and is being exploited, then the liberation movements spring up. So this is a matter—and I know the Hon. Member for Lac-Saint-Jean (Mr. Côté) ought to take an interest in these things, it must be understood that the exploitation of man by man can only lead to the kind of events

we are witnessing throughout the world, more particularly in Central America. If my colleagues were living in that part of the world and were seeing their families exploited, thrown in jail, tortured, deprived of the most elementary things, I would suggest that if they still had any intestinal fortitude left they would do exactly what those people are doing!

And to us more particularly, Quebec francophones, Latin America is a very important part of the world. For us Canadians it was the Commonwealth, that is very good. But all of a sudden to maintain our balance, and I conclude, it was said:

• (1800)

[*English*]

The British Commonwealth is important for a part of Canada. Let us look at La Francophonie, Africaine and others. One of the most important areas to us in one part of Canada is Latin America and Central America. We should understand the true meaning of what is going on there and not only believe what the Member from Winnipeg just said.

[*Translation*]

Mr. Deputy Speaker: Order, please. The time provided for consideration of Private Members' Business has now expired.

Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

SUPPLY AND SERVICES—CONTRACT TO VIDEOTAPE BUSINESS EXCELLENCE AWARDS FUNCTION—REQUEST FOR INTRODUCTION OF NEW TENDERING PROCESS

Mr. Jack Harris (St. John's East): Mr. Speaker, I am very pleased to have this opportunity to expand on a question I asked the Minister of Supply and Services (Mr. Côté) in the House yesterday concerning the contract in Halifax for the Canadian Awards for Business Excellence to be held in September.

The Minister responded in two ways. First, he said that he had examined the case when he heard about it last week and that all regular procedures were followed.

He rather patronizingly suggested in response to my supplementary question that this is, after all, a national event and a Toronto company was given the contract. That is not the point at all. Let me give a few details about this contract. The complaint came from two Nova Scotia companies and one Prince Edward Island company. On July 2, they were given an invitation to tender for this videotaping of an event to be held at the Halifax Sheraton Hotel. They had to provide information on their tendering price by July 6, which gave them three days to prepare their bid in order to submit it on the fourth day.

In the course of their determining prices for suppliers they discovered that approximately one month previous a company from Toronto had been in Halifax making inquiries and preparing their own bid for this same contract.

One of the companies involved also discovered from an official from the Department of Supply and Services that the Department of Regional Industrial Expansion who was organizing the event had asked that this particular contractor from Toronto, who eventually got the contract, be asked to tender. This person from DRIE who was making this suggestion was also on the committee to select the contractor.

What we have heard from the Nova Scotia and Prince Edward Island companies is that this was obviously prearranged so that the Toronto company would get the contract and that between July 2 and July 6, the Department of Supply and Services went through the motions to have a tendering process.

This is the kind of action that is totally contrary to any notion of the Government trying to be fair in contracting to all contractors in the first instance, but certainly contrary to a government whose former Minister of Supply and Services said that his Department will be going out of its way to ensure that companies in the regions which are in need of assistance from the Government for regional disparity purposes are provided with opportunities to take advantage of federal government spending. If all regular procedures had been followed in this case, then obviously those procedures are inadequate. The question put to the Minister yesterday was quite simply this. What procedures are going to be put in place to ensure that there is fairness for Atlantic Canadian companies?

• (1805)

It is quite clear that if the Government wishes to give preference to local companies in Newfoundland, Nova Scotia, or wherever these events take place, then it can do so. In this case all these companies were seeking was fairness, for the same opportunity to put in a competitive bid for a contract for work that was to take place in Halifax.

It is not good enough for the Minister to say to the House that, after all, this is a national event. The implication must be that if it is a national event then a Nova Scotia, a Prince Edward Island or a Newfoundland company cannot do it. That is utter nonsense. If that is the attitude of the Government, then we will not see any regional development take place, certainly not through government spending of this type.

I would like to have a more full explanation from the Parliamentary Secretary who I understand will be replying to my question. I would like to see a more full explanation as to

what happened in this case, as well as a better explanation as to what procedures are in place and what procedures will be put in place to rectify this situation.

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, the Canada Awards for Business Excellence is an annual national celebration of excellence in Canadian business and is a program of the Department of Regional Industrial Expansion. Each year a national awards ceremony is held and the winning companies are featured in an audio-visual presentation.

The Department of Supply and Services assists in the selection of the audio-visual production company through requesting and evaluating proposals from industry. This year proposals were requested from five companies—one in Ontario, one in Quebec, and three companies from Atlantic Canada. This is a good cross-section of the industry. Given that the event is national in scope and as three Atlantic production companies were included, this part of the country was more than fairly represented. Indeed, it has been the practice of the Department of Supply and Services through the Atlantic Opportunities Program to extend greater opportunities to companies in Atlantic Canada for participation in national business opportunities.

In the film and video production field alone the Department of Supply and Services increased its contract business volume to Atlantic Canada by 143 per cent during the 1986-87 fiscal year. I can assure the Hon. Member that the Atlantic Opportunities Program launched in April, 1986, is high on the Government's list of priorities.

As Hon. Members are aware, this program represents a new and innovative approach to support regional economic development. In the first year of the program the Department has been successful in bringing new economic opportunities to Atlantic Canada. The bottom-line results of our efforts is that we purchase $573 million worth of goods and services from Atlantic businesses. This represents a $167 million increase over our purchases in 1984-85, the program's base year.

The Department of Supply and Services took a three-pronged approach to generating new procurement opportunities in Atlantic Canada. We organized trade shows, business conferences and seminars throughout Atlantic Canada to ensure that businesses were aware of all business opportunities associated with federal procurement needs. I think the Hon. Member will agree that the $167 million increase in all purchasing in Atlantic Canada is something about which we can be proud.

• (1810)

Our efforts to use new policies to bring more contracting opportunities to Atlantic Canadian firms resulted in the following contracts: Ven Rez Products Ltd., Shelbourne, Nova Scotia, $199,947 for modular furniture; Wajax Industries Ltd., Saint John, New Brunswick, $192,360 for a hydraulic crane; Domtar Packaging Inc., Moncton, New Brunswick, $38,428 for shipping boxes; GEC Diesel Inc., St. John's, Newfoundland, $37,500 for a diesel generator.

Our supplier development efforts have helped Novation Information Corp. of Halifax to develop a business information service, and BPL Manufacturing of Spring Hill, Nova Scotia, to develop a new ammunition capability for the Armed Forces.

AGRICULTURE—SPECIAL CANADIAN GRAINS PROGRAM—REQUEST FOR INCLUSION

Mr. Gordon Taylor (Bow River): Mr. Speaker, on June 18 last I asked the Hon. Minister of Agriculture (Mr. Wise) a question on the Special Canadian Grains Program. The Minister replied that this program was being administered in accordance with the rules, guidelines, and criteria that had been established by the Government in close co-operation with 35 or 40 farm leaders.

Today I wish to deal with the administration of this program. First, I wish to stress the fact that this program helped to partially correct the intolerable situation that was created by the subsidy war between the EEC and the U.S. Farm Bill and that this program is helping hundreds of our farmers to stay on the land. At the same time, the program has hurt other farmers. I wish to deal with some of these items now in the hope that correction will be made in any future pay-out, and hopefully in the last one.

During the first pay-out some hay farmers were hurt, and it is questionable as to whether they will be able to stay on the land. Administrators of the program refused to make payments to hay producers. At the same time, the program did recognize farmers who cut their grain crops early and sold it as green feed at lower prices because of the subsidy to feed lots, the major purchasers of hay, thus denying the hay producers their market.

Although the feed lots preferred hay, they could not resist the opportunity to buy feed at a lower price. By the same token, the hay producers could not match the subsidized prices which were below the cost of producing the hay. Consequently, the program helped farmers who produced green feed instead of letting the crops mature and selling the grain, or because weather or other factors prevented the proper maturing of the grain. Properly, the barley producers were helped, but the hay producers had to survive on prices that did not even pay for the production of the hay.

In my constituency, some hay farmers in an attempt to survive tried to sell hay to Japan. They were advised that compressed hay was being subsidized by the Americans. Consequently, again the hay producers could not meet the prices that were being subsidized with public money.

The Hon. Minister advised that he had checked with his farm leaders who were convinced that compressed hay was not being so subsidized. I am presently expecting a letter from the U.S. administrators as to whether it is. If it is not, someone in the United States led our hay farmers down the garden path.

In making payment to farmers, the same average yield was used for crops grown on summer fallowed land as was grown on stubble or on irrigated land. Yields on all three are different. While the average for crops grown on stubble and on summer fallow might be reasonably close, they could also be quite different. But yields on irrigated lands may be three or four times higher than those grown on summer fallow or stubble. After the first pay-out, this was brought to the attention of the Minister. This spring in the second pay-out, the error in the payment for irrigated lands was partially corrected. I commend the Minister and his administrators for listening to what the farmers had to say, and for making the necessary adjustments.

However, in paying farmers who irrigate on their actual average yield, the administrators decided to limit the payment to farmers who received the water from an irrigation district, while all private irrigators were excluded. This resulted in some 200 or 300 farmers in my riding in southern Alberta being denied the subsidy. These farmers are termed "private" irrigators because they do not belong to an irrigation district, even though they grow the same crops, have equal yields, use the same type of equipment, and have similar costs as those in an irrigation district and have been denied the subsidy.

• (1815)

One difference between farmers who irrigate from a river and those who belong to a district is that a water distribution system of canals and ditches is not necessary. Canals and ditches in irrigation districts are highly subsidized by Governments, whereas the farmers who are being denied any subsidy pay for their machinery and needed equipment.

In my view if land is irrigated and other factors are equal or similar, then payment should also be made to those who are irrigating "privately", as the administrators call it. The so-called "private" farmers in my constituency—and I suppose it is the same elsewhere in Canada—pay a fee to the provincial Government annually for the specific amount of water taken from a river. I have heard that farmers could be dishonest and say that they used more water than they actually did. This would not be possible where the provincial Government or some other municipal district is paid for the water rights and for the amount of water taken out of the river.

Another excuse for no payment to water users is that private irrigators had accepted payment under the drought program in 1985. This is strange, as some farmers who belong to an irrigation district were also paid drought money and properly so. This is unfair treatment of farmers who, through an association or privately, irrigate their land. I am sure every reasonable Canadian will view it as such.

Another unfair item in both payments that was not corrected in the second payment was the yield on summer fallow being the same as that on stubble. There is a difference in production yields.

In addition, the Province of Alberta, by using this method, is taking the chance that some farmers may be paid twice for the same grain—once from the Special Canadian Grains Program and once from the Feed Freight Assistance Program which is operated in Alberta and maybe in other provinces. This is an excuse rather than a reason.

Paying on the seeded acreage encourages farmers to seed to the hilt which in turn this leads to "mining" the soil, which is certainly not in the best interests of the country. Payment on the total acreage is the recommendation of many experienced farmers, and this would not add to the surplus.

Other farmers, including mustard producers and other pulse farmers, now claim that their income was adversely affected because of the depressed climate in agriculture and are very angry at being left out.

In conclusion, I urge the Ministers involved in this program to heed the material in this debate, as the points mentioned are not only the views of a Member of Parliament but of a large body of practical farmers who are Canadians too.

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, the Hon. Member for Bow River (Mr. Taylor) has certainly raised some important points in his remarks in relation to the inclusion of hay in this program. I appreciate some of the arguments he has made, especially situations where grain crops were cut as green feed, which of course in turn displaced the hay crop in feed lots and in other areas.

Let me point out again that the $1 billion Special Canadian Grains Program is an interim assistance measure to cushion the impact of the current trade dispute between the European Economic Community and the United States of America. Grain and oilseed prices have been depressed severely because of that subsidy war. Grain and oilseed prices on world markets have been driven down very substantially because of unfair subsidies.

Of course the Government responded by implementing the $1 billion Special Canadian Grains Program. As of September 8, $966 million of that $1 billion program had been mailed out to 200,609 producers. Nearly all the $1 billion has been taken up at this point.

The Special Canadian Grains Program was developed through broad consultation with farm organizations across Canada. It was a consensus of those groups that program benefits should be paid to producers who have been directly and seriously affected by the international subsidy practices, particularly between the EEC and the United States.

Hay was considered when the list of eligible commodities was established. However, the lower prices received for hay last year were felt to be largely the result of normal supply and demand forces.

Canadian hay producers enjoyed an unusually good harvest and today there is still an abundance of hay on domestic

markets. Hay prices have not been depressed by international subsidy practices. For this reason, hay was not included in the list of eligible commodities for the Special Canadian Grains Program. Clearly, the aim of this program is not to reward grains and oilseeds producers or to penalize hay producers. The program simply is providing much needed assistance to individuals most seriously affected by the depressed prices on world markets.

• (1820)

As a result of surplus hay production in Canada, the federal Government is currently providing assistance to develop export markets for hay products. One major initiative in this area has been the provision of transportation assistance through the inclusion of pellets and cubes and eligible commodities under the Western Grain Transportation Act. The Government continues to support the efforts of hay producers to maintain and expand markets abroad, and I am pleased to note that despite fierce competition in 1986, the industry successfully maintained its share of foreign markets.

In closing, the Special Canadian Grains Program was an interim measure to deal immediately with lower returns for 1986 crops. One billion dollars was put in place to meet that special need. Our Minister of Agriculture (Mr. Wise) along with the Minister of State for Grains and Oilseeds (Mr. Mayer) since that time and in recent weeks and months have been meeting with farm leaders to discuss possible assistance covering the 1987 crop and beyond. It is quite obvious that our Government is committed to helping our farmers. In fact, our assistance has been second to no other government in the past. I know that our Ministers will continue to assist Canadian farmers.

Several options are being considered for the future, and I am sure the remarks of the Hon. Member for Bow River will be given serious consideration by the Ministers in future deliberations.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly, the House stands adjourned until tomorrow at 10 a.m., pursuant to Standing Order 3(1).

The House adjourned at 6.23 p.m.

HOUSE OF COMMONS

Friday, September 11, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

CANAGREX DISSOLUTION ACT

MEASURE TO ENACT

The House resumed from Tuesday, September 1, consideration of the motion of Mr. Wise that Bill C-2, an Act to dissolve Canagrex and to amend certain Acts in consequence thereof, be read the third time and passed.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I am pleased to complete my remarks regarding the death of Canagrex.

The only thing that we can hope for is that the Mulroney Government will call an election soon in order that we can get on with re-establishing some form of Canagrex to assist the Canadian family farm, and the small exporters of the country. Based on the results of recent times, I suspect that that is in the offing. I hope that an election is called as soon as possible in order that we can complete this discussion of Canagrex and move to something more positive.

It is important that we recognize what Canagrex did in the very short time that it was in existence. I remember in the winter of 1984, after the Government had shifted, some questions were put to the Hon. Minister of Agriculture (Mr. Wise). One question was, what were the total expenditures on Canagrex? Another question was, what was the result of those expenditures? Did we receive our money's worth? Did the taxpayers of Canada receive what they deserved in terms of their investment in Canagrex?

The Minister of Agriculture advised that the total expenditures to establish Canagrex had amounted to $2.6 million. He then went on to add how delighted he was with the accomplishments of this federal agency. He advised that when the corporation began operations in the spring of 1984, policy focused on facilitating sales by bringing a willing buyer and a seller into a negotiating position rather than on purchasing products or selling for the corporation's account.

I wish to remind Members that Canagrex was not involved in buying and selling agricultural products. That was clearly to be left to the private sector, to the international exporting companies as well as the commodity groups themselves, with one exception. The Hon. Member from Fraser Valley, who is obviously interested in agricultural exports, will remember that many countries arranged food or agricultural exports and imports on a government to government basis, and simply did not work with specific companies or individual firms. For that reason Canagrex was playing a rather unique role, because it could move a Government of Canada arrangement with the government of country *x*. Again, that would facilitate the export of our excellent agricultural products.

The Hon. Minister went on to say that Canagrex was involved in negotiations leading to the facilitation of sales worth $16 million, and in addition there were transactions in progress worth a potential $100 million to be finalized on March 31, 1985.

Considering the red tape and the hurdles that were thrown up in front of Canagrex in its first few weeks and months of operation, the fact that it accomplished so much in so little time is really quite astounding, quite amazing. The response from the family farms across Canada, and the small exporters was quite phenomenal.

I remember touring my constituency of Kamloops—Shuswap where we raise a lot of food, beef, poultry, poultry by-products, dairy products, berry products, some grains, many vegetables, soft fruits—I could go on in terms of incredibly productive farms; almost inevitably they are family operations, and they were struggling and continue to struggle against the subsidized agricultural exporters of Europe, and particularly the United States. I remember we were up against the American GSM-102 and GSM-105 programs which literally made it impossible for our family farms to compete head to head with the operations in the United States, and particularly in Europe, in countries such as the United Kingdom, France, and Germany. We needed some help then, and we still do.

• (1010)

Unless something quite dramatic is done by the Government in a very short period of time, I am afraid that our commitment to the family farm operation in this country will go the way of the dinosaur. We cannot compete under present conditions. We need to recognize the reality of the international commodity market-place. Therefore, I think that Canagrex was a step in the right direction.

My hon. friends opposite disagree. That is fair enough; that is why we are here. If we agreed on everything it simply would not be the Parliament of Canada. I say that the track record of Canagrex was second to none.

In digging through my files in preparation for this speech—and perhaps I should have dug a little deeper—I came across the first thing that happened with Canagrex, and it happened day after day. I have a stack of press releases in my office showing the successes of Canagrex. On August 29, 1984, the Minister of Agriculture announced a $50 million line of credit to export the sale of food and agricultural products from Canada. They had facilitated a line of credit with a Canadian bank and a foreign bank which the Minister thought would result in $25 million of Canadian agri-food products flowing out of Canada within a few weeks, including such products as soya bean meal, corn, seed potatoes, beans, and turkeys. This is only one press release, but it is important to remember that these exports would not have taken place had Canagrex not been in the international market-place opening up market opportunities for our farmers.

It did not operate in competition with existing systems. We have private exporters and private firms opening up new markets. We have Agriculture Canada, CIDA, and trade offices trying to find more markets. Canagrex was designed to fill in the cracks, because there were many countries in which we were not—and we still are not—attempting to open up new markets for Canadian food products. We have a long way to go.

I cannot imagine why anyone would have opposed such a paltry sum of $12.4 million being set aside for Canagrex over a three-year period to facilitate this federal agency in the opening of new markets. I have not met a single person in the food producing sector who says that Canada should not have a federal agency like every other food producing country in the western world to facilitate the establishment of new markets.

Where is the evidence that this is wrong? One of the last farm groups to appear before the committee when we looked at the demise of Canagrex was the National Farmers Union, represented by Mr. Wayne Easter. He indicated how this was a slap in the face to Canadian farmers.

In some sectors the industry is virtually in a crisis or emergency situation. In many respects it requires rescue money because of the problems in which it finds itself. However, here was a relatively inexpensive initiative to provide assistance to the family farm operation in east, west and central Canada. However, the Conservative Government mysteriously wants to abandon this initiative. It was given a paltry sum of $12.4 million over a three-year period, and now we are driving the last spike into the coffin of Canagrex.

In conclusion, every shred of evidence when it comes to Canagrex indicates that it is a good idea, concept, and initiative. It is a good agency. It is something the Government of Canada could be and should be doing for our farmers, not abandoning the agency and by definition abandoning Canadian food producers who rank highest in the world in terms of their ability to produce food in efficient and effective ways.

I look forward to the demise of the Progressive Conservative Government so that whatever replaces it—and hopefully it will be a New Democratic Party Government—will be able to reinstitute a new version of Canagrex, a version which will enable it to fulfil its mandate to assist the family farm operation in Canada.

Mr. Althouse: Mr. Speaker, the Hon. Member for Kamloops—Shuswap (Mr. Riis) spent some time talking about the role which Canagrex was attempting to play before the Government brought it to an untimely end.

I should like to note that the decision to oppose Canagrex came slowly to the Conservatives. Upon the introduction of the Bill by the then Minister of Agriculture, Eugene Whelan, the then House Leader of the Conservative Party, Erik Nielsen, in a very unusual step, rose in the House and welcomed the initiative on behalf of the Government and indicated that Canagrex was something for which the Hon. Member for Elgin (Mr. Wise) had been preparing when he was Minister of Agriculture in the short term 1979 Conservative Government. He indicated that his Party welcomed with open arms the initiative.

The first several speakers from the Tory benches in that period of time also spoke in favour of Canagrex, until the Hon. Member for Etobicoke Centre, the current Minister of Finance (Mr. Wilson), made a speech damning the whole concept. Conservative attitudes gradually changed until they became very firmly entrenched against the institution of Canagrex.

One reason for indicating that it was not necessary in their opinion was that we have commercial counsellors in some of our embassies overseas who can direct interest in agricultural business back to Canada. These counsellors have been at work since the demise of Canagrex, and there has virtually been no indication that their work has resulted in more exports. On occasion they contact the Canadian Wheat Board, which is one of the better marketing agencies in the world. They are able to complete sales, but these commercial counsellors have no one to turn to for other commodities. That was a role Canagrex could play.

One of the first things it did was to establish with the buyers and sellers in the industry the fact that Canagrex would play a facilitating role and that the buying, selling, and taking of commissions, an important concern of the Minister of Finance, would be left as is. Canagrex was simply to have the list of buyers and sellers and put the two together, and normal commercial channels would carry out the actual finalization of sales.

Canagrex no longer exists as a facilitator. Unfortunately for trading operations that spoke against Canagrex, they do not have the business. Nobody gains.

Could the Hon. Member tell me what advantage the country seems to be getting now that the Conservative Government has done away with Canagrex? How do honey producers complete sales overseas? How do potato producers or some of the small bean operators do so when they do not have a very large marketing organization of their own?

Mr. Riis: Mr. Speaker, I think the Hon. Member for Humboldt—Lake Centre (Mr. Althouse) has put his finger on the nub of the problem. The clientele of Canagrex tended to be small, independent producers, the fledgling enterprises in our producing sector that were trying to get established; in other words, where the growth and the future of agriculture lie. Canagrex was really interested in helping these groups, individuals, and organizations. Large agricultural organizations had their markets established and perhaps did not need the same kind of assistance.

I should like to refer to a press release when the Government first indicated that it planned to do away with Canagrex. It noted that Canagrex saw the need for a federal agency that would facilitate the export of Canadian foodstuffs. Farmers and small exporters defended it enthusiastically while larger established corporate agriculture opposed it, and here perhaps we have the real essence of the matter.

• (1020)

The large corporate agri-business said, "We don't want any more competition, we have the market sewn up, the financial cash flows, the organizations, the cartels and monopolies in place. We don't want competition. We don't want the small enterpriser, the small operator or the small exporter getting involved. We have been working on this for a long time and we have it set up."

But whose side ought we be on? Whose side should Parliament be supporting, large agri-corporate business or the small independent producer? We say we should be supporting the small independent producer whenever and wherever possible. We should be assisting that individual farmer, that small agency, the small co-op. That is who we should be supporting, not agri-business. Is the Government saying in this Bill that we support our corporate friends but we are prepared to abandon the small family farm?

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, Canada is a producing country. Agriculture is very important for our economy. We are fighting the demise of the family farm. We want to see agriculture remain a very important part of Canada. That is why we are very disturbed with the sudden death of Canagrex, a death ordered by the Conservative Government in spite of the fact that in times past when the Conservatives were a little more practical they were in favour of Canagrex.

Why were the Conservatives in favour and why did they change their minds? They were in favour of Canagrex for the same reasons we were initially—there was a clear need for it. Marketing boards did not cover all subjects. Independent producers needed assistance in selling their produce.

In 1982 we had $9.5 billion worth of exports in agriculture and a surplus of $3.1 billion, 60 per cent of which was in grains and oilseeds with a very serious trade deficit in the non-grain area of $2 billion. There was an opportunity to do something about that; to improve our exports in the other areas, those outside wheat where there are strong marketing facilities already through the Wheat Board. Canagrex was to fill this gap in our marketing strategy. To have a sane agricultural policy we must have production and marketing. It does not make sense to have one without the other. A comprehensive policy and very practical measures are needed to ensure that the whole system works, and Canagrex was designed to fill that gap.

Interestingly when the Bill was introduced at first reading, the Conservatives supported it. The Bill was brought in by the Liberals and at that time at first reading the Conservative House Leader rose to speak and pointed out that the Conservatives in the brief period they were in government had already worked on Canagrex and were in favour of it. The Conservatives were trying to do practical things at that time. Then suddenly, midstage, for ideological reasons, there was an about-face. The Conservatives opposed Canagrex. When the Conservatives returned to office in 1984, Canagrex had already been set up. It had not been in operation very long. Suddenly the Conservative Government wanted to chop it and indeed it did. The Government did not give Canagrex a chance to show how effective it could be. The decision was made within a matter of months and Canagrex was told to wind up its operation.

In the very brief time that Canagrex was in operation, however, it was beginning to have a positive impact which was helping farmers. Built into the legislation was the fact that buying and selling would be left to the private sector and Canagrex's objective was to facilitate sales and provide information. Canagrex gathered the information. It prepared a survey of Canadian commodities available for export. This important information was essential, especially since the number of commodities in surplus supply or which were available for export since 1984 was very limited. That source list of Canadian commodities is probably the most comprehensive and up to date available anywhere today.

Canagrex developed a market survey program. This meant in-depth research on specific market areas which were considered to be potentially promising for Canadian farm exports. The market research people travelled to countries accompanied by producers who could talk about their products on the spot. For example, Canagrex had a pork producer accompany its mission to Singapore and a potato producer travelled to Cuba for sales. Canagrex prepared comprehensive studies to identify market prospects for a number of important export commodities. A major study was prepared on pork, which was well-received by the Canadian industry. Other studies were prepared on the export potential for honey and

processed foods. Again, these studies were done in co-operation with the industry groups. The people in the know, doing the work and producing, had input into sales preparation.

Canagrex undertook a program to stimulate export sales abroad. It defrayed some of the costs involved in transporting high quality breeding swine to Italy on the understanding that out of any subsequent sales Canagrex would recover its expenses. There was a happy result from this one. The Canadian swine won several medals at a Milan exhibition and foreign buyers visited Canada to investigate further purchases. This very modest initiative resulted in buyers coming to Canada to make their own deals of Canadian stock purchases.

Another example was a buyers credit guarantee program. Under this program Canagrex agreed to share a certain amount of the risk involved in providing credit to a buyer to purchase Canadian agricultural commodities in addition to its normal purchases. Under this program, Canagrex sought to have the risks shared among the exporters, the banks or the insurance companies and the foreign buyer. A Canagrex guarantee was provided when it was deemed absolutely necessary. It was to be used sparingly but available as one thing that could be done to increase exports for our producers. A combination of aid and trade at lower effective interest rates was part of the strategy.

In certain instances Canagrex was faced with similar programs offered by the French, German and British Governments which made selling certain commodities on a cash basis virtually impossible. Our producers have to compete with producers in other countries. When other countries have programs supporting their producers, we fail our producers if we do not meet them in kind. Our producers, especially grain producers, face the enormous subsidy programs that other countries have for their producers. That is the world, and how very nice it would be to change it and change the rules, but while other countries are providing support, we have to ensure that our own producers do not lose out in the process.

Canadian agricultural exporters were desperate for some assistance to maintain and increase their market sales and Canagrex was there to help in situations when other countries were able to do very much more for their producers.

One of the things that is most disturbing about the Government is the very rapid way it has proceeded without consultation. It made a decision on ideological grounds. The agency had been set up, it was starting to work and to be effective. The Government did not give it a chance to complete a fiscal year and have a proper review of its successes to that date. The Government did not call for public hearings or ask the producers what they wanted done. Nor did it ask the Canagrex people themselves. The decision was made, the guillotine fell and that was tough luck.

But that is not an appropriate way to operate, Mr. Speaker. People were in place making a contribution and doing the job that Parliament gave them to do. It seems to me that it would have been very much more sensible if the Conservatives felt for ideological reasons that they were against Canagrex to review the situation and look at the actual record before making the decision. Why not at least ensure that the right decision is being made? We in this Party do not like to see these kinds of abstract, ideological decisions made without reference to the actual facts, the real situation in the industry itself.

• (1030)

Certainly the farmers themselves and the National Farmers Union, for example, were very concerned that they were not consulted. Wayne Easter, the President of the National Farmers Union, criticized the Minister of Finance (Mr. Wilson) for playing politics in his Budget speech and for moving so quickly to eliminate the newly created Crown agency. He said:

> "The new government is obviously playing politics," explained Easter. "While the Tories were opposed to the creation of Canagrex on ideological grounds, there is no justification for closing down the agency while it is still in its infancy. Canagrex should be given some time to prove its worth both to farmers and to the Canadian public."

It seems to me that that is a perfectly reasonable approach. Even in the face of the Conservative ideological position, the Government could have held off for a few months and given Canagrex a chance. It could have given the producers themselves the opportunity to say whether or not it was helping their sales abroad.

The National Farmers Union President noted that the move to slash Canagrex illustrated the Government's misguided priorities in regard to the agriculture sector. Rather than taking action on very pressing issues like farm finance, low commodity prices and interest rates, the Government chose instead to talk about the problem. Other areas which would more properly be dealt with through greater discussion, such as Canagrex, were instead subjected to immediate and damaging action.

I think this is one of the things we are concerned about. Prompt action was taken for ideological reasons on something that was not a problem. We certainly have not had any reason to think that there was a problem with Canagrex because it was not in operation for long enough to see if it was a problem. Certainly the first reports indicated that Canagrex was acting efficiently and effectively. Yet all these other far more important problems were not dealt with. Problems like farmers losing their farms, suffering from low prices and not being able to pay off their bank loans are crucial problems, but they are being neglected so that the Conservatives can pursue a policy determined abstractly in a back room somewhere after reading the works of Margaret Thatcher or something to that effect.

The President of the National Farmers Union suggested that the Government should at least have waited until March 31, the end of the Government's fiscal year, in order to give the agency time to get established. Then the more appropriate course would have been to put Canagrex on the carpet by holding public hearings to assess the value of the agency. By giving Canagrex the opportunity to justify its existence and by

allowing farmers to make an informed choice on whether or not the agency is worth while, an educated decision could have been made.

I am sorry to see that the decision that has been made is not an educated one. It is an abstract, theoretical, ideological decision and that is not what Canadians want. Canadians want practicality, particularly for smaller, independent producers who do not have big business behind them, the ones who do not have access to stronger marketing agencies. Those are the people Parliament ought to have foremost in its mind when providing assistance to agriculture.

There seems to be no doubt among people who have followed Canagrex's very short career that even during the period it was in operation, it demonstrated that there was an important need for export assistance for agricultural producers. Most other sectors of Canada's exporting community have specific instruments which can provide assistance in selling their products abroad. Of course, in big business, the corporations themselves are strong. In other sectors, there is government assistance in marketing.

For example, the industrial sector has the Export Development Corporation which has a budget that allows it to provide enormous assistance by way of loans, insurance, marketing advice and contacts. All of these kinds of things are provided in other sectors. It seems to be extremely unfair that this very modest agency in the agricultural sector with its very small budget which had begun to meet a need should be chopped.

Producers need assistance in selling their very fine products. The problem is not with production, it is with exports. The problem is in getting those crops out into the markets and starting to reverse the very substantial trade deficit in non-grain agricultural products. This of course can be absolutely vital to the economy.

We already have efficient producers in the renewable resources. We depend so much for our exports on resources that are not renewable while agriculture is renewable. This is the kind of economic measure we would like to see developed. We want to see more emphasis put on renewable resources in a concerted way through production, sales and marketing to ensure that our producers can actually sell their products abroad.

The producers of military products and capital projects have another Crown corporation, the Canadian Commercial Corporation, which provides them specific assistance in implementing projects abroad. This sector that is not making the same kind of wholesome contribution is favoured by government assistance in marketing its products.

The need for Canagrex was recognized because the agricultural community had no instrument available to it that could provide assistance in attacking the complex world of international trade. It was apparent that the agricultural community, considered by some to be the least sophisticated in looking beyond Canada's borders for foreign markets, needed expertise and financial instruments to open up new opportunities for its very excellent producers, who needed to widen their markets so they could get their products sold. This would have reversed the trade deficit in non-grain agricultural products.

The Minister of Agriculture at the time Canagrex was brought in, the Hon. Eugene Whelan, had held the portfolio for some 12 years and had recognized very soon after his appointment that Canada had not recognized its potential as a bread-basket of the world. In the late 1970s, the Canadian Federation of Agriculture complained about missed opportunities for Canadian producers in export markets. It was also seen that most other major agricultural exporting nations had organizations as part of their Governments or created by their Governments to provide export assistance in agriculture.

Seeing what other countries were doing and recognizing pressure from the producers, Canada finally moved in the late 1970s and eventually in 1981, brought Canagrex in for approval. We were finally starting to give our farmers the kind of assistance that other countries were giving theirs.

I can see that my time is just about up. I want to register very clearly my opposition and that of my Party to this very precipitous move on the part of the Government to chop Canagrex before it has had a chance to prove itself in a concerted way, and after initial reports of its success have shown that it was making a contribution. In fact, it was acting as producers had hoped it would. It was acting as an advocate for agriculture. I will certainly be opposing the Government's move to shut down this agency that our producers very much need.

• (1040)

Mr. Deputy Speaker: Questions and comments.

Mr. Boudria: Mr. Speaker, I listened with great attention to the speech of the Hon. Member. I want to compliment her for speaking so eloquently about this erroneous initiative on the part of the Tories. It is not the first time they have been wrong-headed, as you know, being the objective person you are.

The Tories want to abolish Canagrex at a time when there has been an onslaught of farm subsidies by the U.S. It comes at a time when the U.S. is taking a particular initiative, one we do not like, in assisting its farmers in the export market. I am thinking of the provisions of the U.S. Farm Bill, specifically designed to displace the exports of other countries. This has the effect of lowering commodity prices for our farmers. At the same time our Government is embarking on another wrong-headed initiative, the free trade negotiations.

Given all that, would it not be more appropriate for the Tories to support Canagrex in order to increase our multilateral trade and ensure that we do not become even more dependent upon the U.S. than we are now? We would have some ability to defend ourselves when the U.S., or any other country for that matter, brings in the kind of initiatives we see in the

U.S. Farm Bill which amount to some $70 billion worth of subsidies to displace the exports of other countries.

Would the Hon. Member not agree that the Government would be far better advised to do that rather than take this approach which has lost them support both federally and provincially, as we saw last night?

Ms. McDonald: Mr. Speaker, the Hon. Member raises a number of extremely important questions in his remarks. I share the suspicion of many people that the abolition of Canagrex is perhaps one offering by the Conservative Party to the Americans in order to obtain a free trade deal. The Government likes to say it is not, but of course we are not in the room when these things are discussed so we cannot verify it one way or another.

Pursuing a trade deal with the U.S. will mean we will be dominated even more by the American economy. The U.S. is already our major trading partner and probably will be for the foreseeable future, but we would like to see more multilateral trade and a diversification of our export markets. Canagrex would have been part of that diversification. In a sense it is needed now more than ever.

The Hon. Member referred to the mass of subsidies to American producers. While Canagrex by itself cannot cope with that kind of situation, it would at least help our farmers market their products around the world. We need to be diversifying into new markets and Canagrex would help us achieve that goal.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I represent an urban constituency but I feel it important that I speak on this issue because so many of the people I represent work for the railways or work in the plants which produce agricultural machinery. Their well-being is to a large extent dependent upon the well-being of the farmers they serve.

I could not help but be surprised by the laughter from the Conservative benches when my colleague, the Hon. Member for Kamloops—Shuswap (Mr. Riis), spoke in support of this Bill. It seems to me that our Conservative friends will never learn, no matter what happens to them. Given the disaster they suffered yesterday in the Province of Ontario where they went from governing that province for more than 40 years to being the third Party, surely they should have realized that the people have demonstrated that they do not accept the Conservative philosophy that the best Government is a Government that does the least; just let the free enterprise system operate without interference or direction by Government and everything will be fine according to the Conservatives. Surely they should have learned from yesterday's election, as they will learn in the soon to be held New Brunswick election, that the people of Canada do not accept that principle and are not going to support a Party which endorses it.

We are not living in paradise. We are not living in some theoretical world. The facts of life are that almost every country, whether it has a Government of the supposed right or left, has intervened very substantially to help its agricultural sector. Whether it be the U.S., France, Germany, Great Britain or Japan, to mention just a few of the major countries, it is realized that the free enterprise system does not always work in ways which help people. For that reason they have all become involved in a variety of ways, through tariffs, quotas or the extension of cheap credit, in plans to help their people.

Let us look just at agriculture. The world is producing more food than it ever did before and we have more hungry people. It has been estimated that there are at least 500 million hungry people in the world. We have great food surpluses, not because people do not need the food but because many of those people cannot afford to buy it.

• (1050)

The agricultural sector of our economy is in great trouble. When our grain farmers can sell their grain they are selling it at the lowest prices we have seen since the hungry thirties. They are taking a loss on every bushel of grain they sell. Our fruit farmers, vegetable farmers and dairy farmers are all in great difficulty, not because they are not efficient and cannot produce a high quality product but because of the support given to farmers of other countries.

The Americans have taken over markets which Canada has had for many years by subsidizing the price of grain to their farmers. The European Economic Community has mountains of butter because it has subsidized the production of it as it has beef and many other products. That is the situation our farmers have to face.

It is not as though our governments, federal and provincial, have followed the free market approach in the field of agriculture. We have marketing boards and agencies at both levels established over the years by Liberal, Conservative, NDP, Parti Quebecois and Social Credit governments. Most of those governments believed in a free enterprise system but realized that the reality of life for agricultural producers is that we need forms of supply management if farmers are to continue to produce and not have to cut back on their standard of living or declare bankruptcy, as thousands, if not tens of thousands, of them have done.

Canagrex was one of the few good ideas brought forward by the former Liberal Government. It was a way of helping Canadian farmers sell their products on the export markets. That proposal received the support of a number of the major farm organizations in this country. The President of the National Farmers Union, Mr. Wayne Easter, said in a statement issued March 14, 1985:

> The Canadian farmer for which Canagrex was established deserves better, and the federal government's unwillingness to consult either the industry or Canagrex officials prior to the November 8/84 announcement by the Minister of Agriculture is nothing more than a slap in the face to farmers across Canada.

He was talking, of course, about the announcement by the Conservative Government that it proposed to do away with Canagrex.

The Saskatchewan Wheat Pool and the Manitoba Wheat Pool, which represent a majority of the grain farmers in those two provinces, have spoken up in favour of the establishment and continued operation of Canagrex.

We must ask ourselves why the Government is doing this. It is doing it, as I have indicated, in part because of its fixation with the idea that the free enterprise system and getting government out of the running of the economy as much as possible is a fundamental part of its principle? Another reason was mentioned by my colleague from Broadview—Greenwood. She talked about the insane desire and determination of the Conservative Government to press ahead for a free trade agreement with the United States on almost any terms.

Last night on *The National*, after quite a bit of time spent relating the disaster which the Conservatives suffered in the Ontario election, we heard some news from Washington. In answer to a question from Republican Senator Lugar of Indiana and the American Secretary of State, George Shultz, made it very clear that the United States would not agree, in a free trade agreement with Canada, to give up the power which the American Congress has to countervail. What kind of free trade agreement will we have if every time some American industry believes it is being hurt by Canadian competition it can put on a tariff?

We need only look at the Province of Saskatchewan. There was no stronger supporter of free trade than Conservative Premier Devine of Saskatchewan. When the producers of potash in New Mexico said that they could not compete with the much more efficient potash industry in Saskatchewan a tariff of 68 per cent, if my memory is correct, was suddenly imposed.

That great defender of free trade, Mr. Devine, then brought in legislation which no federal or provincial government in Canada has ever before brought forward. I am not being critical. I am not sure he made the right decision, but he realized he had to take very drastic action to protect that industry which has sales of several billion dollars a year and employs 4,000 Saskatchewan workers. This approach to free trade is another illustration of the absolute irresponsibility and stupidity of the Conservative Government.

Some may have thought that Canagrex, which was established by the Liberal Government with the approval of the NDP and the initial approval at least of the Conservatives, would eliminate the private sector and interfere with the ability of the private companies involved in the grain, beef or pork industries to continue to operate as they always have. Nothing could be further from the truth. The role of Canagrex was simply to help the Canadian producers of grain, pork, beef and tobacco, and the companies involved in those industries, to make sales overseas. It was beginning to play a very useful and important role until the Government, in its mad insistence on the free enterprise system, decided that Canagrex should be abolished.

Mr. Speaker, it is 11 o'clock.

[*Translation*]

Mr. Deputy Speaker: It being 11 o'clock a.m., pursuant to Standing Order 19(4) the House will now proceed to Statements by Members, pursuant to Standing Order 21.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

CITIZENSHIP

PLEA ON BEHALF OF IRIS PADILLA MASON

Mrs. Lucie Pépin (Outremont): Today, Mr. Speaker, I have a request to make to the Minister responsible for citizenship. I am referring to Mrs. Iris Padilla Mason who was born in Santiago, Chile, who taught for 20 years, and who was imprisoned in 1974.

On the occasion of the international Liberal meeting she came to make representations this morning and to tell us how she had been victimized, but also to ask for her Canadian citizenship. She first came to Canada in 1976 as a refugee and then became an immigrant, but she has been unable to obtain her citizenship papers. She told us that for two years now she has been making every attempt to become a Canadian citizen but that the Department has failed to respond.

I therefore urge the Minister responsible for citizenship—I know he gives due consideration to such requests!—to pay particular attention to the case of Mrs. Iris Padilla Mason.

* * *

• (1100)

[*English*]

PROSTITUTION

JUVENILE PROSTITUTION RING—POLICE FORCES COMMENDED

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, the appreciation of the House of Commons ought to be extended to the police forces of Toronto, Montreal and Ottawa who have co-operated successfully to break up a juvenile prostitution ring which was operating in those cities.

The very idea of child prostitution is abhorrent to Canadians, and adults who lure children into the practice and then live off the avails should be dealt with as forcefully as the law allows. Since many of the young people involved in this particular case were wards of the Children's Aid Society, perhaps there is a need to review our system of child welfare.

S. O. 21

HEALTH

IRRADIATION OF FOOD—COMMITTEE RECOMMENDATIONS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, the committee investigating the irradiation of food in Canada studied the issue for many months. It received many briefs and held hearings in Ottawa and other parts of Canada.

The evidence which they examined included over 800 studies of the food irradiation issue. The overwhelming majority of those studies either opposed food irradiation or were neutral in terms of posing all sorts of unanswered questions regarding the irradiation of food. Those very few in favour tended to be linked in some way to the nuclear industry.

After hard work in a non-partisan atmosphere, the committee made important recommendations to the Minister and the Government regarding what it should do in terms of food irradiation. Yesterday, the Minister essentially turned his back on the recommendations and has ignored them all.

At a time when states in the U.S. are passing legislation to ban the irradiation of food and when other countries are looking into it and seriously considering similar steps, Canada appears to be moving ahead. I urge the Minister to consider the recommendations of the committee and accept them.

* * *

VOLUNTARY ORGANIZATIONS

OPENING OF UNITED WAY CAMPAIGN IN OTTAWA-CARLETON

Mr. Bill Tupper (Nepean—Carleton): Mr. Speaker, this morning, together with my colleagues, the Member for Ottawa—Carleton (Mr. Turner), the Member for Ottawa West (Mr. Daubney), and the Member for Ottawa Centre (Mr. Cassidy), I attended a breakfast with 1,000 volunteers to kick off the United Way campaign in Ottawa-Carleton. This year the goal is some $9.2 million in support of 70 programs delivered through 48 agencies.

The United Way is a volunteer non-profit organization that pulls our community together. It matches the human care needs with our resources through one annual fund-raising drive. Volunteers determine its standards, direction, and priorities.

Mr. Speaker, I welcomed your recent endorsement of the United Way campaign among employees who work for Parliament.

Similar campaigns will be starting all across Canada. As Members of Parliament, I urge each of us to recognize their importance and to support this most valuable program in our towns and cities across the nation.

PROVINCIAL AFFAIRS

ELECTION OF LIBERAL GOVERNMENT IN ONTARIO

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, yesterday the people of Ontario gave this province its first majority Liberal Government in 50 years. They did so with a resounding majority. They said no to Larry Grossman's pro free trade, anti-bilingualism campaign. This morning there is nothing left to do but to sweep up the blue ashes.

The messiah from Oshawa, who leads the NDP in Ottawa, was no more successful as his Party lost a large number of seats in this provincial election, under the great Liberal tide that swept Ontario yesterday.

Throughout Ontario, from Prescott—Russell to the southwestern part of our province, and from the north to Lake Ontario, the people said no to Larry Grossman and said yes to David Peterson. They said yes to good Liberal government, and very shortly the same people will say no to those Tory pro freetraders from Ottawa and will say yes to another great Liberal Party led by the Right Hon. Member for Vancouver Quadra (Mr. Turner).

* * *

[*Translation*]

SPORTS

TRIBUTE TO HULL ATHLETE, MICHEL CAREAU

Mr. Marcel R. Tremblay (Québec-Est): Mr. Speaker, it is an honour for me to draw the attention of the House to a major and notable achievement which has received very little publicity in Canada, except from the sports media. Last June, Hull athlete Michel Careau accumulated more miles in an organized race than any other Canadian marathoner or ultramarathoner. In fact, he came in second in the New York race, which puts him in second place among the best runners in the world over very long distances. Only three runners have succeeded in breaking the psychological 1,000-mile barrier in a race against the clock: The winner, Marty Sprengelmeyer of the United States, Michel Careau of Canada in second place, and Dan Coffey of Britain in third place.

Mr. Careau, a senior public servant at the federal Department of National Health and Welfare, often takes part in races held for charity and humanitarian causes. Last August 8, he made a speech on peace at the United Nations on the occasion of an international race for peace held in 57 countries.

Mr. Speaker, it gives me pleasure to join with the Minister of National Health and Welfare (Mr. Epp), who is very proud and happy to have Mr. Michel Careau on his team, in paying a public tribute to this great Canadian who brings us honour, not only in Canada, but everywhere he goes to run against the best known athletes in the sport of long distance running.

[*English*]

CANADA POST CORPORATION

FRANCHISING POLICY—EFFECT ON WOMEN EMPLOYEES

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the Post Office's policy of franchising rural post offices is not only causing a loss of service in rural Canada, it is also bringing about drastic cuts in income for rural post office employees.

If that is not enough to call this policy into question, we must keep in mind the fact that 80 per cent of post office workers in rural Canada are women.

Will the Government continue the policy of asking women to subsidize Canadian society unfairly? Will it fight the deficit in the Post Office on the backs of women who, in some cases, are being asked to have their wages cut by one-fifth? It is time for this injustice to stop.

It is time to question the policy of franchising when, rather than achieve equality, it increases inequality for women in our society.

* * *

[*Translation*]

AGRICULTURE

INFORMATION AND POPULARIZATION EFFORT FOR UPCOMING GENERATION

Mr. Clément M. Côté (Lac-Saint-Jean): Mr. Speaker, last week, the Young Farmers' Regional Centre of the Lac-Saint-Jean constituency launched the game "Défi-Relève".

The purpose of this game is to make players aware of the difficulties of farming. It also provides information on the farming relief groups in Quebec and explains the work of the farmer, in addition to promoting dialogue in farming families and educating people who are not familiar with farming.

I wish to underline the information and popularization effort this game represents.

The farming community is of vital importance for Canada and it is essential for the whole population to know something about it, and I believe that this game can contribute to this end. Congratulations on this initiative!

* * *

BILINGUALISM

UNEQUIVOCAL CHOICE OF ONTARIO

Mr. Jean-Claude Malépart (Montreal—Sainte Marie): Both as a Canadian and Francophone Quebecer, Mr. Speaker, I am proud of the choice Ontario people made yesterday. I am proud not because they elected Liberals—that is for sure—but because they rejected all those who opposed bilingualism. They rejected outright and unquestionably all those men and women who would not progress with the Canadian people as a whole. You can rest assured that as a Francophone Quebecer, I am proud and I congratulate my federal colleagues from Ontario, as well as the people from Ontario for their choice. As the Honourable Member for Ottawa—Vanier (Mr. Gauthier) was saying, the Ontario people have heard the message of such pioneers as the Hon. Member for Ottawa—Vanier and the Hon. Member for Glengarrry—Prescott—Russell who have fought for the Francophone minority. I think that as Quebecers, we can be proud to have remained in Canada!

* * *

• (1110)

[*English*]

MARINE SAFETY

RETENTION OF LIGHTHOUSE KEEPERS URGED

Mr. Jim Fulton (Skeena): Mr. Speaker, of the many reasons for the Mulroney Government's unpopularity, one reason must surely be because of its continued efforts to automate Canada's lightstations in order to end the long tradition of service performed by our nation's lightkeepers. This week the government-appointed Leblond review on the impact of de-staffing the B.C. lightstations concluded: "Sufficient evidence has been found to conclude that a human presence is not absolutely necessary to keep lights and foghorns functioning at a satisfactory level of reliability".

While this view may agree with the continued wish of the Mulroney Government to eliminate important services wherever and whenever possible, it is not the view of ordinary British Columbians. The British Columbians who sail our coast have spoken with one voice against any further decrease in marine safety and against the elimination of lightkeepers.

Lightkeepers have logged hundreds upon hundreds of hours of lifesaving search and rescue work, work that could never be done by a machine. No one but this Government has been willing to suggest that lightkeepers are a waste of money and that their functions should be automated.

One month from now the Coast Guard will table its final plans for de-staffing West Coast lightstations. As long as the reliability of automated equipment remains in doubt, as long as lightkeepers continue to deliver an important service to our nation's mariners, the Government must give up its life-threatening policy of ignoring the needs of our coastal residents.

No more closures. No more reductions. British Columbians say that today and they will say it again in the next election.

S. O. 21

THE SENATE

CALL FOR PASSAGE OF BILL C-22 TO AMEND PATENT ACT

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, the unelected Senate has decided to stall Bill C-22 by referring it to its Senate Committee on Banking, Trade and Commerce. I agree the Senate does have a role to play, but by sending Bill C-22 back the first time with amendments, it has already utilized its powers. It has not been elected by Canadians to be the Government, and by repeating its tactics it just serves to prove that changes must be made to the Upper Chamber.

The facts are clear. The same committee, which is now going to examine the legislation, refused to pre-study it last November 28. After more than 150 hours of Senate debate, there is now nothing further to study or review. This legislation has also received more time in debate in our Chamber than any other Bill this session.

The Senate is jeopardizing at least 3,000 jobs and $1.4 billion in investment. By its first delay alone, companies which had announced plans to expand operations pending the passage of Bill C-22 have now had to put their plans on hold. Universities and teaching hospitals were also counting on the millions of dollars in promised new research funds for this fall's curricula and programs. They must now wait longer.

This Government was elected by the majority of Canadians who want research and development to grow in Canada. The Senate does not have the support of any one in this country to continue stalling Bill C-22. It does not even have the support of its Leader, the Right Hon. Leader of the Opposition (Mr. Turner). I call on Members of the other Chamber to come to their senses and pass Bill C-22.

* * *

THE DISABLED AND THE HANDICAPPED

VISIT TO CANADA BY HEAD OF CHINA WELFARE FUND FOR THE HANDICAPPED

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, next week Deng Pufang, the son of Chinese leader Deng Xiaoping, is visiting Canada. I would like to welcome him to Canada. This is an important visit. Mr. Deng is the Director General of the China Welfare Fund for the Handicapped. He himself is handicapped. He is confined to a wheelchair after being crippled when he was thrown out of an upper-storey window at Beijing University during the excesses of the Cultural Revolution. He is returning to Ottawa where he was treated in the Ottawa Civic Hospital.

Our relations with China are very important. I think it will be the country of the 21st Century, along with Canada. We have made great progress in Canada, particularly in the House of Commons, with our facilities for the handicapped in the last couple of years. Let us show Mr. Deng the progress we have made. Let us co-operate with the Chinese so we can perhaps give to them some of the ideas we have developed, and they can use them in their own country where there are 20 million handicapped people.

* * *

EMPLOYMENT

INCREASE IN NUMBER OF HELP-WANTED ADVERTISEMENTS

Mr. A. H. Harry Brightwell (Perth): Mr. Speaker, I was surprised this morning to learn that StatsCan keeps an index on help-wanted ads. However, I was not surprised to learn what that index shows. For the fourth month in a row the number of help-wanted ads in Canada has increased. That shows there are jobs around. In Ontario we are having difficulty filling construction jobs and jobs in the service industry. There is a prosperity in Canada that began September 4, 1984, when this Government was elected.

Our Leader was laughed at for promising "jobs, jobs, jobs". What a laugh for a million jobs! Our prosperity will continue as long as we have the good management of this Government. I know the confidence of all Canadians has been restored with respect to investment in Canada.

* * *

POLITICAL PARTIES

NEW DEMOCRATIC PARTY'S POLICY ON USE OF VIOLENCE IN AFRICA

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, in the Ottawa *Citizen* this morning there is a Canadian Press article which states:

> The New Democratic Party's external affairs spokesman said Thursday her Party supports the use of violence by black Africans as a way to end South Africa's apartheid regime.

You know, Mr. Speaker, that I spent many years living and working in east and central Africa. I have travelled throughout most of Commonwealth Africa. I ask you, Sir, the question: is violence the key to the solution in Uganda, Chad, Zaire or the Sudan? It is certainly not the key to the solution, and it is also not the key to the solution in Central America where there is tremendous violence going on.

The Hon. Member for New Westminster—Coquitlam (Ms. Jewett) went on to say that sometimes a resort to violence is absolutely essential in the struggle. That may be true, but to endorse violence in the House of Commons of Canada is completely barbaric and unacceptable. This comes from the Party that wanted to invade St. Pierre and Miquelon, that wanted to bring in the gunboats and go to war with France over the fishing disagreement between Newfoundland and Canada. That is absolutely unbelievable. It calls itself the

Party of the common people. Pretty soon it is going to be inciting violence in Canada against some policies of the Government of Canada.

Now I know why the New Democrats want to pull out of NATO and NORAD and bring the troops home, because they are going to incite violence in Canada because they disagree with some of the things we as the Government are doing. This is unbelievable.

ORAL QUESTION PERIOD

[*English*]

APARTHEID

SOUTH AFRICA—USE OF VIOLENCE—SEVERANCE OF DIPLOMATIC RELATIONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister. The Conservative position on South Africa is all over the map, and I want to give the Government another opportunity to come clean with Canadians. The Prime Minister, to the great applause of the United Nations at the session two years ago, promised total economic sanctions. He promised a breach of diplomatic relations if the situation continued to deteriorate.

Mr. Riis: Take a stand today. Don't wimp out.

Mr. Turner (Vancouver Quadra): The Secretary of State for External Affairs has taken a different position. He did impose some sanctions. He now says that sanctions are not the answer. Yet he admits that Canada believes that the situation in South Africa is deteriorating.

I heard an interjection from my colleague, the Hon. Member for Kamloops—Shuswap. The official position of the New Democratic Party on South Africa is dangerous. The NDP says that severing diplomatic relations with South Africa would be too harsh, yet it supports violence as a solution.

Does the Government reject violence out of hand as a solution to the South Africa problem? And when will the Prime Minister get the Government's act together, fulfil the commitment made to the United Nations, and advance the case in Vancouver that there must be total diplomatic sanctions and there has to be a breach of diplomatic relations, on a firm schedule?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the position articulated by the Right Hon. Leader of the Opposition is, in my judgment, calculated to achieve headlines in Canada rather than progress in South Africa.

What we are attempting to do is to continue to build pressure for change, pressure upon the South African Government to bring an end to the apartheid regime. We have been able to use Canada's influence constructively in that regard at Nassau, and at the Venice Summit. We expect to be able to contribute substantially and significantly to that process at the Heads of Government meeting in Vancouver.

With regard to the position concerning violence, I made that position clear yesterday in response to the NDP endorsement of violence.

VIOLATION OF HUMAN RIGHTS OF BLACK AFRICANS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister received his share of favourable headlines two years ago when he made his speech in the United Nations to which I referred.

I met with Oliver Tambo recently, and the Secretary of State for External Affairs and the Prime Minister had their own meeting with him. Mr. Tambo did not ask me to have Canada provide military aid to the front-line states, nor did he ask Canada to encourage violence. What he asked our country for was an imposition of total economic sanctions and for a breach of diplomatic relations. The Prime Minister said he would impose such sanctions, both economically and diplomatically, if the situation deteriorated.

• (1120)

The prime and moral issue for the world is that the human rights of 26 million black Africans are being violated and trampled upon year by year, month by month, and day by day.

Therefore, why has the Prime Minister reversed the position he advanced on behalf of Canada at the United Nations, and why is the Government not fulfilling that commitment?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I say, with all affection for the Right Hon. Leader of the Opposition, that if he wishes to improve his standing in the country, he should choose some other issue. The charge he is making against the Prime Minister is not only false, but it is known to be false across this country and, more important, it is known to be false across and throughout Africa.

Under this Prime Minister the constructive role that Canada has played in attempting to build effective pressure against South Africa to bring about an end to apartheid is understood, for example, by President Houphouet-Boigny of Côte d'Ivoire, it is understood by President Kenneth Kaunda of Zambia, and it is understood by President Chissano of Mozambique. It is understood in the front-line states throughout Africa.

They may not understand the imperative of a Canadian politician seeking headlines at home, but they understand and applaud what Canada is doing internationally.

Some Hon. Members: Hear, hear!

Mr. Turner (Vancouver Quadra): With the greatest respect, if not affection, that I have for the Secretary of State for External Affairs, I am not misstating the position of the Prime

Minister; I am reciting his speech to the United Nations on behalf of our country. That record will bear me out.

[*Translation*]

SOUTH AFRICA—IMPOSITION OF SANCTIONS—CONSEQUENCES FOR CANADA

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Government claims that our country will lose its influence if we impose total economic sanctions or break off diplomatic ties with South Africa. But what influence did we have in South Africa over the past two years? And what influence are we going to lose by insisting on a moral position on human rights in South Africa?

Right Hon. Joe Clark (Secretary of State for External Affairs): Again, Mr. Speaker, I can quote the words of South Africa United Democratic Front spokesman Alan Boesack. I had a meeting with Mr. Boesack when I was there and he stated that the activities of Canada, and even my presence in South Africa, were a strong encouragement to those who are opposed to apartheid in South Africa.

I can also indicate that since the Commonwealth Conference in Nassau the Canadian Government has played a leading role by establishing a sanction program endorsed by the Commonwealth and the United States, and adopted in part by the European Economic Community.

There have been sanctions with an economic impact in South Africa. There have been sanctions with a psychological impact in South Africa. What we must seek now are other means to maintain pressure. Leaving the House is no way to maintain pressure.

* * *

IMMIGRATION

GROSSMANN AFFAIR—REQUEST FOR PUBLIC INQUIRY—GOVERNMENT POSITION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, my question is directed to the Deputy Prime Minister and deals with the George Grossmann issue. The House was recalled as a matter of emergency this summer to consider two Bills, C-84 and C-85, in order to put an end to so-called immigration abuses. They have been considered and passed. Everyone says that in the Georges Grossmann case, there were three interventions—one at least from the Minister's office, and another one from the Prime Minister's Office, to speed up matters and have Mr. Grossmann's application jump the line.

I am asking the Deputy Prime Minister, today in all fairness and in order to clear up the matter, whether he does not feel the time has come to refer the whole matter to a public commission of inquiry in order to shed full light on this case.

[*English*]

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, again let me categorically repudiate those allegations of impropriety or illegality which I have clearly set out this week.

Over 7,000 letters are received by my office. There are criteria under which certain concerns may be considered, usually on humanitarian and compassionate conditions. In Mr. Grossmann's case I will again clearly lay out what took place for those who were not with us yesterday.

In January a letter was referred to my office for our attention. In the month of May I decided to proceed with inland processing by asking that the Deputy Minister see that a Minister's permit was issued. From then on nothing further has to be done on my part, it is a routine and normal processing. I do not follow it up. I know that all goes well. I know that this takes place over 15,000 times a year, 99 per cent of the time by officials who advance such a permit.

REQUEST FOR COMMITTEE REFERRAL

Mr. Jean-Robert Gauthier (Ottawa—Vanier): On that issue I side with Renaud Paquet, the president of the union, who stated yesterday that "when we receive a letter from the Prime Minister's Office it has more impact than a letter that is received from anybody else". The Minister has to admit that fact. In this case the Prime Minister's Office intervened.

My question to the Minister—

Mr. Shields: Is he no longer a Member of Parliament? Is that what you are saying? You have got to be crazy.

An Hon. Member: How many have you put forward?

Mr. Gauthier: The whole thing flies in the face of the Government. It makes a mockery of recalling Parliament this summer supposedly to study alleged abuse of the immigration system.

Why does the Minister not follow the recommendations of the Chairman of the Standing Committee on Immigration who stated yesterday that he feels the whole matter should be referred to the committee for study and consideration? Why does he not follow the advice of his own Member?

Some Hon. Members: Hear, hear!

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, yesterday I tabled the guidelines for conditions under which we are able to act. I guess I have already given the answer, and it is no use repeating what I said.

Clearly we have a case here where the individual has been in the country for over six years, employment authorizations had been renewed each time for six consecutive years, his long-term prospects are good in the country, and he has a son who is apparently married to a Canadian who could have sponsored him. Everything to do with this case was completely normal. It

took us four months of review, and that is how we had to act in a very appropriate fashion.

I might say that business is as usual. The Members are still continuing to send in their representations, make phone calls, and send letters. I guess they feel that they are the only ones who can do so, ordinary Canadians cannot. But I reserve the right to be able to receive representations from any Canadian, journalist, lawyer, or elected people who have a concern to bring to us. On Global Television Peter Trueman stated that "more than once as a citizen I have written letters and even telephoned various federal-provincial Ministers to try to get what I believed would be fairer treatment for a deserving individual or organization. In my view there are too many glass houses around for this frenzy of stone-throwing to be safely continued".

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TRADE

CANADA-UNITED STATES NEGOTIATIONS—BINDING DISPUTE SETTLEMENT MECHANISM

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Minister of International Trade.

The U.S. Secretary of State, George Shultz, was reported by the CBC this morning—

Some Hon. Members: Oh, oh! Come on!

Mr. Keeper: What have you got against the CBC, boys?

Mr. Langdon: —the national network of the country, to have rejected a binding dispute settlement mechanism as part of any free trade arrangement with the United States.

Because the Minister has not recently had the opportunity to put it clearly before the House, I wish to ask her if she could state that the Government will not sign any deal which does not have within it a complete and ironclad dispute settlement mechanism which is binding on the United States.

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the CBC quote that the Hon. Member referred to is, as is not unusual, incorrect in the analysis of Secretary of State Shultz's statement. I have that statement here. Secretary of State Shultz was welcoming the chance to discuss this, underlining how important it was, underlining the Prime Minister's and President Reagan's meeting at the summit, and saying that he hopes we will reach an agreement in a very short period of time. He describes the fact that the dispute settlement process is of concern to both countries, and is very important.

I can only repeat what the Prime Minister has said in the clearest way possible, that even the CBC should be able to transcribe the message. What I have said and what others have said is that there is little point in a trade treaty that does not include a way of settling disputes in an impartial and binding manner on both countries. Otherwise the trade treaty would have no real effect.

• (1130)

That is why it is central to our position. The Prime Minister has made that clear, we have made it clear in the House, and Ambassador Reisman has made it clear.

PUBLIC OPINION POLLS—REQUEST FOR WITHDRAWAL FROM NEGOTIATIONS

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, it is interesting to see that the Conservative Party is clearly now running against the CBC as well as the Opposition.

Some Hon. Members: Oh, oh!

Mr. Langdon: Mr. Speaker, so far—

Mr. Hnatyshyn: We will stop short of violence.

Mr. Langdon: —the polls have turned against free trade. Key labour and business groups reject it. The U.S. is playing hardball on it, and provinces like Ontario have set very harsh conditions on the issue.

Does the Minister not think that it is time to back off and adopt a whole new trade strategy?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, we are satisfied that our two-track trade policy is working. We are pushing ahead with the U.S. bilateral. We are pushing ahead with our multilateral efforts.

I would like to correct the Hon. Member who has been absent and may not be aware of this. We have just released a poll today which shows that the majority of Canadians continue to support the position on free trade. A poll commissioned by our Department in late August reports that 50 per cent of Canadians continue to think that the idea of free trade is a good one. That is essentially unchanged from June.

In terms of the harsh conditions which the Hon. Member supports, may I point out that the conditions about which Premier Peterson is talking are very similar and very supportive of the motion we passed in the House, wherein we said that the House supports negotiation of a bilateral trading arrangement with the United States as part of the Government's multilateral trade policy, while protecting our political sovereignty, our social programs, our agricultural marketing systems, our auto industry, and our unique cultural identity. I am pleased that Premier Peterson is supportive of our national objectives.

Mr. Langdon: Especially after the election this may turn out to be true, but I hope not.

REQUEST THAT GENERAL ELECTION BE HELD ON ISSUE

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, since the Minister and the Government have no popular mandate for free trade, will the Government agree that any potential deal will be taken to the country in a general election before Canada is locked in by treaty?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, our mandate for free trade comes from the 211 Members that Canadians elected three years ago to run the country. That is where our mandate came from.

In terms of his suggestion of a general election, it is not within my powers as Trade Minister to accommodate the Hon. Member on this issue. I can only point out that the Prime Minister has promised that there will be a full debate on the issue in the House.

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[*Translation*]

HOUSE OF COMMONS

PRESENCE IN GALLERY OF MADAME SIMONE VEIL, MR. RODRIGUE ESQUIVAL, HON. STEINGRIMUR HERMANNSON, RIGHT HON. DAVID STEELE, AND SENATOR GIOVANNI MALAGODI

Mr. Speaker: Order, please! I would like to call the Hon. Members' attention to the presence in our gallery of Mr. Rodrigue Esquival, Vice President and Leader of the Liberal Party of Panama, Madame Simone Veil, former President of the European Parliament,

[*English*]

—the Honourable Steingrimur Hermannson, Minister of Foreign Affairs and Foreign Trade and former Prime Minister of Iceland; the Right Honourable David Steele, Leader of the British Liberal Party; and Senator Giovanni Malagodi of Italy, President of Liberal International.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF CHINESE TRADE DELEGATION

Mr. Speaker: I also wish to draw the attention of Hon. Members to the presence in the gallery today of a trade delegation from China, led by the Vice-Mayor of Shanghai, Mr. Zhao-Ji Li.

Some Hon. Members: Hear, hear!

TRADE

CANADA-UNITED STATES NEGOTIATIONS—DISPUTE SETTLEMENT MECHANISM

Hon. Herb Gray (Windsor West): Mr. Speaker, I want to return to the issue of free trade with the United States. With respect to a mandate, and just as a preamble to my question, I should like to ask the Hon. Minister how she can say that there is a mandate for free trade when it was not mentioned during the last election and her Leader campaigned against it when he sought the leadership of his Party.

In particular, is it not correct that Secretary of State Shultz said that any dispute settlement mechanism with his country will have to be consistent with United States trade laws?

How can there be a dispute settlement mechanism whose rulings are binding on both countries and still be consistent with American trade laws? Is he not clearly telling the Government that a supposed key condition for a free trade deal simply is not on? Is this not a signal that there is no deal unless the Government is going to cave in on this key demand?

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker.

CONTINUATION OF TALKS—MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, if there have already been signals from key American Senators and from Secretary of State Shultz that this supposed key demand by the Government for a mechanism whose rulings will be binding on both Governments in trade disputes is unacceptable, why is the Minister continuing these talks when it is clear that these talks will lead to a result which will not be in the best interests of Canada and contrary to the needs of Canadians on jobs and sovereignty? Why is she continuing on this path without any real mandate from the Canadian people?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, when the Government ran for office successfully we ran on the mandate of creating jobs, and we have been very successful in that issue. We will shortly be creating the millionth job since the Government took office.

Mr. Gray (Windsor West): Do you have one for Mr. Grossman?

Miss Carney: May I point out that the free trade initiative is about jobs; that is what it is. It is about jobs in all regions of the country. The Economic Council of Canada has estimated that there will be 350,000 new jobs created by this initiative and that, in the absence of it, Canadians stand to lose jobs because of protectionism in the United States.

Our mandate comes from our promise to create jobs, and we are delivering on that mandate.

IMMIGRATION

GRANTING OF LANDED IMMIGRANT STATUS—INVOLVEMENT OF OFFICIALS

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, my question is for the Minister of State for Immigration and concerns the Grossmann issue—

Mr. Turner (Vancouver Quadra): Which one?

Mr. Riis: The immigration issue. Yesterday the Minister left a very crucial question unanswered. The Minister stated that this was a very simple, straightforward, and routine immigration case. As a matter of fact he stated that again today, as he has on a number of occasions.

If that is the case, would the Minister then explain to the House, and to the people of Canada who are very interested in the issue, why it was that every senior immigration officer in the country, from the Prime Minister's Office down, was involved in it? If this was simple, straightforward, and routine, why were all the senior people involved in this particular Grossmann issue?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, what is very simple and straightforward is that on May 4 I indicate my intention by Minister's permit to advance inland processing. I do that by asking the Deputy Minister to carry through with the process. I do not follow up what procedures may then take place. That is not for me to do. That is technical.

Perhaps the Hon. Member has not had a complete briefing on how the Immigration Department functions, but we know that everything goes well following my asking the Deputy Minister to do what is my intention.

It is a normal part of immigration processing. As I said, almost 16,000 times a year this is carried on. I only wish that the Hon. Member and others would not try to confuse the issue with other issues that may be on the table dealing with the arrival of illegal migrants in the country.

• (1140)

DISCHARGE OF MINISTERIAL RESPONSIBILITY

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, we are all familiar with individuals who are caught in very unpredictable circumstances and require various kinds of interventions. Is the Minister of State for Immigration saying today that in all cases, particularly those involving family reunification, that the Minister will give equal consideration—

Mr. Shields: He does now.

Mr. Riis: —in allowing people to qualify for landed immigrant status from within Canada? In other words, will he treat all similar cases to the Grossmann case with the same enthusiasm and commitment?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, what I am proud of is the commitment that I have given to all Members of Parliament, how dedicated and with integrity we carry forward on petitions they make to my office. I hang my head high—

Some Hon. Members: Oh, oh!

Mr. Weiner: I hold my head high, excuse me.

Some Hon. Members: Oh, oh!

Mr. Weiner: The Member will recognize that members of his Party and the other Party have praised the quality of the work they have received from our office.

I would like to state very, very quickly that what we have done is completely normal. It is what is expected. It is why Members continue to write and to call and why we reserve that right for all other Canadians, because the Immigration Act gives the Minister the opportunity to act on compassionate and humanitarian grounds. It is that that shows we are a caring and concerned nation.

HONDURAN GROUPS CLAIMING REFUGEE STATUS

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, my question is for the Minister of State for Immigration. During the past few weeks there have been a number of groups of Hondurans who have arrived in Vancouver and, upon arriving, have claimed refugee status. It is now reported that another group from Central America has either been detained or turned back at Mexico City.

Can the Minister tell us what steps are being taken to make sure that no bona fide claims are being stopped?

Mr. Keeper: Write Mila.

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, we are certainly very aware of the arrival of the increasing number of Hondurans, more particularly on the West Coast. We are monitoring the situation very carefully.

My information is that more than 1,000 have now come to make a refugee claim in Canada. It is part of the increasing abuse and I say this without trying to predispose whether these people may be refugees or not because I do not make that determination.

The Hon. Member has seen a Government that has now been bombarded with an increasing flow of refugee claimants. The advice that I have been getting from my Refugee Status Advisory Committee is that almost 90 per cent of them are non-bona fide claimants. It is for that reason that, once and for all, this House should get on with the business of passing Bill C-55 and putting in place a refugee determination process that makes sense, that balances fairness with compassion and will offer genuine protection to those who need it. This will keep the abusers out, will stop the traffic and profiteering, and will

maintain our proud tradition of being of help to the real refugees of the world.

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CITIZENSHIP

REQUEST ON BEHALF OF REFUGEE FAMILY FROM CHILE

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is for the Secretary of State who is responsible for the granting of citizenship. This morning, in the presence of Liberal International, the National Women's Liberal Commission adopted the cause of the family of Iris Mason, a family which has arrived from Chile and has landed immigrant status. This family came from Chile where its members suffered horrible oppression and torture. They have been refused Canadian citizenship by the Government on national security grounds.

The family members appealed to the Security Intelligence Review Committee which recommended that they be given citizenship, but the Government has still refused. I gave the Secretary of State notice of my question which follows.

In light of the tragic circumstances which brought the Mason family to Canada will he accept the advice of the Government's own review committee and grant Canadian citizenship?

Hon. David Crombie (Secretary of State): Mr. Speaker, let me thank the Hon. Member for being in touch with my office just prior to Question Period. It allowed me the opportunity to call for the file. I will take the opportunity to read it over the weekend, and I invite the Hon. Member to meet with me on Monday morning.

[*Translation*]

REQUEST THAT MINISTER MAKE STATEMENT

Hon. Bob Kaplan (York Centre): Mr. Speaker, I have a supplementary. I would simply like to ask whether the Minister would be willing to make a statement before the end of next week as to whether he is denying citizenship, to let Canadians know his reasons for doing so.

[*English*]

Hon. David Crombie (Secretary of State): Mr. Speaker, I think it is important that what I do is review the file before any action is taken. I am sure the Hon. Member understands that. I have not seen the file. The Member's office called half an hour before Question Period. As I am sure he knows, I was not aware of the case. The responsible course of action is for me to read the file, which I will do over the weekend, and meet with the Hon. Member on Monday morning. At that time we can make a decision which is fair to all.

An Hon. Member: Good answer.

IMMIGRATION

VISITORS FROM CENTRAL AMERICA—VISA REQUIREMENT SUGGESTED

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, my supplementary question is for the Minister of State for Immigration. Would the Minister consider requiring visas for visitors coming from Central America to Canada?

Hon. Gerry Weiner (Minister of State (Immigration)): Mr. Speaker, over the last year we have instituted a number of control measures. Obviously some of them have been visas and they have been effective. Those issues are now being studied within the annals and powers of the Government. At the appropriate time, announcements may have to be made.

* * *

SENIOR CITIZENS

WIDOWS BENEFITS—REQUEST FOR EXTENSION TO SINGLE WOMEN

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, my question is directed to the new Minister of State for Senior Citizens, and I would like to congratulate him on his new job.

Some Hon. Members: Hear, hear!

Ms. Mitchell: Would the Minister take action on two very important matters that were raised repeatedly by the Hon. Stanley Knowles in the past and which have still not been dealt with?

Since most older women who are living alone experience excruciating poverty, will he act immediately to extend the benefits which now are available to widows to cover single women at age 60? Why should benefits be based on whether or not a woman has a man?

Hon. George Hees (Minister of Veterans Affairs and Minister of State (Senior Citizens)): Mr. Speaker, I will be very glad to look into this representation and do whatever I can to do what is proper in this case.

OPTIONAL OLD AGE PENSIONS REQUEST

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, I think it is a matter of policy that we want. This is not just a simple case. We want government policy and we want some change in legislation.

Since more and more older workers are becoming redundant through no fault of their own, will the Minister consider extending optional old age pensions for unemployed persons at age 60? This policy could also open jobs for younger workers.

Hon. George Hees (Minister of Veterans Affairs and Minister of State (Senior Citizens)): Mr. Speaker, I will be very glad to look into that representation also.

[*Translation*]

INJUSTICES TO ELDERLY—GOVERNMENT POSITION

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): Mr. Speaker, my question is directed to the same Minister, the Minister of Veterans' Affairs and Minister of State (Senior Citizens). I want to commend him and express the hope that we can work closely together. But I must add right now that the Minister has a long way to go to remedy the inequities inflicted upon senior citizens by his Conservative Government.

In view of present political tendencies, can the Minister state whether he can undertake today to allow senior citizens the right to the spouse's allowance if they are either single, separated or divorced, something this Conservative Government has been denying them?

Secondly, can the Minister promise that he will ask the Minister of Employment and Immigration to put an end to this discrimination against older workers who are not entitled to full UI benefits?

[*English*]

Hon. George Hees (Minister of Veterans Affairs and Minister of State (Senior Citizens)): Mr. Speaker, as I said yesterday I have asked seniors and seniors' organizations to get in touch with me and let me know the kinds of things they think should be done to make life better for seniors. I will take the representations I have heard this morning, including that of the Hon. Member who has just made a representation, and I can assure him his representation will be given very good consideration.

[*Translation*]

MINISTER OF STATE'S RESPONSIBILITIES

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie): I have a supplementary for the Minister, Mr. Speaker. The Minister says he will consult. Mrs. Denis came to Parliament Hill and told us what senior citizens want. People have now been protesting for three or four years, signing petitions, but what I would like to know is what the Minister's responsibilities are. Is the Minister in charge of the portfolio coming under the Department of National Health and Welfare that involves the New Horizons programs, from which the Government, the Minister of Finance slashed $5 million, or does the Minister simply holds the title of Minister of State (Senior Citizens) without any responsibilities whatsoever?

[*English*]

Hon. George Hees (Minister of Veterans Affairs and Minister of State (Senior Citizens)): Mr. Speaker, I will be working very closely with the Department of National Health and Welfare and its very able Minister. We have already started having meetings together. It is with the co-operation of the Department of National Health and Welfare that the new Department of State for Seniors will be working. I am confident that between the two of us we will be able to produce some very good results.

• (1150)

ATOMIC ENERGY OF CANADA LIMITED

RADIOCHEMICAL COMPANY—IRRADIATION OF FOOD

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, yesterday the Government announced that it was backing the wider use of irradiated food. We would like to know why and who in Canada really wants this.

I direct my question to the Minister of State for Privatization. Would she confirm that she said the Government is considering privatizing Radiochemical Company, the arm of Atomic Energy of Canada Limited which is responsible for food irradiation? The Minister knows that AECL is bankrupt without government subsidies. Is this why the Government favours food irradiation? In other words, does it favour it to save the hide of AECL, putting Canadians at risk in the process?

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, as the Hon. Member knows, the Minister of National Health and Welfare is out of the House today on business and therefore is not able to respond appropriately, as I am sure he would, to the Hon. Member's question. The reason I am responding is that it struck me as being less a question of privatization and more a question of politics. The Hon. Member can practise that when the Minister returns to the House on Monday.

Mr. Waddell: We are just trying to figure out why the Government is doing this.

[*Translation*]

PARLIAMENTARY COMMITTEE'S RECOMMENDATIONS—GOVERNMENT POSITION

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, I have a supplementary question.

Why does the Minister ignore the recommendations made by the Committee of the House of Commons? Why does the government jeorpadize the health of Canadians to save the hide of Atomic Energy of Canada? Because that is really the reason why the government has decided to favour food irradiation.

[*English*]

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, as I recall the issue with respect to the recommendations of the committee, the Minister of National Health and Welfare indeed accepted some recommendations and did not accept others, but that is the kind of information—

Mr. Waddell: Thirty-three he rejected.

Mr. Crombie: I can give the Hon. Member an answer if he would give me a chance. When the Minister returns, I am sure that in his normal good fashion he will explain that to the Hon. Member. The Hon. Member knows that the Minister is not

here, and that kind of imputation of why the Minister is acting a certain way is clearly out of order, at least in my opinion.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—PUBLIC OPINION POLLS

Mr. Geoff Scott (Hamilton—Wentworth): Mr. Speaker, I would like to ask the Minister for International Trade a question specifically on the subject of opinion polls on free trade. May I say that I too hold my head high. I am still proud to be a Conservative from Ontario.

Some Hon. Members: Hear, hear!

Mr. Scott (Hamilton—Wentworth): However, last night's results in my province are being interpreted by some people as a poll of concern about free trade. Can the Minister comment further on the other poll released earlier this week which suggests that the Government has no mandate to enter a free trade deal with the United States? Has either poll changed the Government's mind?

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker. As I indicated, we will be releasing the results of our August poll today. It shows that the support for free trade at the end of August was at 50 per cent which is unchanged from June. I think it is interesting that the greatest support for free trade comes from Quebec where 64 per cent support the idea. I would like to emphasize that.

[*Translation*]

In Quebec, on free trade, 64 per cent, the highest level in Canada, support the idea.

* * *

[*English*]

FISHERIES

CANADA-FRANCE DISPUTE—NORTHERN COD STOCK

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. Recently Mr. Fortier, the Canadian negotiator with the French on the fish talks, was in Newfoundland and consulted with the Government of Newfoundland. The position of the Newfoundland Government is very clear. Northern cod is not to be begged, borrowed or stolen. Mr. Fortier would not comment one way or the other on that position.

What is the position of the Government of Canada in view of the importance of that resource to the fishermen of Newfoundland and to Atlantic Canada? Is northern cod on the table? Is it to be bargained away to the French?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the position of the Government of Canada is that this is a matter that has to be negotiated between Canada and France. As a result of a meeting between Prime Minister Chirac and the Prime Minister of Canada, negotiations were opened again. They had been cut off by the French but they are opened again and will begin tomorrow in Paris.

As we have committed regularly in the House, any negotiations by Canada will involve continuous consultation with the interested parties including, the Province of Newfoundland. Those consultations will occur. Representatives of the Province of Newfoundland and other groups will be present as part of the Canadian delegation involved in the negotiations.

I do not propose to publish in the House of Commons the negotiating position Canada will take into the discussions with France tomorrow. To do that would be to jeopardize the Canadian and Newfoundland position. I would not want to do that.

GOVERNMENT POSITION

Hon. William Rompkey (Grand Falls—White Bay—Labrador): Mr. Speaker, I repeat that the position of the Newfoundland Government is very clear. Not only that, but yesterday the Minister of Fisheries in Newfoundland, the poorest province in Canada, put up $1 million to alleviate the crisis in the inshore fishery.

How can the Government of Canada allocate billions of dollars to protect Canadian sovereignty in the North and at the same time give away, propose to give away, or allow to give away the most important northern resource we have which is northern cod? How can he justify that?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the premise, of course, is false. We are dealing with the problem. We have a negotiation under way now because the earlier arrangement put in place by a Government of which the Hon. Member was a part was insufficient. It did not provide adequate protection for Canada. It left a problem that must be resolved by negotiations. We are carrying out those negotiations now.

In the past when negotiations were carried out by Liberal Governments, the provinces and other interested parties were excluded. We have changed that practice. We have brought the Province of Newfoundland, other provinces and other interested groups into the consultation and the delegation for the negotiation. That is what is happening with regard to the negotiations in Paris this weekend and I make the commitment that we will be protecting the Canadian and the Newfoundland interests in those negotiations.

NATIONAL REVENUE

BILL C-51—TOBACCO COMPANIES' ADVERTISING CAMPAIGN

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is directed to the Minister of National Revenue who may know that tobacco companies are spending about $5 million in advertising and promotion to oppose Bill C-51 and they do this, of course, thanks to the rules, with the taxpayers' aid because it is a business deduction. Would the Minister tell us why this unfairness exists? Individuals who would like to lobby in favour of a health Bill, be it Bill C-51 or Bill C-204, do not get any tax advantages whatsoever and charities risk losing their charitable status if they spend more than 10 per cent of their money on advocacy. Why is there this anomaly? Will he do something about that unfairness?

Hon. Elmer M. MacKay (Minister of National Revenue): Mr. Speaker, the Hon. Member realizes that these rules and regulations are put in place for a purpose. We are always willing to examine the appropriateness of them in light of current conditions. I will take the representations she has made very seriously and will see if there is something appropriate that can be done.

MINISTER'S POSITION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I wonder if I could have a bit of clarification on that. I appreciate the Minister saying that the matter will be looked at, but would the Minister not agree in principle that this is an anomaly and that it is unfair? Would he not agree either that there ought to be some tax breaks for individuals and charities who ought to have an opportunity to put forward their health and educational concerns, or that the advantage corporations have is totally inappropriate and should be removed so that people will be on a fair and even footing?

Hon. Elmer M. MacKay (Minister of National Revenue): Mr. Speaker, my colleague knows that our Department is constantly seeking ways to interpret income tax and other regulations in an equitable way. It is part of the testimony that has come forward from many quarters which justifies the proposal for tax reform and for the kind of initiatives on which the Minister of Finance and our Department are working.

* * *

ENVIRONMENTAL AFFAIRS

POLLUTION CAUSED BY AUTOMOBILES—PROPOSAL MADE BY WEST GERMANY

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, my question is for the Secretary of State for External Affairs. As the Secretary of State probably knows, acid rain is probably the main environmental preoccupation of Canadians. Despite that fact, last week at the United Nations acid rain group when West Germany made a proposition to cut car and truck pollution by 30 per cent by 1995, Canada decided to turn down that proposal. Would the Secretary of State please explain why the Canadian Government has not supported this important proposition?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, if we turned down that proposition we must have had a good reason for it, but I must confess to the Hon. Member that I do not know what it was. I will try to find out and I will let him know as quickly as I know.

[*Translation*]

AIR POLLUTION CAUSED BY AUTOMOBILES—GOVERNMENT POSITION

Hon. Chas. L. Caccia (Davenport): When we consider that the government of Canada played a major role in 1984 in establishing a club to reduce sulphur pollution by as much as 30 per cent, Mr. Speaker, we really wonder why the government of Canada does not support the same protocol intended to limit air pollution caused by automobiles. That is the same question, but it is very important.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, it is the same question, but formulated differently. The answer remains the same. I will try to find out. Once I have done so I can assure the Hon. Member that I will convey the information to him and all other interested parties. But it is quite clear that the Canadian commitment to pollution control is well established. I do not apologize for not being informed. It is my duty. However, I do apologize for not having the information today. I intend to obtain it as soon as possible.

• (1200)

[*English*]

Mr. Speaker: This will be the last question.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—CANADIAN POSITION

Mr. Jack Harris (St. John's East): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. He does not want to tell the people of Canada what the Canadian Government position is in these negotiations before he tells the Government of France. The negotiations begin tomorrow in France and the French Government will then know what the Canadian Government position is. Will he then make that position public so that the people of Newfoundland know their interests are being protected by the Government?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker—

Mr. Turner (Ottawa—Carleton): Bring in the gunboats.

Mr. Clark (Yellowhead): —our position has been discussed with representatives of the industry, fishermen, and the Government of Newfoundland, as well as the other Atlantic provinces concerned. The process we have been following for the last several months has been to involve them closely in the discussions. Representatives of all or most of those groups are part of the delegation now in Paris. We want to be sure we have a position which can command as much respect and support as possible in Canada.

While on my feet and in response to an earlier question which elicited NDP interest in sending gunboats, may I ask whether the NDP position on violence—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): — also extends to violence in Central America, the Middle East, and on picket lines in Canada?

Some Hon. Members: Hear, hear!

CONSULTATION WITH INTERESTED PARTIES

Mr. Jack Harris (St. John's East): Mr. Speaker, the Minister told us that these groups have discussed our position. How can he assure us that not only those groups are being consulted but that they are aware Canada is taking a very strong position in view of the fact that the insult extended to the Lieutenant-Governor of Newfoundland occurred at the same time the Government of Canada was trying to cosy up to Prime Minister Chirac for *la Francophonie*?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, for a new Member the Hon. Member has adopted the practice of disinformation very quickly. I regret to have to congratulate him on his speed in placing false information and false implications on the floor of the House of Commons. The reason—

Mr. Keeper: You just did it yourself.

Mr. Clark (Yellowhead): The quotation from yesterday was: "Sometimes a resort to violence is absolutely essential—"

Some Hon. Members: Oh, oh!

Mr. Speaker: Perhaps the Right Hon. Minister could complete the answer.

Mr. Clark (Yellowhead): I am sorry, I do not want this discussion to become violent.

The answer is that there was discussion involving the negotiator and representatives of the fishermen, the industry and the provinces earlier this week prior to departure of the delegation for Paris. Those groups are represented directly on the Canadian delegation. They are in Paris and in constant contact with the negotiator. I do not think as a practical matter, when we want to conduct an effective negotiation and we know we cannot publish the details in advance of entering the negotiating room, there is much more that we can do.

We are doing this to try to ensure that if we secure an agreement on this difficult issue, it will be an agreement which results from the widest possible consultation in Canada.

* * *

PRIVILEGE

REQUEST TO WITHDRAW STATEMENT ALLEGEDLY MADE DURING QUESTION PERIOD

Mr. Ian Waddell (Vancouver—Kingsway): Mr. Speaker, in answer to a question I put to a different Minister, the Secretary of State (Mr. Crombie) said I was out of order in putting that question when the Minister was away.

Mr. Clark (Yellowhead): In his opinion.

Mr. Waddell: My question dealt with privatization and there is a Minister responsible for privatization and that is the Minister to whom I put the question. I asked her if she would confirm a statement that she allegedly made and I do not understand why she did not answer.

However, that is not my question of privilege. My question of privilege is that the Minister said I was out of order, and I would ask him to stand tall in this House and withdraw that allegation.

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, I was not trying to assume either the role or mantle of the Chair in declaring that the Hon. Member was out of order. That is not my job. I was simply offering an opinion with which obviously the Chair did not agree. Consequently, I do not think there is any reason for me to withdraw it. I do not declare whether or not the Member is out of order, that is the business of the Hon. Member or the Chair.

Mr. Waddell: But you did.

Mr. Crombie: Well, I would like to thank the Hon. Member for believing I have the capacity to call him out of order. If he reads the rule book he will find that that is for him and the Chair to determine.

Mr. Keeper: You are short on grace.

Mr. Althouse: Too.

Mr. Speaker: The Hon. Member for Vancouver—Kingsway (Mr. Waddell) is—

An Hon. Member: Out of order.

Mr. Speaker: The Hon. Member felt the Hon. Minister was arrogating the responsibilities of the Chair. The Hon. Minister said he did not intend to do that. Perhaps having heard the

Minister and the Hon. Member the position of the Chair is that the Minister meant it was not appropriate for the Hon. Member to ask the question when some Minister was not here. That is not a matter of being out of order and that of course, as the Minister said, was only his opinion. The Hon. Member for Vancouver—Kingsway (Mr. Waddell) pointed out that there were other Ministers here, at least one other, that might have dealt with the matter. That Minister might have but did not.

In any event, I think I have to rule that while there is a complaint here, it seems to be based on some sort of misunderstanding. It is not a question of privilege but it does signal the necessity for all Hon. Members to be clear in the use of language, otherwise there is some confusion. It goes even beyond that on occasion and then the Chair has to take up the time of all Hon. Members to clarify the situation. I thank the Hon. Member for his intervention and the Hon. Minister for his response.

ROUTINE PROCEEDINGS

[*English*]

EDUCATION

TABLING OF ADDITIONAL INFORMATION SUBMITTED BY MANITOBA

Hon. David Crombie (Secretary of State of Canada): Mr. Speaker, pursuant to Standing Order 67(2) and following agreement with the Council of Ministers of Education for Canada, I wish to table additional information submitted by the Province of Manitoba augmenting the report on post-secondary school education in Canada tabled in the House on February 6, 1987. I ask the House for unanimous consent to refer this document to the Standing Committee of Secretary of State.

Some Hon. Members: Agreed.

* * *

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, in accordance with Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to 14 petitions.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all the questions be allowed to stand.

Mr. Deputy Speaker: Shall all the questions stand?

Some Hon. Members: Agreed.

• (1210)

GOVERNMENT ORDERS

[*English*]

CANAGREX DISSOLUTION ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Wise that Bill C-2, an Act to dissolve Canagrex and to amend certain Acts in consequence thereof, be read the third time and passed.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the purpose of establishing Canagrex was not to interfere with private sector operations in this industry, it was not to hurt it but to help it. I would like to put on the record some of the comments of the President and Chief Executive Officer of Canagrex, Mr. A. E. Story, when he appeared before the House of Commons Standing Committee on Agriculture on March 11, 1985. He said in part as follows:

> Immediately upon opening the offices of Canagrex on January 3rd, 1984, we set about preparing a corporate plan which was later approved by our board of directors and signed by the Minister of Agriculture. It was my firm intention to carry out the corporate plan and operate the corporation based upon private sector principles. I hired the most results-oriented people I could find.

He said further:

> The suggestions expressed by many of the agricultural associations and industry groups such as the Canadian Exporters Association were very helpful.

In other words, he consulted with them. He said further:

> Concern was often expressed that we would exercise the powers in the Canagrex Act to undertake direct buying and selling. We were determined that we would leave the buying and selling to the private sector. We did not interfere in the marketplace.

Mr. Story went on to explain what they were doing and said:

> We prepared a survey of Canadian commodities available for export. This source list of Canadian commodities is probably the most comprehensive and up-to-date available anywhere today.

Surely we have the right to ask why other departments did not prepare such a list. Why did the Department of Agriculture not do it? Why destroy the organization which prepared this very important list? He continued:

> We developed a market survey program. This entailed in-depth research on specific market areas which we considered as potentially promising and most interested in buying Canadian products.

He went on to illustrate what he meant. He said:

> For example, we had a pork producer accompany our mission to Singapore, we had a potato producer travel with us to Cuba. We also had tobacco producers travel with our group to Egypt, Hungary and Czechoslovakia, where we initiated the negotiation process to assist in selling to these markets.
>
> The valuable market information which we gathered was fed back to the Canadian industry.

Why would the Government put a stop to that kind of valuable assistance?

He continued:

> We undertook a program to stimulate export sales abroad. For example, Canagrex defrayed some of the cost involved in transporting high quality breeding swine to Italy on the understanding that out of any subsequent sales, Canagrex would recover their expenses. As it turned out, the Canadian swine won several medals at the Milano exhibition. As a result of these efforts, foreign buyers visited Canada to investigate further purchases of Canadian swine.

Farmers in my province of Manitoba produce a substantial number of pigs and would like to expand their production. However, there is no use expanding production if they cannot make sales. If Canagrex could help sell more swine in Italy, why would the Conservative Government destroy it? Mr. Story said further:

> The Buyers Credit Guarantee Program was an important area of Canagrex operations. We sought to have the risks shared among the Canadian exporters, the banks or the insurance companies and the foreign buyer. A Canagrex guarantee was provided when it was deemed absolutely necessary.

That is what all the other governments are doing. They help their producers by providing loans at low interest rates and providing subsidies. They do everything they can to help their producers. Surely to God, given the tremendous difficulties which Canadian producers of agricultural products are facing, we should be doing everything we can. Instead, blinded by the Government's mystic belief in the free market, its opposition to government involvement, and its belief that the best government is the government which does the least, the Government has taken the completely irresponsible and wrong decision to destroy Canagrex.

We intend to vote against this Bill for all the reasons which I and other members of the New Democratic Party have listed. We believe that the establishment of Canagrex was a good idea. It made a good start and should have been helped to expand its activities rather than being destroyed as it will be when this Bill is passed.

Mr. Althouse: Mr. Speaker, in its annual report Canagrex indicated that it was having difficulty getting backing from the Minister of Finance (Mr. Wilson) in order to provide financing for the exporting of a number of different agricultural products. It had asked the Ministry of Finance for a global figure beyond which it could not provide financing by way of export guarantees. The Ministry of Finance kept dragging its feet and refusing that financing until finally the Minister of Finance, in his first financial statement to the House, indicated that the Government had made a decision to do away with Canagrex.

Does the Hon. Member believe that the idea of the Minister of Finance was to make the performance of Canagrex's functions as difficult as possible by inaction on approving the export financing arrangements which the Act provided for Canagrex?

Mr. Orlikow: Mr. Speaker, I can, of course, only speculate on the thinking of the Minister of Finance (Mr. Wilson). However, he did to Canagrex what he had done in so many other cases. The Minister of Finance is so fixed with the need to reduce the deficit that he would not give Canagrex the go-ahead by giving it the money it needed. He did the same thing in the field of scientific research which, of course, includes agricultural research. I have never heard such devastating criticism of a Minister of Finance as I did in the documents released recently by the Canadian Association of University Teachers, who go into great detail about how the cut-backs in funding have hurt scientific research. The refusal of the Minister of Finance to supply the funds for Canagrex is just part and parcel of his whole approach that he must cut the deficit, regardless of the very serious and adverse effects it has on Canagrex and all other government organizations which need adequate financing.

• (1220)

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

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

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

Some Hon. Members: Yea.

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

Some Hon. Members: Nay.

Mr. Deputy Speaker: In my opinion, the yeas have it.

And more than five Members having risen:

Mr. Deputy Speaker: Pursuant to Standing Order 13(5) the recorded division stands deferred until six o'clock Monday, September 14, 1987.

Mr. Althouse: Mr. Speaker, I rise on a point of order. Could you give us a ruling as to the acceptability of Members shouting their assent to a Bill when they are not in their seats?

Mr. Deputy Speaker: I will get back to the Hon. Member's point of order quickly.

BUSINESS OF THE HOUSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been discussions among the Parties. We appreciate the co-operation of the Opposition Parties in dealing with Bill C-2. I think you will find that there would be agreement to move to Private Members' Business with the Hon. Member for Montreal—Saint Marie (Mr. Malépart).

Mr. Riis: Mr. Speaker, there have been discussions and we certainly agree.

[*Translation*]

Mr. Deputy Speaker: Pursuant to order made earlier today the House will now proceed with the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--MOTIONS

[*Translation*]

THE SHIPBUILDING INDUSTRY

THE ESTABLISHMENT OF A REVITALIZATION SPECIAL COMMITTEE

Mr. Jean-Claude Malépart (Montreal—Sainte-Marie) moved:

That a special committee of this House be established to consider the problems affecting the shipbuilding industry, with a view to initiating a revitalization of that industry in Quebec.

He said: First, Mr. Speaker, I want to explain why this committee should be established. Let it be known from the outset that I would be prepared to accept an amendment motion if the Government wanted to extend the committee's terms of reference to the whole country. I am convinced that my colleague from Saint-Maurice (Mr. Grondin) would support this amendment because I think that Quebec's shipbuilding industry problems have a similar impact in the Maritime Provinces, in Ontario, and in Western Canada.

Mr. Speaker, I should like to point out why... Hon. Members will recall that before the 1984 election the previous Liberal administration used to spread contracts around to make sure that none of Canada's shipyards would remain idle.

We have three major shipyards in Quebec: Lauzon near Quebec City, Sorel, and Vickers in Montreal. Back in 1984, before the election brought the Conservative Government to power, these three shipyards had landed contracts—frigates for the Montreal and Sorel shipyards, and a contract for the *Caribou* ferry which had been awarded to Lauzon's shipyards. However, there had been a transaction in the meantime. The owners of the Lauzon shipyard purchased the Montreal shipyard, and without the agreement of the Government and without advising anyone, transferred all the Montreal contracts to the Lauzon shipyard in Quebec City, which could have meant the closing of the Vickers shipyard in Montreal,

which shipyard had historically provided jobs and enjoyed a certain influence.

We all recall the lethargic attitude of the Conservative Government in the case of the Gulf refinery and of Bombardier. Then, we had the announcement of the closing of this shipyard and of several businesses and the loss of 5,000 jobs. With the provincial and federal representatives of East Montreal, I created a survival committee to force the Conservative Government to take action on these issues, stop the closing of these industries and save 5,000 jobs.

Unfortunately, the Government approved what meant virtually a death warrant for the Gulf refinery in East Montreal by allowing a foreign company to purchase the refinery with the purpose of closing it. Thank God, the provincial Government, led by Mr. Robert Bourassa and Mr. Ciaccia, took over and prevented the Gulf refinery in East Montreal from closing completely! As regards the lethargy of the Conservative Government on the matter of the shipyards, I have to say quite honestly that there were certainly rather complex problems in this industry.

Unfortunately, the former Minister of Regional Industrial Expansion, the Hon. Member for Langelier (Mr. Côté), who is himself from Quebec, had plotted to ensure that the president of Versatile Vickers would be in charge of coordinating the rationalization of shipyards in Quebec. The Government told him, and this is what I found unacceptable, that if he wanted the contract for the *Caribou*, he had to bring together the three Quebec shipyards which I mentioned earlier, that is the two belonging to him, and one, the Sorel Shipyard, owned by the Quebec Government. Only on this condition would the Government grant him the contract for the *Caribou* ferry. Mr. Saunders then launched a private crusade and went to see the only other competitor, the Quebec Government, and said: "Listen, you should get into another line of work. I have a mandate from the federal Government and you should go into another field. I shall take care of the major work at the Lauzon Shipyard in Quebec City, do the little jobs in Montreal and make a lot of money, and you can do something else.

• (1230)

Unfortunately, I had been told about that and I must commend the Hon. Member for Richelieu (Mr. Plamondon) who also worked with the local union—and even the people, the Conservative Member had wind of the matter and he exposed that attitude. Unfortunately, the former Minister of State for Regional Industrial Expansion, the Hon. Member for Saint-Jean (Mr. Bissonnette) at that time had called me a liar, saying that it was false. But I was sure of my facts, and indeed, through the access to Information Act, I obtained the documents where it was written in black and white that the Government was committed, everything was signed, and we know what happened to the Hon. Member for Saint-Jean! When it is his word against mine—I do not think it takes very long to know who is telling the truth.

But the impact of all this is that despite this fiddling about by those politicians, or their lack of experience, the result is that today people are still talking to each other in our Quebec shipyards. Even though there are announcements of huge contracts in Quebec City, the jobs just are not there—400 employees out of 2,000 have just been recalled. In Montreal the shipyards are empty, again there are 35 employees left out of 1,500, and I know there is a problem, yes, there is a problem in the shipyard industry. Instead of having a strategy, and it is at that point that I tabled the motion, instead of this double dealing behind the workers' back, behind the union's back, when a Minister of the Crown strikes a deal with a company president and says he will give him a contract if he shuts down that one—that does not work, it will not work, the results are there. Those three scheming Ministers, where are they now? Two of them have lost their portfolios, and one has just been fired. What did that back-alley scheming produce? Nothing at all, and thank God, it shed light on the matter! This is why the proposal is that the House ask the Government to strike a committee, made up of representatives from the federal Government, the Opposition in the House of Commons, the provincial Government, the Opposition in the National Assembly, the municipalities in those areas. That is important, whether it is Sorel, Quebec City, or Montreal, because those people are the area's economic future. They should be on this committee. As well as representatives from the industry, from management of course, but also from the workers.

I am confident that once such a group is set up and everyone honestly analyzes the conditions in the shipyard industry, we will discover what the problems are in Quebec, in the Atlantic region, in Ontario and in Western Canada, and what sort of work is to be done, since the contracts come under federal jurisdiction. The Mayor of Quebec City is not the one who builds boats. He may be hoodwinked by the federal Government, but he does not build boats, only the federal Government does so for the Department of National Defence or the Department of Transport, ferries and other such things.

Then the Government is aware of the new boats that are needed, of repairs which have to be done and of the orders which have to be placed. If that had been better structure than what we see now, there would not have been any crisis. Then those people would know what the capacities and the number of workers are in those shipyards. Are there too many shipyards and not enough contracts? If so, what is to be done? However, the first decision made by this Conservative Government, by the former Minister, the Member for Saint-Jean, as well as another Minister who has been sacked, the Hon. Member for Langelier (Mr. Côté) was that we had too many shipyards. They decided to close down some of them. They even schemed about which one was to be closed down and the finger was pointed at Sorel. The same thing was done in the Maritimes and in Ontario and one shipyard was expected to be closed down in the West, but the file was closed and all those changes were set aside.

Presently the shipyards in Quebec are working, but once again it is thanks to the Bourassa government, a good liberal government, thanks to Ministers like Marc-Yvan Côté, thanks to Ministers who said: Wait a minute, we cannot allow those shipyards to close down. In the Quebec City area, it was thanks to Marc-Yvan Côté that the Lauzon shipyard was kept open. It was not thanks to any Conservative Member, they did not even know where they were going. So at the provincial level they got their act together and told the federal government: Wait a minute, those shipyards have to be kept going. They created a committee and they told the federal government: We will pick up the pieces, but we do want the money. You have tampered enough with this whole matter, we want the money to have the work done.

But then again that was the provincial government which is continuously dependent on the contracts from the federal government. To top it off, the present Minister of Transport (Mr. Crosbie), after his predecessor had said there was too many shipyards, is now developing and modernizing the shipyards in his riding, in his own area. Pretty soon, this shipyard will be able to compete with the shipyards in Quebec for the maintenance of the *Caribou I* and *Caribou II*.

And governments come and go, depending on patronage, depending on the Minister, depending on the area. For all these reasons, at this moment we cannot trust anybody in this Cabinet. And I believe this is reflected in the public opinion polls.

There is nobody left with some intellectual credibility and honesty, nobody that can be trusted by the population.

In order to solve the problems shipyards are facing, there is an absolute need to set up a committee and I wish it would be a national committee. However, in this kind of matter, I believe there are regional implications, the needs are different in Quebec, in Western Canada and in the Maritimes.

But I believe it is urgent to act because in two or three years from now the same problems will arise if we do not go to the bottom of the matter.

Let us remember that during the last electoral campaign, Conservative candidates had promised to bring back full indexation of old age security pensions. You have misled the people and you promised the same thing in the shipbuilding industry.

And always the Prime Minister (Mr. Mulroney), with one hand over his heart and the other on the Gospel: I promise you that we are going to increase the subsidies to help upgrade the shipbuilding industry. What has he done? He has done the contrary.

Well, if today the Prime Minister tells Canadiens who are listening to us: I am going to give you this. You can tell yourself right away: He has made a mistake, for he wants to take it away from us. If he says that he is going to take it away from you, it is because he is going to give it to you. Such has been the case in every matter.

I beg Hon. Members to understand that these jobs—

Mr. Côté (Lac-Saint-Jean): Foul mouth!

Mr. Malépart: The Hon. Member for Lac-St-Jean (Mr. Côté) is shouting: They don't care! He knows that he is beaten, that he will lose, so that he does not care and thinks only of filling his own pockets until the next election.

Mr. Speaker, but the workers at the Lauzon shipyard near Quebec City do care. Those at the Vickers shipyard in Montreal do care too. Because they are former employees, they are there.

It is the same under the Work Adjustment Training Program. The Sorel people . . . It was a designated area which was eligible to the pre-retirement program. Again, this Conservative government, the Minister of Labour abolished this program last year and announced another one. But the new one was never implemented.

There are people in this shipyard who, after being on unemployment insurance for one year under the Work Adjustment Training Program, became eligible to unemployment insurance benefits up to age 65 when they could not find new jobs. This was the rule of the game.

Unfortunately, the Conservative government has eliminated this program. This has contributed again to a greater number of unemployed in the area.

I dare hope that Conservative Members will agree at least—Perhaps the Hon. Member representing the Quebec area will be allowed to speak out, for I am sure he must have good ideas.

I suggest, however, that it is important to set up a committee. I am well aware of the procedure and I know that if Conservative Members object, they will talk for an hour to kill the Bill on the Order Paper. They will say: Yes, we have a committee of Conservative Members. But what about it? What good has it done so far?

The Conservative Committee they had in Ontario was soundly defeated. The same thing will happen in New Brunswick: Get out, Tories! Wake up if you want to save your skin! Do not try to hide behind your Ministers, or even your Prime Minister, for he is finished, dead and buried!

But join others within a committee. I am not asking you to join only Liberals, but also municipal, union and workers representatives. They will tell you what went wrong, and describe in no uncertain terms that people no longer trust either you or the Prime Minister. Wake up: We should not give you a break, but we are willing to do so for the sake of workers; we are willing to go beyond party consideration and ask that such a committee be established and made up of representatives from the federal and provincial governments, of the opposition parties whatever they may be, as well as specialists. But it is not possible to continue like this. I see that the Quebec people are getting ready to stand up. They will beat their breasts and say: We have so many contracts. So many contracts! The guys are not working and are on welfare. What is the Hon. Member doing? It is not enough to say that there are so many contracts and that so many millions of dollars will be spent. There is no work. There are 1600 workers in the Quebec region who were employed by the shipyards and who are now out of work. There are some who are on welfare. And it is not because they have elected to be so. They are on welfare because this Conservative Government has thrown them there.

The situation is the same in Sorel. I wish the Hon. Member for that riding were here, because he would not be afraid to contradict his colleagues. For he was the one who made public the first letter which revealed his colleagues' plot to close the Sorel shipyard. If he were here, I am sure he would support my proposal, because he would know he could participate, because he himself no longer trusts the Cabinet. He knows he was fooled once. I remember when the workers came here, the Hon. Member for St-Jean had promised them: Yes, you are going to see . . . He had even supported and signed a deal to close it. That is why you are no longer popular.

Indeed, this committee could be made up of municipal and provincial representatives who, together, could find ways to ensure that the Quebec shipbuilding industry continues to exist. Our qualified labour force is an asset. The men and women who make up the labour force in this industry can compare with anybody in the world in terms of competence, quality, effectiveness and productivity. I know the Conservative Members who associate with the bosses will tell us: "They are not productive, because of three or four strikes and such and such a thing". However, that is all they care about, money. But in fact, it is not true. Just look at the figures.

Our Quebec shipyards are the most productive in all of Canada. And the quality of the job they do is superior to that of many others. We cannot give up that industry which generation after generation has been part of Quebec's heritage.

I think that one of the best ways, unless better alternatives are suggested, and I would be ready to approve them, would be to call together all parties concerned at the federal, provincial and municipal levels, labour and corporate representatives, as well as subcontractors involved as well as representatives of businessmen's groups in those areas with a specific aim, that is to keep the three Quebec shipyards in operation—and not try to close one down—but to review the orientation of those three shipyards and maintain the employment. And I am sure that with such qualified people gathered around the table, ways will be found to resolve the three above-mentioned issues that is to enable our three Quebec shipyards to maintain their orientation, to keep up employment in those shipyards at their present levels and to continue to uphold the prestige and reputation of Quebec shipyards throughout the world.

• (1240)

Mr. Marcel Tremblay (Quebec Est): Mr. Speaker, the issue which has been raised by the Hon. Member is an important

one and is one to which this government has recently devoted much attention. There is little doubt that this is an important industry to Canada and the severe decline in the demand for its products is not a development that can be ignored, and it will not be ignored by this government.

While the value of vessel construction work in canadian shipbuilding and ship repairing yards averaged $191 million between 1976 and 1985 in 1971 dollars this industry suffered a 47 per cent decline from 1982 to 1984. From 1984 to 1985 the commercial order book fell by 63 per cent to a post-war low. There now remain 18 major yards in Canada following the closure or the placing in receivership of several yards in Canada: Breton Industrial Marine in Nova Scotia, the Collingwood Shipyard in Ontario, and the Bel-Aire Shipyard and two Rivtow owned yards of British Columbia. This is a direct reflection of the difficulties facing the industry.

Another indication of the problems facing this industry has been the decline in overall yard employment. While the average employment level for 1976 to 1985 stood at 15,000, by 1985 the average employment figure had declined to only 8,000. As of the end of may 1987 it totalled somewhat less than 7,000. Unfortunately, Mr. Speaker, it should be noted that demand is not expected to recover to the levels reached in the 1970's in the foreseeable future.

The current problems facing Canadian yards also have been felt throughout the world. The levels of orders and completions throughout the world have declined so drastically since the peak levels of the 1970's that today it is estimated there exists a 40 per cent overcapacity in shipbuilding. Specifically, while world tonnage of ships completed in 1975 was 34.2 million gross tonnes, in 1986 the tonnage completed represented about 49 per cent of that figure.

In the past year, this decline has been even more severe. For example, according to the Organization for Economic Cooperation and Development (OECD) orders in Japan declined 14 per cent in the first half of 1986 in comparison to the same period in 1985. Orders declined 69 per cent in European yards over the same period. In Korea, a 77 per cent drop in the value of new shipbuilding orders was recorded over this period.

It should be noted that part of the decline in capacity utilization in some of the countries with older shipbuilding industries is due to the entrance of new aggressive competitors. Korea, China and Taiwan have all made significant additions to their shipbuilding capacities in recent years which has eroded the domination of the international market by the Western European nations and Japan.

Forecasts indicate that the world overcapacity situation will continue into the mid 1990's. As a result of the past declines in orders and the continuing difficult climate forecast for the industry, a number of countries have taken a variety of measures to address the problem.

In Japan, in the past decade there has been a 45 per cent reduction in the direct labour force involved in shipbuilding activities. Recently, a government panel called for a 20 per cent reduction in shipbuilding capacity by the end of 1987. The panel also called for mergers among builders to consolidate and rationalize the business structure of the industry and to decrease excessive competition. Two leading shipyards, Mitsui and Nippon Kokan are apparently discussing the possibility of joint capacity reductions along these lines. Kawasaki, Hitachi, and Sumitomo are talking of mergers.

In West Germany the total shipbuilding industry workforce declined from 73,000 persons in 1975 to 43,000 in 1985. It is anticipated that employment in the shipbuilding sector will fall further by roughly a quarter, or approximately 10,000 jobs. This employment is concentrated in the northern coastal areas and the German government has indicated it does not inted to attempt to maintain all of the shipbuilding capacity in these states. Instead, it looks to indutry to propose how it plans to restructure itself. To this effect the German government has announced it will provide substantial infrastructure and regional structural aid to the four northern coastal states.

In Sweden, one of the world's leading shipbuilding nations only 10 years ago, Kockums, the only remaining large new building yard, ceased new merchant vessel construction at the end of 1986.

Returning to the canadian situation, I note the Hon. Member's request that a special committee of the house be established to consider the problems affecting the shipbuilding industry with a view to initiating a revitalization of the industry in Quebec. Such a special committee is not required since the Standing Committee on Regional Industrial Expansion is empowered, with its mandate, to study this situation. Moreover, the government is doing all that is possible to initiate a revitalization in this sector without interfering unduly in what is essentially a private sector matter. However, I welcome this opportunity to discuss the approach which the government is taking to assist the industry workers in meeting the challenge of the new environment.

There are three elements to the government strategy to deal with the situation. First, the government will continue to offer protection for the domestic market. The 25 per cent duty which applies to most vessels offers protection to Canadian shipbuilders.

Second, the government will continue to support the shipbuilding industry through its own purchases. We are fully cognizant of the important role which the government's marine requirements have had and will continue to have for this industry.

Over the past five years federal government procurements accounted for approximately 20-25 per cent of the employment in Canadian yards. The relative importance of federal procurement has been increasing steadily as commercial orders declined. As of May 26, 1987, all new building work being carried out or on order were government-related contracts.

Over the next 5 years an estimated $1.6 billion in defence procurements are expected to come on stream, accounting for approximately 38 per cent of work in canadian shipyards. A further $700 to $1,200 million in non defence government procurements are also possible which could comprise another 25-33 per cent of total revenues in canadian yards during the same period.

Mr. Speaker, we are working with the industry to ensure that our marine requirements are met in a fashion which acknowledges the importance of this demand to the ongoing strength of the industries while at the same time ensuring that these procurements will be provided in a manner which is cost effective to the Government.

Third, the Government has indicated that it is prepared to assist industry with a full array of its programming in adjusting itself to these new circumstances. To respond to the changed market environment and strengthen their competitive position for the future, yards will have to reduce capacity. In some cases this may require closures. In other cases, mergers, specialization, diversification or other approaches may be more appropriate. However, initiatives for responding to the new situation must come from industry.

In particular, the Government is ready to assist in industry-led restructuring plans that put canadian yards in a better position to compete and that minimize any adverse consequences for affected workers and communities.

The first concrete instance of the application of this policy involved a restructuring proposal from the Ontario shipbuilding industry. The owners of the Collingwood shipyard came to the conclusion that they could not maintain operations in that yard. Together with owners of the other major shipyard in Ontario, they developed a plan to restructure their activities in view of the lack of demand for their products. In essence this provided that Collingwood would cease its operation and that the port Weller and port Arthur shipyards would be merged and modernized in order to be more competitive in the international market.

The Federal Government through its programs was able to assist the companies in the implementation of their plan. This was comprised of assistance under the shipbuilding industry assistance program (SIAP) for the company to move some of the more technologically advanced equipment operated in Collingwood to other facilities in Ontario. It is expected that this will result in a more competitive Ontario industry capable of servicing the needs of Great Lakes operators and better able to compete for major Crown procurements.

An area of concern to the Federal Government as well as the companies was the impact that this restructuring plan would have on the affected workers and communities. In order to minimize any possible negative effects, my colleague the Honourable Minister for Employment and Immigration selected Collingwood under the community futures program of the Canadian jobs strategy.

As you may know, the community futures program builds on the existing strengths of communities supporting the private sector and local community initiatives through a wide variety of programs. It involves a flexible cooperative effects approach and emphasizes entrepreneurial strengths.

The Government of Ontario also helped to implement the plans of the companies, by offering assistance to make the remaining yards more competitive.

The Government has also assisted owners of Quebec shipyards in reaching an agreement to consolidate ownership under Marine Industries Limited (MIL). The Government played a key role in bringing the parties together and assisted by facilitating the smooth transfer of its own contracts.

Marine Industries Limited, with its proven successful experience in the management of diversified operations, with the technological and manufacturing strengths possessed by the versatile operations and with the strong order book provided by Federal Government requirements I am sure will create a revitalized Quebec shipbuilding industry.

In conclusion, Mr. Speaker, I would like to re-iterate that we recognize that the shipbuilding industry is facing difficult times. The Federal Government stands ready to respond to proposals to assist the community, worker and industry to adjust to changing industry conditions. The initiatives, however must come from the private sector. The recent developments in Ontario and Quebec are clear indications of the Government's commitments in this regard.

• (1250)

[*English*]

Mr. Jack Harris (St. John's East): Mr. Speaker, I rise to speak on the motion of the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart). I cannot support it fully although I agree with the Hon. Member that the shipbuilding industry is in a crisis situation.

The motion would limit the consideration of the problems affecting the shipbuilding industry and the revitalization of that industry to the Province of Quebec. While I am sure, as the Hon. Member has stated, that the shipbuilding industry in Quebec has serious problems which need to be addressed by the Government of Canada, so too does the shipbuilding industry in the rest of the country, particularly in the Atlantic provinces where there is a serious shipbuilding crisis and also on the West Coast of Canada where shipyards are closing, the workforce is growing older, and great skills associated with the shipbuilding trade are being lost.

Shipbuilding is an industry which has roots in the history of the country, from the earliest days in New Brunswick, Nova Scotia, and Newfoundland as a part of our great maritime industry. We are a country which borders on three oceans. We have skills associated with the industry. In the past we have had a great shipbuilding industry, but it is in a crisis. The

Government of Canada should do more than give lip service to its development.

While the previous speaker indicated that the Government does its procurement through Canadian shipyards, surely it is not enough, nor is it enough to relegate it to other existing programs.

In August, 1984, the Prime Minister (Mr. Mulroney) made a promise to the people of Canada that he would pay attention to the shipbuilding industry. In fact, at that time he said that a top priority of the PC Government would be to create a more viable and prosperous shipbuilding industry. This indicates to me that the Government of Canada made a commitment to the people of Canada back in 1984 to put into place a national shipbuilding policy.

What do we have three years later? We have an industry in crisis. Shipyards are closing in British Columbia, Nova Scotia, and Newfoundland, for example, the one at Marystown and the dockyard at St. John's, Newfoundland. They are in very serious trouble, lurching in some cases from one contract to the next and always operating very precariously without any long-term plan to guarantee jobs for skilled workers in Atlantic Canada, Quebec, and British Columbia.

We need a comprehensive policy which clearly sets out what assistance the Government will provide to the shipbuilding industry. As well we need a commitment not just to procure the shipping needs of the Government from Canadian shipyards, but to ensure the survival of the yards and the job skills for Canadians.

We have a situation, as previous speakers have indicated, where the number of people employed in the Canadian shipbuilding industry has been reduced by approximately a third over the last 10 years. We now have 7,000 or fewer people employed in that industry, whereas some 10 years of 15 years ago there were in excess of 20,000 employees. I am using the figures supplied by the General Manager of the Pictou Industries who said in a recent article that in the last 10 years 250 foreign-built vessels were registered in Canada, that is 25 a year for the last 10 years, and if those vessels had been built in Canada all Canadian shipbuilding yards would have been working to capacity. It does not seem like a great number of ships in one year, 25 for all of Canada, but if those ships had have been built in Canada instead of being registered in Canada and built in foreign countries, it would have revitalized the Canadian shipbuilding industry. We have not had the kind of commitment from this Government that would see that brought about.

• (1300)

The motion asks for a special committee of the House to consider the shipbuilding industry in the Province of Quebec. But there ought to be a special committee of the House not just looking at the industry in Quebec but having regard to the problems of the industry, nationally, and working toward the development promised by the Government in 1984 when it was seeking a mandate from Canadians. In other words, the entire shipbuilding industry across the country should be looked at. With the expert advice and assistance of studies that can be undertaken by such a committee a shipbuilding policy could be put together for Canada that would guarantee its survival.

[*Translation*]

Mr. Marc Ferland (Portneuf): Mr. Speaker, I am very pleased to take part in the debate today but first, if I may, I should like to refresh the memory of the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart) about the sequence of some of the events.

As I recall, Mr. Speaker, I was with my colleague from Lévis (Mr. Fontaine) the Member and Minister responsible for the Quebec region, (Mr. Côté) and all my colleagues from the greater Quebec City area when we met with the management and labour unions of Lauzon's shipyards. Mr. Speaker, I must say that, unlike my colleague from Montreal—Sainte-Marie, we were not thrown out of the yards, quite the contrary, we were warmly greated as people who were intent on helping them. Indeed I remember that the Hon. Member for Montreal—Sainte-Marie had been singled out for having been a member of the Liberal Government—it had been in office for 20 years—which had let the situation deteriorate in Canada's shipyards. They could not have cared less.

As it happens, Mr. Speaker, I am the son of a Lauzon shipyard worker. My father worked there for years, from the onset of the war and for years after that, and I have always felt a certain awareness of shipyard problems. Again recently my father was telling me that the only governments which really tried to help and solve the shipyard problems have been Conservative governments.

He reminded me that the only Government which had been willing to give contracts to the Canadian shipyards after the war was the one led by Mr. John Diefenbaker. We have to remember when the last contracts for frigates and ships were awarded by the Department National Defence. If I am not mistaken, our youngest ship was built in 1963, and the contract was awarded under the Government of Mr. John Diefenbaker. Afterwards, when the Liberals were in power, they never tried to develop a long term shipbuilding policy. As usual, they allowed the situation to deteriorate and did not try to support the modernization efforts of the shipyards or take into account the fact that most Canadian shipyards had been created because of the war effort.

These are facts which the Hon. Member for Montreal—Sainte-Marie did not mention. He tried instead to play at petty politics. Once again, he has suggested that we establish a committee. This is the latest thing among the Liberals. They create a committee when they do not want to solve a problem.

Mr. Speaker, as for creating a committee to consult, especially with members of the Opposition, I can tell you that we have better things to do! The members of the Conservative

caucus of the Quebec region, with the full support of their regional minister, have not been content to consult. We worked together and as a team to find long term solutions for the Quebec shipyards, not only for the one in Lauzon, but also for the other two major shipyards in Quebec.

It might be appropriate to note, Mr. Speaker, that between 1976 and 1985, the yearly production of the shipyards affilitated with the Canadian Shipbuilding and Ship Repairing Association averaged $191 million in constant 1971 dollars. However, this figure decreased by 47 per cent between 1982 and 1984, and the orders received by the industry went down by 63 per cent between 1984 and 1985 to reach their lowest level since the end of the Second World War.

Such is the present situation, Mr. Speaker.

Since the recent closing of five shipyards, there are now only 18 major shipyards in operation in Canada. Those which have closed recently are the Breton Industrial Marine Shipyard in Nova Scotia, the Collingwood Shipyard in Ontario, the Bel-Aire Shipyard and two Rivtow shipyards in British Columbia.

These closings, combined with the job losses incurred in all shipyards, directly reflect the problems the whole industry is facing. The average number of jobs in the industry went down from 15,000 jobs to 8,000 during the last ten years and by the end of May, 1987, there was less than 7,000 jobs left. This phenomenon is not temporary. No recovery is anticipated until the mid-1990's.

These problems are not peculiar to Canada. Naval production has suffered a significant drop in all countries, in all shipyards since the 1970's when it had reached record levels.

The worldwide industry had an overcapacity of some 40 per cent. In 1975, ships built had a total gross tonnage of some 34.2 million tonnes; the tonnage was only half as much in 1986. Last year, the drop was even more significant.

For example, according to the Organization for Economic Co-0peration and Development, OECD, orders received by shipyards in Japan among others had registered a 14 per cent drop in the first quarter of 1986 over the same period in 1985. During that period, orders received by European shipyards had dropped 69 per cent.

This worldwide drop in the orders received by shipyards reflects not only the slump the market is going through but also the changes that have occurred in the geographic distribution of the worldwide industry. The domination of the world market by Japan and Western Europe countries is challenged by the emergence of new countries, including Korea, China and Taiwan. It should be noted, however, that even Korean shipyards have suffered the repercussions of the worldwide crisis. During the last year, Korea has seen its orders drop by 77 per cent.

• (1310)

In the last decade, there was a 45 per cent drop in the number of direct jobs created by the shipbuilding industry in Japan. Given the circumstances, a working group set up by the Japanese Government has recommended reducing by another 20 per cent the total capacity of shipyards in Japan by the end of 1987. It has also recommended that some shipyards be merged with a view to consolidating and streamlining the industry. For instance, two major shipyards operated by the Mitsui and Nippon Kokan corporations are said to be currently discussing the possibility of jointly reducing the capacities in that order. And Kawasaki, Hitachi and Sumitomo corporations are looking at the possibilility of merging their shipyards.

In West Germany, the total manpower employed by the shipbuilding industry has declined from 73,000 in 1975 to 43,000 in 1985. And 10,000 more jobs are expected to be lost. This loss of jobs has mainly affected Northern Germany's coastal areas, and the German Government has decided it would not attempt to maintain the industry's current capacity in those areas. Instead it is relying on the industry to submit new ways of restructuring itself to that end.

Sweden's shipbuilding industry was one of the most prosperous in the world ten years ago. Kockums, the last major shipyard, stopped building new merchant ships at the end of 1986.

In Canada, the Government did all it could to revitalize the shipbuilding industry without interfering with something that is primarily a private sector matter. However, I want to take this opportunity to explain how this Government is trying to help workers.

The Government has developed a three-prong strategy to review the situation. Firstly, the Government will continue protecting the Canadian market by imposing an ad valorem duty of 25 per cent on most ships.

Secondly, the Government will pursue a supply policy encouraging the Canadian shipbuilding industry. We are fully aware of the role Government supply practices have played and will continue to play in the shipbuilding area.

For the past five years, Government purchases have allowed domestic shipyards to keep 20 to 25 per cent of their jobs. The relative significance of Government purchases has been increasing regularly as commercial orders have declined. As of May 26, 1987, all orders for new construction came either from the Government itself or from Government agencies.

Purchases estimated at $1.6 billion should be made over the next five years in the defence sector, and those contracts will account for some 38 per cent of all Canadian shipyard orders. The Government may also make additional purchases valued between $700 million and $1.2 billion. Those orders would account for an extra 25 to 33 per cent share of total domestic shipyard revenues during that period.

Thirdly, the Government has already indicated it was willing to help the shipbuilding industry better face the declining demand. However, the industry will have to reduce its capacity, which may force it to close down some yards or take alternative steps such as mergers, specializing or diversifying. The initiative however must come from the industry.

The Government is willing to help the industry implement restructuring programs capable of helping shipyards better compete, thereby reducing the negative impact on workers and communities.

The restructuring program developed by the Ontario shipbuilding industry was the first concrete result of that offer. The owners of the Collingwood shipyard have come to the conclusion that they could no longer operate the shipyard. With the owners of another major Ontario shipyard, they developed a program to reorganize their operations, essentially by closing the Collingwood shipyard and merging and modernizing the Port Weller and Port Arthur shipyards to make them more competitive.

Mr. Speaker, I could go on for quite some time speaking about various matters related to the shipyards, but we have to remember that, especially in the case of the Quebec shipyards, when the Lauzon workers had major problems last winter and were expecting some assistance, the federal Government did not hesitate to try to help them through various training and retraining programs, and so on, especially in the great region of Quebec. In this regard, Mr. Speaker, I would like to underline the hard work of my colleague for Lévis (Mr. Fontaine), who right from the start, has taken an interest in the shipyards and worked vigorously with the full support of all his colleagues from the Quebec Conservative caucus to find rational, logical and effective solutions to the real problems of shipbuilding in Canada, and it is not by creating so-called committees, such as suggested by the well-known Liberal prophet of doom and gloom, the Hon. Member for Montréal—Sainte-Marie (Mr. Malépart), that we can find real answers to the problems affecting the shipbuilding industry in Canada.

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, although we have heard a number of remarks aimed at undermining the suggestion advocated by the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), I should like to indicate that what concerns me most after listening to Hon. Members who rose after my colleague from Montreal—Sainte-Marie is the fact that the Government has no intention of responding to the legitimate request that a committee be established to make an exhaustive study of measures required to keep Quebec's shipyards in operation. Everybody knows—and I think my colleague from Montreal—Sainte-Marie has described the situation in unequivocal terms—the difficulties experienced by all employees and workers in the shipbuilding industry.

The only thing we are asking the Government to do is to strike a committee which would provide these workers and these regions which have been hard hit—shutdowns, fewer contracts, series of measures taken by governments or management—which would provide these people with an opportunity to sit at a table and attempt to find solutions to the problems which have plagued these regions which I call designated. Sadly enough, the fact that the Government is not interested in entertaining this request will probably lead to a situation such that things will simply grow worse, and the first thing we will know is that there will be yet more lay-offs in the various regions involved, be it in Quebec City, Montreal or Sorel.

I think that if the government had agreed or would agree to consider this proposal seriously, it would provide representatives of both the government and the official Opposition with an opportunity to sit down not only to complain about what was not done or could have been done, but also to get together with representatives of the municipal and provincial governments. I suggest that if the government had agreed or would agree to this proposal, the workers of these shipyards would be delighted to say that the federal government is assuming at last its responsibilities and taking some action to help preserve and protect their jobs.

• (1320)

The situation is about the same in other industries, so that when representatives from various groups . . . The situation is almost identical in the case of the pollution of the Saint-Maurice River where groups should meet and for which the department or government should create a sort of committee on which they could sit. Unfortunately, we are aware that the Government is unwilling to give individuals faced with a problem a chance to discuss it, to sit around a table and find solutions to problems about which there is no co-operation and when I say co-operation, I mean at the local, regional, municipal, provincial and federal levels. I believe this is the best way to find solutions and it is not by hiding or letting a motion such as the one introduced by the Hon. Member for Montréal—Sainte-Marie (Mr. Malépart) die on the Order Paper that we will find an adequate solution and, more particularly, that we will meet the needs of the workers in those shipyards for whom some sort of positive action from the Goverment would have shown its goodwill or at least its interest in their fate.

Mr. Jean-Guy Hudon (Parliamentary Secretary to Secretary of State for External Affairs): Mr. Speaker, obviously this government recognizes the tragic situation facing the shipbuilding industry, but the same solution is always offered, namely that we should establish a committee to address the problem.

With opposite members, the choice is either to establish a committee or to build ships. We heard the same old thing a moment ago from a guy who long on empty and ludicrous rhetoric blamed everybody around to finally come up with a nice solution of his own.

Mr. Speaker, I think that in spite of all the wonderful solutions we might have, we should still take into consideration the world situation. At the present time there is an overcapacity in shipbuilding, when supply exceeds demand, and in fact, on the international market, we build more ships than we need.

That does not mean we should stop shipbuilding altogether. But I fail to see how a committee could solve that problem. It might put forward some answers.

I listened to my colleagues from the New Democratic Party and the Liberal Party when they said that the good Liberal provincial government had decided to act on its own. But let them go ahead and build ships for they too have a shipbuilding industry. The federal government operates Coast Guard vessels and icebreakers and also ferries. Let them build many ferries and we will then have a better service between Matane and Rivière-du-Loup, every half hour for instance. These obviously are not practical solutions but that's the story.

It is not the government responsibility to make up for the international market's deficiencies. But if there is now an overproduction of ships, if other countries build them at lower costs, will a policy oblige Canadian shipowners, if there are any, to buy strictly Canadian products? That does not work either. Should we build ships just for the sake of keeping shipyards in operation? It is not workable either.

So we must pick more realistic options. The only one is to establish an economic climate which will bring about an improvement of the situation.

Mr. Speaker, more jobs have been created over the past three years than in the previous decade and a half. Interest rates, the inflation level are some of the factors which will allow those people to survive or retrain.

Mr. Deputy Speaker: The time provided for consideration of Private Members' Business has now expired.

Pursuant to Standing Order 42(1), the order is dropped from the Order Paper.

The House stands adjourned until next Monday, at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 1.25 p.m.

HOUSE OF COMMONS

Monday, September 14, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Mr. Bob Horner (Mississauga North) moved for leave to introduce Bill C-264, an Act to amend the Criminal Code (instruments and literature for illicit drug use).

Mr. Speaker: Shall the Hon. Member have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Mr. Horner: Mr. Speaker, the purpose of the Bill is to prohibit commerce in drug paraphernalia which enhances and promotes the use of illicit drugs.

At the present time, although narcotics and certain drugs are outlawed, literature glamourizing their use and devices and kits facilitating it are freely available in so-called "head shops" throughout Canada.

The Bill proposes amendments to the Criminal Code such that the sale of these instruments and literature would be an offence. I hope it will receive the support of every Member of the House.

Motion agreed to, Bill read the first time and ordered to be printed.

* * *

CONSTITUTIONAL ACCORD, 1987

EXTENSION OF REPORTING DATE FOR SPECIAL JOINT COMMITTEE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I rise under Motions to advise the House of a situation. The House will be aware that the constitutional committee considering the Meech Lake Accord, has been holding extensive hearings throughout the summer, that it adjourned the hearing of witnesses to prepare its report, and that there have been some difficulties in the translation.

Because of the importance of the particular document—the committee report and the wording therein—we felt it was appropriate that the wording be as exact as possible. I have had discussions with the other House Leaders regarding the report and, in order to allow all of the members of the committee to satisfy themselves that the English and French versions are compatible, I think you will find agreement to the following motion, Mr. Speaker:

• (1110)

That the reporting date for the Special Joint Committee on the 1987 Constitutional Accord be extended to no later than Thursday, September 17, 1987.

Mr. Speaker: Does the Hon. Minister of State (Mr. Lewis) have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, it is my pleasure to present two petitions on this last day that there is an opportunity to do so regarding the refugee legislation before the House of Commons.

Petitioners from central Canada as well as from western Canada call upon Parliament to enact legislation that will embody the principles of fair and quick oral hearings for refugee claimants before a refugee board, independent of the Immigration Commission, providing universal access to such hearings for every claimant in Canada, and an adequate opportunity to arrive in Canada to make this claim.

Since Canada has established standards of refugee status determination, they believe that our existing procedures have broken down and are under unexpected strains. Recognizing that the standing committee of Parliament dealing with this issue has proposed a new procedure for refugee determination which is quicker and fairer than the one now in force, the

petitioners are asking the Government to consider the recommendations of that special committee which has the support of groups such as the Canadian Bar Association, the Canadian Council of Churches and others.

* * *

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all the questions on the Order Paper be allowed to stand.

[*Translation*]

Mr. Speaker: Shall all questions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE, FOOD AND DRUGS ACT AND NARCOTIC CONTROL ACT

MEASURE TO AMEND

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved that Bill C-61, an Act to amend the Criminal Code, the Food and Drugs Act and the Narcotic Control Act be read the second time and referred to a legislative committee.

He said: Mr. Speaker, just for a moment my heart almost stopped because I thought we were going to pass this enlightened legislation without any speeches on second reading. However, I am very pleased and honoured to introduce the debate on second reading of this important legislation.

As you know, Mr. Speaker, the people of Canada understand that our Government has committed itself to a comprehensive approach with respect to the problem of illicit drugs in Canada. One of the initiatives that we are taking in this whole area involves amendments to our Criminal Code to allow forfeiture and seizure of the realization of illicit proceeds of crime. While this Bill is not restricted in the area of drugs, it is a Bill which addresses crime motivated by the desire to accumulate wealth and generate profit from the commission of criminal activity. The Bill uses the term "enterprise crime" to describe this type of activity. What we are dealing with in this legislation are crimes of greed.

Increasingly we are seeing the effects of criminal organizations operating both from within and without this country that are totally dedicated to the commission of crime for profit. These organizations take advantage of modern communications, transportation and corporate structuring to frustrate the reach of national legal systems to amass illicit and illegal wealth.

[*Translation*]

One of the reasons why this type of criminal activity is spreading is that the various administrations have been slow in adapting their legislation to changing circumstances. But now the western world acknowledges ever more readily that it is becoming imperative to adapt and revise national legislation and to negotiate international agreements to fill the gaps which now favour criminals.

[*English*]

On an international level, this legislation is in compliance with the draft United Nations Convention Against Illicit Traffic in Narcotic Drugs and Psychoactive Substances. Similar legislation has either been passed or has been presented to the legislatures of Britain, Australia and the United States. This uniquely Canadian proposal will strike a balanced middle ground in dealing with the reality of enterprise crime. Except for very limited situations, Canadian courts are powerless to strip an offender of the proceeds of criminal activity.

Lengthy terms of imprisonment and substantial fines may not be sufficient deterrents to criminals who believe that they may acquire and keep their ill-gotten gains. If, on the other hand, the offender knows that, in addition to the punishment he or she would normally receive for the crime, he or she is going to lose those proceeds and profits generated through such activity, he or she may think twice before deciding to become involved in such unlawful conduct.

Accordingly, the main feature of this legislation is to provide the courts with the power to confiscate from an offender those assets that are found to be derived from criminal activity. This would normally be done after an individual has been found guilty of a criminal offence and would be done at the sentencing stage of the proceeding.

All of the protections that have developed over the centuries such as trial by jury, presumption of innocence and the requirement that guilt be established beyond a reasonable doubt would continue to apply to the guilt determination stage of the proceeding. However, once the offender has been found guilty according to all of these time-honoured guarantees, he or she would be subject to a hearing to determine the question of the forfeiture of his or her criminally-derived assets. At that time, the prosecution would have to prove the criminal taint on a balance of probabilities. Normally, this taint would already have been proven beyond a reasonable doubt during the trial itself, as happens on a charge of possession of proceeds from a specified criminal activity.

• (1120)

There is an additional feature of the legislation that attempts to deal with the covert nature of enterprise crime. If at the forfeiture hearing it turns out that the proceeds of crime are from an offence other than the offence for which the

offender has been convicted, the court will still be empowered to forfeit. This is designed to deal with cases in which the offender is engaged in a wide range of illicit activities and seeks to protect his profits by claiming that they were derived from an illegal source other than that for which he has been convicted. It must be underlined that in this situation, proof beyond a reasonable doubt applies to the prosecution.

The forfeiture power of the courts will also exist in two limited situations when the forfeiture will not have to be preceded by a conviction but where a charge has been laid. When an offender has died or has fled from the jurisdiction of the court, it is obvious that the state has no control over either of these circumstances. However, to be consistent with the principle that an offender should not be entitled to benefit from his or her own wrong, in those limited cases the illegal profits should be confiscated by the court without the finding of personal guilt. Again, I wish to emphasize that the onus of proof on the prosecution will be proof beyond a reasonable doubt.

[*Translation*]

A system of forfeiture of proceeds of crime cannot operate adequately if the court is unable to intervene to seize and freeze them before the trial. Accordingly the Bill empowers the court to authorize police to seize goods which can be the subject of a sworn affidavit, based on reasonable grounds, that they are indeed the proceeds of crime. This procedure is extant in the case of certain elements of proof pursuant to the Criminal Code, Section 443, and has been on the statute books for centuries.

[*English*]

To supplement this seizure power, the legislation has borrowed from the equitable jurisdiction of the civil courts to create a judicially authorized system of restraining orders. Such measures are available to claimants in the civil context and are sometimes referred to as the *Mareva* injunctions. These civil remedies create court-authorized restraints on the disposition of assets in order to make them available for the future trial of a civil action. They recognize the fact of life that unless courts authorize a restraint on disposition, assets which may be subject to forfeiture after a trial that will take place sometime in the future may be disposed of or hidden. The same comment can be made in a criminal context. The argument is even stronger in favour of restraint because of the wider public interest as opposed to the private interest of a civil litigant.

The criminal law has long recognized that in certain circumstances the public interest demands that action be taken prior to the completion of a trial proceedings. The most clear example of this is the pre-trial detention of the accused when it is shown that he or she may not show up for his or her trial if released, or that for other good and sufficient reasons it is not in the public interest to release the accused. The courts have consistently upheld this power as a valid exercise of the criminal law and surely the protection of property can be put on no higher plane than that of the liberty of the individual.

Under the provisions of this Bill, the powers of pre-trial seizure and restraint will be scrutinized and authorized by only the most senior levels of judges. An application can only be made by the Attorney General or his or her representative and must be accompanied by a sworn affidavit. A very important element of the legislation is that the courts can require the Attorney General to give an undertaking relating to the payment of costs and damages in respect of the execution of an inappropriate seizure or restraining order. All of these measures guarantee that these powers will only be exercised in those cases where there is merit to the request.

At this time I would like to deal with those aspects of the legislation that establish a system of protection of the rights of innocent third parties who may be affected by the seizure, restraining or forfeiture orders.

First, before a seizure of restraining order is issued, the judge can require that third parties, owners, persons in possession and the accused be notified of the application to enable them to put their positions before the court and protect their interests.

Second, once such an order is issued, any person affected by it can apply for an immediate review subject to a minimal two-day notice to the Attorney General which can be waived by the Attorney General.

Third, at the forfeiture hearing itself, the court is obligated to consider notifying any person with an interest in the property who has not been given an opportunity to defend that interest.

Fourth, a third party is entitled to apply for relief from forfeiture within a 30-day period after an order is made. In effect, an execution of the order is automatically suspended under the legislation for that purpose.

Fifth, at the time the court is considering its residual power of disposal of property; that is, when there has been no forfeiture or restoration order in relation to the property, any third party that appears to have an interest in the property is entitled to be heard by the court prior to its disposing of the property.

Finally, there is a provision in the legislation for an automatic expiry of the order after six months unless the Attorney General satisfies the judge that the order should continue for the purposes of a forfeiture or other proceeding.

Of course, third parties as well as accused persons and the Attorney General are given full rights to appeal orders of forfeiture if they feel aggrieved by them.

[*Translation*]

Such are the general provisions of the legislative measures which, in my opinion, will be considered as strong but equitable means to come to grips with the ever more urgent problems of organized crime.

And now, Madam Speaker, I should like to review some of the particular aspects of these legislative measures which, I hope, much as the general provisions, will make of this initiative a mechanism to fight against individuals who benefit from criminal activities.

[*English*]

To prevent Canada from becoming a haven for the proceeds of crime, the legislation will forfeit assets on Canadian soil no matter where the criminal conduct has taken place. In order to assist the courts in tracing the assets of such criminal activities, the legislation creates an inference that entitles a court to find that an increase in the net worth of an individual is derived from criminal activity when such activity is established and there is no legitimate explanation for that increase.

• (1130)

Several new offences are created in this Bill. First, the offence of laundering the proceeds of crime is created to deal with increasingly sophisticated means of hiding the illegitimate sources of assets.

Second, there are new offences in the drug statutes analogous to Section 312 of the Criminal Code relating to the possession of property obtained by crime. There is a provision for obtaining, at the investigative stage of a designated drug offence, a court authorized order of disclosure of income tax information.

Finally, in order to encourage the investigation of enterprise crime, the legislation includes a provision creating a legal defence or shield against a complaint of breach of confidentiality for an individual, such as a banker or a credit union manager, who discloses suspicious transactions by a client who appears to be laundering his money in that institution.

[*Translation*]

I am aware that after the introduction of this Bill some people pointed out that it does not contain any specific requirement pertaining to the identification of cash transactions. Madam Speaker, I can tell you that, having examined American experience in that respect, I still am not convinced that their legislation on identification and tracking down of illegal funds has been effective enough to justify, for the time being, the enormous amount of work such a measure would impose on financial institutions and the expenditures which Canadian taxpayers would face if it were decided to set up a system to analyze this kind of information.

Instead of imposing constraints on the banking system by forcing it to produce reports, I thought it would be better to encourage representatives to co-operate by protecting them against claims which criminal clients might file against them for helping to uncover money laundering activities.

[*English*]

There are questions of cost and very complex regulatory intrusion involved in compulsory reporting of financial transactions. In committee we will have the opportunity of examining this aspect more closely. I would simply say that, after examination, it occurs to me that we are not simply dealing with our banks. This legislation will impact upon credit unions and other financial institutions, lawyers, accountants, and financial advisers involved in individual transactions across the country. The reporting itself would involve us, certainly from initial investigation, in a very costly and complex system. We want to be very careful, before we move into this area, to make sure we can work on a voluntary basis with all those involved, and I have been assured that they are prepared to co-operate on a voluntary basis. If we find after some experience that the system is not as effective as it may be and there is a legitimate reason to involve ourselves in what I would call very substantial compulsory reporting requirements, then we can look at that.

Organized crime attempts to get around the existing rules and, if I may be permitted to dwell on this particular point, it seems to me that whatever the limit is with respect to compulsory reporting, the question is whether or not it is going to be an effective tool to assist us in what we all want to achieve, the seizure of illicit profits. I simply say to Hon. Members that we will have an opportunity of examining this question in committee.

I am inclined to hope that we will give this legislation quick and early passage because it is the culmination of considerable effort by both the federal and provincial Governments. There is a principle which I believe can be traced back to Roman law, which is: *ex turpi causa non oritur actio*. Roughly translated, that means an offender is not entitled to benefit from his or her wrongdoing. No phrase could be more applicable in the context of enterprise crime. This legislation, which is simply an application of that principle, will go a long way toward making this a reality in our country.

Hon. Bob Kaplan (York Centre): Madam Speaker, we in Canada spent a long time, decades in fact, denying that organized crime existed in our country. Provincial attorneys-general would have a stock answer, when asked, which indicated organized crime did not exist. We were able to do this for many decades because in the country to the south, whose news is often read by Canadians more than their own, organized crime was such a visible, palpable phenomena, that whatever the level of that type of criminal activity in Canada it was so much less that it seemed one could say there was none. I think law enforcement suffered in that period, in particular, in relation to enterprise crime.

It is long overdue that we recognize that criminal organizations and organized crime, by which one simply means criminal activities or more than one incident carried on by the

same group and always, as the Minister indicated, with its principal purpose being financial gain, exists in our country. We would have been able to deal with it better had we addressed it sooner with the type of measures now proposed.

However, here we are bringing forward and offering to the police forces of this country what may be a powerful new instrument for dealing with a phenomena which, yes, exists in our country and which has existed for some time, and which the ordinary provisions of the Criminal Code allowed too often to go unprosecuted and unpunished.

The Minister will be aware, although I do not believe he mentioned it, that the legislation he introduced today was the mandate of the task force set up within the Government of Canada by me back in the early 1980s, and by my colleague, the Minister of Justice (Mr. Hnatyshyn). I regret very much that we were unable to complete our work and produce this very important legislation during the period we were in office. I say that only to indicate to the Minister how much we support the spirit of this legislation and how important we think it is that we proceed very carefully.

The Minister in his excellent remarks indicated all of the difficult, complicated considerations involved when you come to deal with an individual's property before that individual has been convicted of a crime.

[*Translation*]

For instance, Madam Speaker, I recall that when the Constitution was patriated and the Charter of Rights and Freedoms proclaimed some people had advocated the acknowledgement of property rights. At the time our task force on this very important project expressed concerns because it feared that, if property rights were included in the Charter of Rights and Freedoms, this might throw everything out of kilter and slow down progress in the fight against criminals.

• (1140)

[*English*]

Even at the time we were drafting the Charter we wanted to be certain that the weapon which was being shaped by this work would still be produced and still be useful. The Liberal Government concluded that legislation in form similar to that which is now before the House could have been brought forward even if the Charter had included the rights of property and the protection of those rights. That is going a long way.

Many Canadians ought to be interested in this legislation, not because they are criminals or will be the targets of any investigations but because we are going to give the police forces of our country tools which they have never had before. Before the conviction of an individual the police will be permitted to apprehend that individual's property. This is worth while and necessary legislation. It is even overdue.

Whatever the difficulties, I hope that we will be able to come up with a very strong way of dealing with the fact, which no reasonable or knowledgeable Canadian can deny, that crime has produced some very rich people in our country. These rich people have long been in the process of converting the proceeds of crime into innocent businesses and ordinary assets such as homes and boats which have nothing to do with crime other than that they are entirely the proceeds of those crimes. If this legislation is effective it will ensure that no one profits from their illegal acts and that the law is capable of pursuing profits as they are laundered.

[*Translation*]

Laundering of crime proceeds has become a growing trend—and this activity can be seen ever more often in our country—so we urgently need a mechanism to do something about it.

[*English*]

In order to help Members understand the delicate nature of the intrusions into private property which will result from this legislation, I will recount, without identifying the actual cases, a couple of incidents in which the Government was involved over the past few years.

In one case we were informed by representatives of a friendly government that an official of that country had come to Canada and opened a number of bank accounts into which he had deposited corrupt money, proceeds of bribery. That government was preparing all the legal work to lay charges against the individual. They intended to come to Canada to launch legal proceedings to try to recover that money. They asked us to help them by asking the banks to freeze the accounts while this process was ongoing. They knew the individual was well advised and that if he became suspicious that his government was pursuing this money it would be quickly moved to another country.

I received that foreign delegation and talked to my colleagues in Cabinet and then to the banks. I got something of a lecture about how little power the federal Government had to interfere with the business of a bank in relation to one of its clients. We could not get even the information that the bank account existed. We had some information from the government which had been robbed, but did not have confirmation of that from the bank.

In one way and or other during the weeks before that money was shifted from our country to another country I came personally to the realization that some kind of tool is needed in our world, with the complications which exist and the opportunities which are available to rich criminals to get legal advice and move money from one form to another. Crime pays unless we are able to do exactly what this legislation proposes to do.

I do not expect banks to serve government. A bank is there to serve its customers. If we as a society want the banks to do something different from what the law tells them to do now, we have to change the laws. I mean no criticism of banks. However, I think the Minister will agree, and I know the Minister of Finance (Mr. Wilson) would agree as well, that our banks are among the most customer-oriented of any banks

in the world. Even in the United States, where people think free enterprise and respect for the individual goes furthest, banks are obliged by law to turn over certain information about large deposits in cash and movements from one branch to another. Canadian banks have no corresponding reporting obligations.

We should not require this because the Americans require it. They do so because organized crime is a much more serious problem there. However, because it is a serious problem here the time has come for us to do this as well. Today at second reading we are taking the step of asking the banks not only to be responsible to their customers but to assume an element of social responsibility to reporting and disclosure requirements which they have not been expected to assume until now.

Life being what it is, there is no doubt that some innocent people will wrongly fall under the purview of this legislation. For that reason it will be very important for us to be sure that the legislation respects the individual as much as possible, that rights of privacy are compromised only to the minimum extent needed to make sure that the law is effective and that it can actually do its job.

I also want to talk about the problems which can arise when a third party's interests are affected in the assets seized. Even rich criminals may have mortgages on their boats, cars or houses. When that property is seized we have to be certain that the rights of innocent people who have loaned money in the normal course of business are also taken into account and that they get some notice and opportunity to do something to protect their innocent involvement in the establishment of the asset being targeted.

That was one of the toughest problems our administration worked on. We had many meetings to discuss the ways in which to deal with the rights of innocent people involved in these property matters. It was not an easy problem and we were not able to provide a solution prior to the summer of 1984.

I am glad this legislation is before the House. I have been looking forward to it. I am pleased that no hard deadline is being put on it as is so typical of the Government in other matters. We will have all the time we need and will be able to call witnesses. I certainly hope banks and financial institutions will give this the attention it deserves. Some of their customers certainly will want to categorize this legislation as anti-private property and anti-individual privacy. We must be certain that in this place, where we have the power to invade those very important rights, we do it for good reason and only to the limited extent needed to give effect to this very important tool so necessary if we are to have effective law enforcement in the age of the rich established criminal.

• (1150)

I commend the legislation to the House. We will be very interested in seeing it come forward and I look forward to participating in the work of the committee to be established.

Mr. Svend J. Robinson (Burnaby): Madam Speaker, I am pleased to rise to debate this important legislation that will ensure that Canada finally takes the long overdue step to recognize that those who profit from organized crime in many cases are able to use weak and inadequate legislation as a means of laundering the profits of that crime.

The Government has indicated that this particular Bill, Bill C-61, is part of its over-all package in an approach to the abuse of drugs in Canada. Certainly we in this Party welcome a sensitive and thoughtful approach to the abuse of drugs in Canada, but I must say that the Government has failed to recognize that the most serious drug abuse in Canada today relates to alcohol and prescription drugs, and that there must be adequate funding, particularly for treatment facilities, to deal with those who are abusing these drugs. That failure on the part of the Government is a serious shortcoming and makes its so-called drug strategy in many respects very seriously flawed.

I would have hoped as well that in legislation to amend the Narcotic Control Act and the Food and Drugs Act, the Government would have recognized that this is indeed an appropriate time to amend those two important pieces of legislation to respond to the decision of the Supreme Court of Canada in *Oakes*. That decision was one which struck down the provisions of both those Acts, conferring in effect a reverse onus on the accused. In my view, it was recognized quite properly that that heavy reverse onus was in conflict with the Charter of Rights and Freedoms.

Surely when the Government brings forward legislation to amend these two Acts with respect to drugs, that is an appropriate time to respond to that concern and to repeal the reverse onus provisions of the drug legislation. I thought and hoped that the Government would recognize that, instead of simply ignoring the court decision and saying it is bound by it but will not bring in that legislative change before the House at this time, when it is most appropriate.

I also suggest that an important element of a comprehensive drug strategy in Canada must be recognition as well of the serious inadequacies of Canada's legislation with respect to marijuana. Surely we must recognize as a society the enormous toll that is taken by the current provisions of the Narcotic Control Act which impose harsh criminal sanctions and a criminal record on young people that can act as a very serious barrier to future employment as well as in a number of other respects.

Many people believe that an absolute discharge means there are no consequences for the young person involved. That is not the case. Many others believe that the police are not, in fact, busting young people for simple possession of small quantities of marijuana. That is not the case either.

I hope that we as a society recognize that, while we must do everything in our power to discourage the use of marijuana and other illicit drugs, particularly by our young people, we must put far more resources into education and prevention.

The present provisions of the Narcotic Control Act, which impose a heavy criminal sanction and criminal record for these offences, must be re-examined. I would have hoped that as part of a comprehensive drug strategy, the Government would have moved forward on this.

We do not need a lot of evidence. The chief drug policy researcher at the Addiction Research Foundation, Patricia Erikson, points out that at least 20,000 young people in Canada are still convicted of these offences of simple possession each year. She suggested that the harm in saddling them with a criminal record outweighs any deterrent benefits that may exist. As well, she points out that each year in Canada over 2,000 young people are subject to terms of imprisonment as a result of these Draconian laws.

Once again, I would have hoped that the Government, in its review of drug legislation in Canada, would have come to grips with this very serious problem. I regret the silence and inaction of the Government in this important area of law.

Turning to the provisions of Bill C-61 itself, there are essentially two major thrusts of the legislation. The first is to extend significant new search and restraint powers to the police in their attempt to deal with the profits of organized crime. Certainly there is no question that the existing law is inadequate and must be strengthened in order to permit us to deal with the profits of organized crime. We want to be very sure in doing that that the rights of innocent third parties are not unduly impaired. That is the second major area of the legislation.

The first area of concern with respect to the Bill is its effectiveness in dealing with the proceeds of crime and in achieving its stated objective. The second area of concern is the possible implication of this legislation for the rights of accused persons and, most important, of innocent third parties who may have inadvertently and entirely innocently come into the possession of the proceeds of organized crime. We want to make sure that this legislation balances those serious concerns.

There are a number of important questions that should be addressed in committee about the effectiveness of the legislation. Of course, we know that the seizure and restraint order provisions allow for pre-trial and even pre-charge sequestration of property. Even before an information has been laid the property can, in fact, be seized under the provisions of this legislation. Of particular importance in this regard are the restraint orders. For the first time, intangible property will not be beyond the reach of law enforcement officials, which is an important step forward and certainly something we support. The general powers of forfeiture are also an improvement and a significant step forward.

Finally, the new laundering offence attempts to get at a very significant problem in the present law. That is, the impunity with which those who are handling the proceeds of crime can simply carry on their business as usual.

However, questions remain to be answered about the effectiveness of the legislation. For instance, what is the standard of information which will be required for the issuance of a warrant or an order? The provisions of this legislation would allow for a warrant for wiretap. We have seen just recently some of the concerns which have been raised with respect to information that is provided on wiretap applications.

Given the potential for abuse in this area, and the fact that these applications are made on the basis of sworn affidavits, I think it is time that we in Canada look at the suggestion that has been made by a number of civil liberties groups and a number of those active before the Bar that there should be a respected independent third party present in the courtroom to ask the tough questions that should be asked with respect to the affidavits that are filed to obtain warrants for these intrusive powers, including wiretaps. As I say, we saw a recent example in CSIS of the very serious abuse of these powers. I believe we must consider the possibility that there should be a third party in a courtroom, representing the interests of the public, to make sure that these sweeping powers are not abused.

• (1200)

I wonder as well why it is that under the legislation the provisions with respect to the disclosure of tax information are limited to the investigation of offences in relation to drugs? What about some of the other enterprise crimes which are set out in the legislation, some of the fraud related enterprise crimes, for example? I would suggest the committee will want to look at this as one area. If we see the importance of disclosure in certain circumstance of tax information with respect to offences in relation to drugs, why not the other serious enterprise crimes which are included under the umbrella of this legislation?

Another area which we must surely examine in committee is the whole question of the reporting requirements for banks as a result of the provisions of the Bill. It is in this area that the Government, I believe, has been weakest in its response to the importance of dealing with the proceeds of organized crime. The Minister will know the history of this particular question of whether or not banks should be required to report substantial transactions.

Under the Bank Search Act in the United States there is such a requirement. In fact, it has proved to be very effective. The FBI has used the provisions of the Bank Search Act to help it spot money laundering schemes, and in fact, it has been instrumental in a number of major drug arrests in the United States.

Under the provisions of American legislation, records of payments which exceed $10,000 made to U.S. financial institutions from abroad, have to be retained. As well, records which indicate transfers of credit outside the country exceeding $10,000 must be kept for five years. Probably one of the most important provisions is that banks must report deposits,

withdrawals, currency exchanges or transfers involving amounts above $10,000 originating outside the United States to the Treasury Department. These provisions have proved to be very effective in the United States in dealing with the profits of organized crime.

As long ago as 1981, the former Government embarked upon a federal-provincial study to examine enterprise crime or organized crime. That study came up with its report to the Justice Department in 1983. The report stated in part:

> —Without clear track and identify the movement of profits earned by sophisticated criminals, it will be hard for police and the courts to effectively use the—"freeze and seize" provisions.
>
> Without clear powers to identify and track the proceeds of crime, it is difficult to connect the proceeds to a particular offence or to a particular criminal.
>
> Given this obstacle, it follows that it would be equally difficult to apply provisions for freezing, seizure and forfeiture of criminal proceeds.

What the report is saying is that we can bring forward legislation empowering the freezing, seizure and tracing of these proceeds of organized crimes, but unless we have a mechanism in place to identify them in the first place, the legislation will be very seriously weakened.

The Deputy Solicitor General less than two years ago in a letter to the then Federal Inspector General of Banks said:

> Canadian legislation that would permit the freezing, seizure, and forfeiture of the profits of enterprise crime would have little effect unless there were mechanisms in place whereby these profits could be traced. The profits are used to finance other illegal activities or are laundered through financial institutions in Canada and abroad, and infiltrate legitimate business.

One would have hoped the Government, if it was serious about its commitment to track the profits of organized crime, would have accepted the recommendation of this federal-provincial working group and brought forward provisions requiring Canadian banks to report these kinds of transactions. But the Government did not. The Conservative Government knuckled under to the banks and said, "We are not going to impose a reporting requirement on you as the United States has imposed a reporting requirement on its banking system". I remind you, Madam Speaker, that the United States does not exactly have a wild-eyed socialist as President. Yet even the United States, with its President and with its Attorney General Ed Messe—who is not exactly known as a great leftist or great state intervener—recognized that it was important, if the United States was going to be serious about the profits of organized crime, to take on the banks, to tell them they have to report these transactions.

What does the Conservative Government do? It caves into the Canadian banking system. Some cynics have suggested that it is perhaps because the links between the Conservative Party and the major banks are very close, that it receives substantial financial contributions from each of the banks. That is a rather cynical approach and I certainly would not want to suggest that.

Let us look at what the Government's spokespeople have said about the imposition of a requirement on the banks to report. Ross Christensen, director general of police and law enforcement policy for the Department of the Solicitor General, said:

> To impose that kind of reporting requirement on the banking community would be a major step. We are aware of that and we do not want any confrontation.

We in this Party believe that if we are going to be serious about attacking organized crime, we have to take seriously our responsibilities to identify its profits. That means dealing with the banks of this country and imposing the same reporting requirements on them as the Americans have imposed on American banks. The effect of not doing this is quite clear.

Indeed, some of this laundering of profits from organized crime may indeed be filtered through Canadian banks with their extensive network in Europe and the Caribbean as well. I hope that the Government will recognize that it made a mistake, that it should not have knuckled under to the Canadian banks, and that it will accept the amendment I intend to propose in committee, that is, to impose a reporting requirement on the banks.

It is interesting to see what the banks themselves have to say about this particular question. Richard Marshall, senior international counsel at the Bank of Nova Scotia, said about money laundering:

> It can't be done without a bank . . . But usually not just any bank will do. Money launderers prefer banks that have an international network of branches, including some in tax havens, and computers to shuttle money around the world—

And guess which banking system in the entire world is most suited to do that? You guessed it, Madam Speaker, it is the Canadian banking system. Guess which Government is refusing to impose on that banking system the requirement to report these transactions? It is its friends in the Conservative Government. The Minister responsible for senior citizens shakes his head in disbelief. I can understand that because it is a shocking caving in to the banking system.

Richard Marshall, the senior international counsel at the Bank of Nova Scotia says:

> We're efficient at what we do. As such, we're a good target of money launderers.

The senior international counsel at the Bank of Nova Scotia admits they are a prime target for money launderers. Yet what does this Government do? It does nothing to impose this basic requirement of reporting transactions. We are not talking about reporting nickel and dime transactions. We are talking about taking effective steps to ensure that those banks who do launder large amounts of money as a result of organized crime are required to report these transactions. If the banks are not required to report these transactions, then all of the sweeping powers in this legislation will in fact go for naught.

I want to deal for a moment in the final part of my remarks with some of the concerns which do arise with respect to the legislation and its implications for innocent third parties. The legislation does not just impact on persons who are accused of

crimes—in some cases those who have not even been charged yet—but it may touch on innocent third parties as well. The legislation which was introduced prior to this, in 1984, Bill C-19, required that the sweeping powers of search and seizure could only be exercised after a criminal information had been laid. However, this legislation merely requires a statement of "grounds to believe" that property may be forfeitable. In committee, we will have to ask ourselves whether that standard is in fact high enough or whether there should not be some enquiry at least as to the likelihood of criminal proceedings.

• (1210)

It is also important that, if innocent third parties are subject to seizure, the onus should not be placed on them to challenge it. There should be an early review of such seizures by the courts so that these people do not have to hire lawyers, go to court and complain that they are innocent third parties and that their businesses or their personal affairs are being jeopardized as a result of this seizure.

We all know that going to court can be an expensive proposition. We all know that hiring a lawyer and appearing before the court costs money. Why should an innocent third party be put in the position of having to spend the funds to defend oneself in a situation such as that? I suggest that there should be an early provision for a judicial review to ensure that this onus is not placed on those who in fact are innocent third parties.

We should also look at a provision with respect to renewal of the seizure and restraint orders. Under the Bill as it is worded they can be renewed over and over again for a six-month period. I suggest that the Attorney General should have to meet a more substantial burden of proof after the initial six-month period.

As well, concerns have been raised with respect to the scope of the legislation and, in particular, the extent to which Canada, unlike other jurisdictions which have enacted similar legislation—jurisdictions such as Australia, the United States and Britain—would include within the definition of "enterprise crime" the proceeds from the bawdy-house provisions of the Criminal Code. It is one thing to attack the profits of those who would exploit prostitutes, that is, the pimps. All of us in the House would not disagree that those who exploit individuals in that way should certainly be subject to the provisions of this legislation. However, this legislation goes beyond that. It would lump in with the pimp the prostitute as well. In effect, it would treat the proceeds and the property of the prostitute in exactly the same way as the proceeds and the property of the pimp who is exploiting the prostitute. I suggest that that is an undue extension of the criminal law.

What we are saying with these provisions—these harsh and, I suggest, unconstitutional provisions of earlier legislation adopted by the House to sweep the streets clear of prostitutes and, in effect, to deny any form of communication for the purposes of prostitution—is that we want the streets clear. What the Government is saying is, "We will sweep you off the streets but now if you engage in an act of prostitution in your own home or anywhere else we will subject you to forfeiture of those proceeds as well". Subject to forfeiture, for example, is a car or anything else. I suggest that this is a serious and unwarranted extension of the powers under this legislation. I hope that the Government will reconsider that fact when this matter goes to committee.

The Government has said that it is cracking down on the proceeds of organized crime, that it is coming to grips with white-collar crime. That is a myth. We know that if the Government were serious about coming to grips with white-collar crime, we would be looking at legislation to deal with the proceeds of organized crime. But what about those in the corporate boardrooms who profit from other criminal activity or activity which we have not yet defined as criminal? I refer to those in the corporate boardrooms who are responsible for the pollution and the destruction of the environment, those who in their search for maximizing profits and greed are responsible for the production of substandard and hazardous products which threaten lives, safety or health. I refer to those who are responsible for working conditions which result in injury or death to workers. What about dealing with the proceeds of those particular offences? What about dealing with the profits from those crimes? I suggest that if the Government is serious about tackling white-collar crime and the proceeds of it, it is about time it recognized that these other offences should be dealt with in a tough manner as well.

In conclusion, we in this Party certainly support effective legislation that will deal with the proceeds of organized crime. We welcome the opportunity to give this legislation the careful scrutiny that it clearly warrants in committee. I am pleased that the Minister has indicated, as my colleague from York Centre stated, that he is not holding a gun to the head of the committee, that he will allow the committee to conduct its study with the kind of thoughtful deliberation that is necessary for such important legislation. Thus we in this Party look forward to raising a number of these issues in committee. We look forward to hearing from witnesses with respect to the provisions of the legislation, in particular the friends of the Conservative Government from the Canadian Bankers' Association. We look forward to questioning them. Hopefully, as a result of this type of careful scrutiny we will have a Bill which Members on all sides of the House can support.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Comox—Powell River (Mr. Skelly).

Mr. Skelly: Madam Speaker, I would like to ask my colleague a couple of questions and lay out some terms on which I would have him comment on the Government's legislation. The first matter involves the seizure of assets used in the commission of crime—

The Acting Speaker (Mrs. Champagne): I am sorry to interrupt the Hon. Member. I remind him that he can speak on debate but that there is no question and comment period

following the speech of Hon. Members. If the Hon. Member wishes to have the floor on debate, then I will certainly recognize him.

Mr. Ray Skelly (Comox—Powell River): Madam Speaker, I think that legislation that moves in the direction of removing the assets and profit motivation from crime is positive. It is a move which we can support. Certainly, a number of shortcomings have been pointed out in areas we would like to see some improvements. But I think that those matters will come up in committee where they can be given serious consideration. I see the Minister responsible nodding in the affirmative in that respect.

I would like to ask the Government to reply to the general question about assets used in criminal offences. I cast my mind back to provincial legislation, and in particular to the game legislation of British Columbia. If one happens to be in a car with a firearm and does not have a hunting licence then one's vehicle can be seized, as well as anything within it. This is treated as an extremely serious matter. The Government has talked about its concern for the victims of crime and about restitution. However, in many instances equipment used to perpetrate an offence and the assets related to it are not seized. If in fact those were subject to seizure and the proceeds were made available as an element of restitution to victims then a positive move would be taken.

Having regard to a Bill such as this, we must consider not only the profit motivation in the commission of the crime, but seizure of the assets involved. We should consider an expansion of the penalty to the criminal with the possibility of providing restitution to the victim. This is something which should be carefully examined when the matter goes to committee.

There has been a massive campaign across the country with respect to drunk driving. Under the liquor legislation of British Columbia, if one is roaming around with a case of beer in the back of one's car, that car can be seized. However, at the same time we do not provide a provision in the Criminal Code which states that if one is convicted of drunk driving one loses one's car. Introducing such a provision would provide enormous incentives to people not to drive an automobile under the influence of alcohol. I think there would be an immediate and dramatic impact on such behaviour. When the committee studies this Bill it should look at expanding some of its provisions in this respect since it is a matter of serious concern.

• (1220)

I want to expand upon a concept at which the Government has looked by flagging a very serious issue. Just recently a murder took place in Port Hardy, British Columbia, an area which I represent. An individual had been offended in a local bar. He went down to the fishing vessel on which he worked as a deck-hand, obtained a firearm which was not secured, sawed 14 inches off the barrel, returned to the bar, and killed two people. Property was involved in this offence. We have strict provisions in the Criminal Code about the use of firearms, but unfortunately there is no requirement locally by the RCMP for individuals to secure firearms properly. There is no responsibility on the part of individuals to do it. I presume down the road there can be civil action. Obviously, according to people who are involved, the owners of firearms must have guidelines which are enforceable by sanctions. There must be guidelines for the securing of firearms; locking them up and removing the ammunition and firing mechanism. If that individual in Port Hardy had not been aware that another person had a firearm which could be readily obtained, perhaps these dire circumstances would not have been brought about.

Let us look at several incidents in British Columbia where firearms have been obtained by children and have resulted in fatalities. Again it is a question of control of specific assets which should be the subject of criminal sanctions. There should be clear guidelines enforceable by law and there should be consequences, especially in terms of restitution for victims.

The whole question of white collar crime was raised by the Hon. Member for Burnaby (Mr. Robinson) who did an excellent job in his presentation. He mentioned the serious dilemma of adequate penalties in the case of white collar crime. Quite often millions of dollars are misused; for example, in a breach of trust they are stolen outright from individuals, and the most that happens to the perpetrator is a slap on the wrist. There are serious shortcomings in this area, which the Hon. Member eloquently set forth.

Another consideration is the size of investigatory, agencies and the environment which the Government has created in cutting the Public Service, restraining expansion of the Public Service, and restraining the Budget. It is my understanding that there has not been proper expansion of RCMP facilities in the investigation of white collar crime—commercial crime squad groups. Along with Bill C-61 and the crackdown which everyone in the House would like to see, there must be an increase in the resources given to the RCMP to enforce the law and do an effective job.

I should like to reiterate, on the issue of drunken driving, that if the House placed a requirement in the Criminal Code to seize the vehicle involved in an impaired driving situation, there would be a massive disincentive for people to drive while under the influence of alcohol. If a provision were included in the Criminal Code under which the owner of a firearm who failed to properly secure would be guilty of a criminal offence, there would not be the kinds of things we have seen occurring in British Columbia, such as the shooting in Port Hardy. The possibility or probability of that would be diminished. Also there would be a major disincentive for owners in relation to the availability of firearms in tragic situations involving the accidental shooting of children.

I know the committee will examine the Bill diligently. I hope it will look at the prospects of expanding it to cover the areas I have mentioned.

ROUTINE PROCEEDINGS

[*English*]

CONSTITUTIONAL ACCORD, 1987

EXTENSION OF REPORTING TIME OF SPECIAL JOINT COMMITTEE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Madam Speaker, I should like to revert to an earlier discussion this morning respecting the motion for the reporting date of the constitutional committee.

There have been further discussions among House Leaders and the Parties with a view to determining a date which would give the committee adequate time to prepare accurate translations and to fixing a date so that the Parties that wish to comment on the report can fix their schedules.

Under the circumstances I think Your Honour would find agreement to the following motion being moved and put at this time:

That the Special Joint Committee on the 1987 Constitutional Accord shall report on Monday, September 21, 1987, notwithstanding any previous order.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the amendment. Is there unanimous consent to amend the motion?

Some Hon. Members: Agreed.

Motion agreed to.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE, FOOD AND DRUGS ACT AND NARCOTIC CONTROL ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Hnatyshyn that Bill C-61, an Act to amend the Criminal Code, the Food and Drugs Act and the Narcotic Control Act, be read the second time and referred to a legislative committee.

Mr. Howard McCurdy (Windsor—Walkerville): Madam Speaker, we should re-emphasize that the legislation before us today constitutes a part of the national drug strategy announced by the Government quite some time ago. The first overture was a statement by the Prime Minister (Mr. Mulroney) that Canada faced a drug epidemic.

Of course the statement which precipitated the national drug strategy was copied from a similar statement by the President of the United States, once again reflecting a peculiar habit of the Government sensing political advantage in something occurring on the other side of the border, particularly when times are bad, and borrowing from that jurisdiction

in order to enhance the political status of a Government severely in need of political status.

As it happened, the Standing Committee on National Health and Welfare had an opportunity over the last year to examine the issue. I think we must direct our attention to the picture or image conjured up by the Prime Minister at that time, that there was massive use of crack and that marijuana, heroin, and cocaine were the chief areas of abuse in this country.

It was indicated that somehow young people were out of control and that by taking vigorous action we could change a situation which was imaged, within the same context, as the situation in the United States, a situation which was further exaggerated by the projection of the image on television in Canada, as if what appears on television from the United States reflects the situation in Canada.

Within that context there was a great deal of quick and automatic support in the population for a government attack on a situation which, quite frankly, it was possible to suggest even at the beginning was not the same in Canada as it was in the United States.

The Standing Committee on National Health and Welfare held a number of hearings and listened to many witnesses across the country. No expert, no one working intimately with those involved in chemical abuse, could agree that Canada was presented with a drug crisis predicated upon the predominant use of cocaine, heroin, or marijuana. However, it was indicated that 95 per cent of the chemical abuse problem in Canada was attributable to alcohol. Secondly, there was not evidence of the stereotyped image of youth gone wild but, rather, that the ordinary housewife, the ordinary middle-class individual had been convinced by the medical community and the drug companies to seek, through the use of agents such as Valium and other tranquilizers, some relief from the pressures of modern day life.

In short, the two most abused classes of chemicals in Canada are alcohol and over the counter/prescription drugs, abused not by young people or teenagers, but by adults considered to be responsible citizens in the country and, indeed, perhaps in the House.

• (1230)

If one wants to look at where chemical abuse has caused disruption in families, look at alcohol. If one wants to find chemical abuse that has caused death and suffering, look at alcohol. If one wants to look at what has led to 20 per cent of the occupied beds in hospitals, look at alcohol. If one wants to find the source of terrible suffering among the Indian and native peoples, look at alcohol. If one wants to find the chief cause of death and injury due to accident and family abuse, look at alcohol. Perhaps there is not an epidemic but there is a long-standing endemic occurrence of chemical abuse, namely, alcohol.

The problems posed by alcohol are difficult and complex. It is an agent accepted by our society; it is a part of society. Recognizing the serious difficulties and evils with which it is associated, nevertheless, 95 per cent of the population can use alcoholic beverages with impunity and enjoyment without harm. Yet we have been told by the Government, by the Prime Minister, and in a variety of ways, that the serious problem is to be found in the streets and at the parties of our youth. But the key to the problem is to look at the behaviour of adults. I think this needs emphasis, and it will be given emphasis in the committee's report.

To have made this argument and to have pointed out the facts is not to dismiss the problem of illicit drugs and the huge profits made through the suffering of those addicted to narcotics, which is a part of the international criminal profiteering in the world. There are elements of the national drug strategy that we support. Indeed, we can support the vast majority of those elements which constitute the national drug strategy.

Given that we have a government which believes that the use of illicit drugs is a national epidemic, we should put what it is planning to do within reasonable perspective. Two hundred and ten million additional dollars will be spent fighting drug trafficking in Canada. That sounds like an awful lot of money. One would have thought that what this indicates is an urgent response to an epidemic, created in the minds of the Conservative Government, until we recognize that that $210 million will be spent over five years, that $170 million per annum is being spent now, and the first component of the $210 million expenditure will be an additional expenditure of $20 million over the $170 million. Most would agree, I think that that is not a dramatic increase in the devotion of federal resources to combatting drug trafficking.

The committee intimated that if one looks at the reality and the way this money will be distributed over geography, jurisdictions and years, we hardly have a total commitment to a problem to which the Government has found it must respond. Certainly the legislation with which we are dealing today is another example of an inadequate response. It is, I guess, an example of speaking loudly and carrying a very small stick; yes, we will attack money laundering, yes, we will make people forfeit the proceeds of crime, yes, we will freeze what are suspected proceeds from crime.

Anyone who has examined the issue of money laundering from the proceeds of criminal activity will agree that something similar to the bank secrecy act, implemented in the United States, must also be implemented in Canada. It is to the credit of those members of the Standing Committee on National Health and Welfare from all sides of the House that they recognized that the necessity of a reporting system, as has been enacted in United States, is needed in Canada as well. Cash transactions over $10,000, along with all international transactions, should require reporting, recording and maintaining.

Given the tremendous support from those well informed on this issue, given the clear necessity for having a system of reporting financial transactions which would enable us to detect that the laundering of the proceeds of criminal activity is taking place, it is beyond me and beyond Members on this side of the House why the Government should stop short of doing what is evidently necessary to ensure the effective enforcement of anti-money laundering measures. There are those who have suggested collusion between the Government and the banks. I would disavow any such suggestion, because it is a suggestion of unnecessary interaction. The Government is so evidently in tune with the banking community that it knows what is wanted and what is not wanted, as surely as a mother knows the needs of her child and so responds, and would reject what is an inconvenience to the banks. I know the banks say that such a reporting system might be expensive.

If we can make nice, neat tax and accounting arrangements for the banks to handle their international Third World debt in a convenient way, surely it would be trivial by comparison to have the expenditure process that would enable Canada and this Government to attack the issue of money laundering and effectively gain what has been achieved in the United States, namely, a means of detecting criminal activity through the identification of money laundering through a proper reporting and recording system. It is not too much to ask, Madam Speaker.

I join with my colleague in expressing the hope, in contrast to the refugee Bill and the other things with which we have been dealing over the last few weeks, over which the Government has disregarded all positive contributions, that the Government will see that this is not a partisan issue, even for this partisan Government. I hope the Government will engage in a co-operative effort to create an effective attack on the laundering of profits from illicit activities, most particularly those profits gained by trafficking in drugs.

• (1240)

Mr. Skelly: Madam Speaker, I wish my colleague who made an excellent presentation might pursue an element of extremely serious concern, that is, that the weight placed by the Government on drug abuse and drug trafficking is not necessarily a misapplication of resources, but that it is certainly a failure to recognize the most serious problem in Canada, that of alcohol abuse. Being very knowledgeable about the activities of the Health and Welfare Committee, I would ask the Hon. Member whether or not the Government is co-ordinating its activity. One hand seems to be moving in a direction without the other hand knowing what is going on.

One of the most serious problems in Canada is not teenage drug abuse, but teenage alcohol abuse, and it is not just a problem with teenagers but with children in elementary schools. Many parents have told us that there are all kinds of programs in Canada for the treatment of adults who abuse alcohol. For example, the Armed Forces has an excellent program of rehabilitation. Enlightened industrial leaders are

developing modern programs for adults, but there is nothing for children. The problem is growing by leaps and bounds.

There is one particular group in my own area, the North Island Alcohol and Drug Information Society, that has had to beg for funds. It is doing a magnificent job of informing young people of the problems, but it has had to beg employment development for funds and has been rejected occasionally. It has not been able to get anything out of the Department of Health.

I wonder if my colleague, the Hon. Member for Windsor—Walkerville (Mr. McCurdy) could tell us what the Committee on National Health and Welfare has recommended we do about the question of teenage alcoholism and the treatment of teenage alcohol abusers, a problem which is far more serious at this point than the problem of drug abuse. Does the Hon. Member have any personal opinions, given the experience he has had on that committee, about what we should be doing about funding volunteer groups and other community agencies that are trying to deal with this critical problem?

Mr. McCurdy: Madam Speaker, I would be hesitant to give a complete preview of the recommendations of the Standing Committee on National Health and Welfare on the issue of chemical abuse. However, the committee does recognize the inadequacy of programs intended to provide young people in particular with the kind of education that would enable them to make lifestyle choices which would permit them to deal in moderation with a number of potentially abusable substances and, indeed, experiences faced by youth these days. As my colleague has said, my Party would support these recommendations. I must say that the recommendations of the committee will be found to be constructive and that all sides of the House will be able to support them. I hope the issue will be regarded in a non-partisan way, as I have said before.

One of the things we must recognize is that chemical abuse and the abuse of opportunities in life are parts of the fabric of behaviour. This behaviour does not require that we go to the schools and say, "Don't drink, don't drink and drive, don't use marijuana, don't use heroin or don't use cocaine". What we must do is recognize that excesses of all sorts are at least partially attributable to family experiences, peer pressures and the failure to recognize that there is a new responsibility in the school system to provide young people with the wherewithal to make proper judgments about choices. They must make judgments about which choices will be beneficial to them, and which will be dangerous.

Certainly it is also true that the committee has recognized that there is inadequate funding and inadequate co-ordination. As well, there is an inadequate definition of national priorities, priorities that would allow organizations, such as the one cited by my hon. colleague, to contribute significantly and positively to this very serious problem that plagues so much of our population. We are particularly concerned about youth, but adults as well face problems with respect to the treatment of drug abuse.

I can only tell the Hon. Member that he should wait for the committee's report. I think he will find that the issues he has raised have been identified and addressed and are the subject of positive recommendations.

Mr. Althouse: Madam Speaker, I wonder if my hon. friend could tell the House if the committee spent any time analyzing the effect of television advertising on supplementing the perception young people already seem to get from their parents and from society that one cannot have a good time, a party or a gathering without alcohol. I notice that most of the public advertising on television at least leaves the very clear impression that friends cannot gather for a good time without the introduction of alcohol. Did the committee spend any time looking at that aspect of the problem or did it simply look in general at the societal acceptance or promotion of that particular drug in society?

Mr. McCurdy: Madam Speaker, the answer to the substantive question is yes.

Mr. Nelson A. Riis (Kamloops—Shuswap): Madam Speaker, it is a pleasure to be able to respond to Bill C-61, an Act to amend the Criminal Code, the Food and Drugs Act and the Narcotic Control Act.

This particular Bill received first reading in the House on May 29 of this year and the Government has indicated that this is part of its plan to combat drug abuse in Canada and to take whatever steps necessary to encourage more and more people, particularly young people, to move away from an interest in drugs. On balance, it is a step in that direction. For that reason, my hon. friend for Burnaby has indicated that the principle of this Bill is one we of course support.

However, there are certainly major shortcomings in the Bill. A number of speakers have already outlined in some detail the specific concerns they have about what is lacking in this legislation. Of course, that is the role of an effective and efficient Opposition. Its role is to agree in principle with a Bill while working hard to improve legislation.

I certainly have confidence that Hon. Members, whether of the New Democratic Party, of the Liberal Party or of the Conservative Party, will all be motivated by the need to improve this legislation and to make it the best legislation possible. I believe all parliamentarians can be unified by doing anything possible to enact legislation that will save the people of Canada from falling victim to drugs and drug abuse. That would certainly be an appropriate initiative.

I look forward to seeing real progress made on this Bill. At this stage, of course, we are simply dealing with the Bill in principle and, therefore, I think it is appropriate to discuss not only the principle of the Bill but also to use the opportunity to point out two or three of its major shortcomings. I plan to focus my comments on one area of particular interest to me.

• (1250)

I remember, and I am sure you will recall, that not many months ago we had brought to our attention, through some incredibly good investigative journalism, the problem of laundering of drug money. Drug traffickers are unscrupulous characters who take advantage of young people, by and large—but not just young people—and encourage them to use drugs, thereby reaping exorbitant profits. There was quite a furor in the House of Commons at that time about whether or not Canadian bank branches in the Bahamas were involved. The investigation pointed the finger at a number of Canadian banks, and I will not name them, who were operating in the Caribbean. You have to look long and hard to find any real economic activity in some of these banks, but of course a considerable amount of money was moving through them. It seemed that the word on the street was that people were walking into bank branches in the Caribbean with suitcases filled with $100 bills, depositing them, and through a number of intricate financial transaction they found their way into more legitimate investments.

The interesting thing is that there was never any real action taken on those allegations. Of course, the banks denied any involvement. Yet the evidence suggested there was something here that needed to be dealt with, and so the banks took the initiative and promised they would implement procedures requiring more scrutiny of deposits exceeding $10,000. That is fine. The banks may have their own internal systems to deal with this, but I think on balance we would agree that this is not an appropriate response.

That is particularly true, given some of the financial skullduggery, and some have referred to it as financial piracy, which has been going on at the senior level of some of our financial institutions, particularly in western Canada, where people were behaving in ways not expected of senior officials of our major financial institutions. In other words, the fact that a bank might have an internal procedure does not bring us much comfort in some areas.

This legislation takes steps to deal with money raised through drug trafficking because the present provisions of the Criminal Code are totally inadequate to deal with that problem, and convicted traffickers may emerge from prison free to enjoy the proceeds of their crime. That is what is really troubling people like our justice critic, the Hon. Member for Burnaby (Mr. Robinson). This is obviously wrong and it must be changed. It is for that reason that we support the principle of this Bill.

Bill C-61 will not require financial institutions to disclose information which could help police detect money laundered by international narcotics traffickers. In other words, it will not oblige our banks, here or elsewhere, or other financial institutions, to record and report to authorities all of their large cash and foreign currency transactions. If the Government is serious about taking steps to uncover the illicit trafficking of drugs, it should seek the assistance of our financial institutions. After all, if a person makes $2 million or $3 million from a major drug transaction, that person is probably not going to put it in the mattress or carry it around in a pocket. He is going to deposit it some place, and some of those deposits are going to be made in Canadian financial institutions. All we are suggesting is that the legislation ought to require financial institutions to report on a regular basis, confidentially in some respects, on these transactions as they occur.

People ask if this is a reasonable expectation. Is this something we can reasonably expect banks to do? It takes place in the U.S. The U.S. has taken steps to work with its financial institutions to help uncover these types of transactions. Reading from the May 29 *Globe and Mail* article by Andrew McIntosh, he says:

> Sources who did not wish to be identified told the Globe this week that strong opposition within the banking community figured largely in the government's decision not to introduce reporting requirements in Canada.

That is a very serious allegation.

It might interest you to know that the U.S. Bank Secrecy Act requires banks to report to federal treasury officials most banking and currency transactions involving amounts that exceed $10,000 and to keep records of many banking transactions for at least five years. That will help facilitate the uncovering of drug trafficking activity.

There have been a number of occasions when that particular provision helped the Federal Bureau of Investigation crack several big drug trafficking rings in the U.S. The record there is well-known and the committee suggested that this be considered here in Canada. It has worked effectively in the U.S.

Obviously the lack of this provision in the legislation is a drafting oversight. While some pressure might have been brought to bear, given that this Bill will be sent to a legislative committee and receive proper scrutiny, I am certain the Government will see the benefit of including the appropriate clauses in this legislation to require banks and other financial institutions to report large cash and foreign currency transactions.

There are another four or five areas I would like to flag. I do not want to go into detail because I do not think this is the appropriate time. However, there are things which need to be brought to the Government's attention in order to improve the legislation.

Before doing that, I simply want to mention that the Bill will create several new offences which would generally prohibit the laundering of proceeds of enterprise crimes and illicit drug activities. In particular, the Bill would create the offence of laundering the proceeds of enterprise crimes to complement the existing offence of possession of proceeds of crime under Section 312 of the Criminal Code. The Bill would also create the new offences of possession of property obtained by trafficking in controlled or restricted drugs under the Food and Drugs Act and the laundering of proceeds of such trafficking.

I believe you are indicating I should wrap up my remarks. Perhaps I will have an opportunity to complete them later.

[*Translation*]

The Acting Speaker (Mrs. Champagne): It being one o'clock I do now leave the Chair until two o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

HOUSING

THE HOMELESS—GOVERNMENT'S RESPONSIBILITY

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, my intervention concerns homeless people. Unlike Britain and Australia, Canada has no legislation to define government responsibility with respect to the obligation to shelter the homeless. The United States are now considering the possibility of passing such legislation, despite the pronouncements of the Reagan administration. In Canada this obligation does not exist at either government level, federal or provincial. In the meantime the federal and provincial administrations are throwing the ball back and forth in their respective courts.

What matters is to secure a commitment to settle the problem of homeless people in the next few years, particularly before winter sets in. If nobody is held responsible the problem will not be solved and the solutions advocated will not be co-ordinated, very likely leading to yet another waste of public funds.

I therefore urge the Canadian Government to define government responsibility. Homeless people are already on the fringe of society. Does the Government want to integrate them? Where is the political will?

* * *

[*English*]

THE LATE LORNE GREENE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, perhaps the most famous Canadian in history died last Friday. I am sure all Members of this House would want to join me in paying tribute to Lorne Greene. A generation of Americans and Canadians, indeed millions of people around the world, grew up believing that Lorne Greene was Ben Cartwright, that somewhat stern but altogether wholesome father figure in the *Bonanza* series on American television.

That was undoubtedly his most famous role in which he was reputedly seen by 400 million people a week.

Lorne Greene was more than that, however. He was the son of Russian immigrant parents and grew up here in Ottawa where his father was a shoemaker. He began his interest in theatre in the early 1930s when he attended Queen's University. After graduation and further study in New York he joined the Canadian Broadcasting Corporation as an actor but within three months was hired as the announcer on the national news.

During the war years I remember, as countless other millions of Canadians will, hearing Lorne Greene tell us of the latest troop movements, the latest catastrophe, and the latest triumph, in that deep sombre voice which was his trademark. He was called "The Voice of Doom", and an entire country listened.

He was also devoted to talent. He started his own school for announcers in Toronto and was a respected classical actor both on Broadway and at Stratford. He starred in many television series and plays.

Although he lived in Hollywood he never forgot his Canadian roots. He was constantly seeking opportunities for young Canadian artists and actors. I personally know that during the 1984 Olympics Lorne extended his good wishes, help, and active participation in Los Angeles to aid our athletes there.

Having known Lorne personally I know that he enjoyed the respect and affection of all his colleagues and the admiration of followers and fans everywhere. Just as he never forgot Canada in all his years in the United States, I am sure Canadians will never forget him. On behalf of myself personally and millions of Canadians, I extend to his family our heartfelt condolences. We assure them that we will never forget Ben Cartwright, or Lorne Greene.

Some Hon. Members: Hear, hear!

* * *

HOUSING

OPENING OF GLENBURN CO-OPERATIVE HOME IN TORONTO

Mr. Alan Redway (York East): Mr. Speaker, ironically, while hundreds of Metro Toronto residents were lining up for hours yesterday hoping for a chance to buy an expensive and yet-to-be-built house, I was attending the official opening of the Glenburn Co-operative Home in my riding which was established to provide affordable housing for low and moderate income families.

The six-storey 50-unit apartment building, long the subject of maintenance complaints from residents and neighbours alike, has now been completely renovated by the initiative of the former tenants who bought the building and turned it into a non-profit co-op with financial assistance from the federal Government through CMHC.

The Glenburn Co-op is an excellent example of how residents working together with government can provide desperately needed affordable housing. We need a lot more of the same.

* * *

APARTHEID

SOUTH AFRICA—CBC PROGRAM

Mr. Howard McCurdy (Windsor—Walkerville): Mr. Speaker, last night CBC provided a national broadcast forum for the Ambassador from South Africa. We heard the official voice of a land in which the voices of both the press and the oppressed are silenced. Thus we replay for this reincarnated Nazi regime the innocent collusion of the thirties that allowed the propagandists of Hitler to shield us from the Holocaust. What is happening here?

• (1405)

A people are oppressed and we raise the ogre of Marxism as if the political philosophy of the victims of any oppression is of relevance to the justice of their cause.

A people are jailed, tortured, mutilated and killed by a regime that denies them their very humanity, and we say that the use of violence by the oppressed should not be condoned while the West's inaction condones the violence of the oppressor.

A victimized people turns against collaborators and demonstrates that the denial of humanity will breed inhumanity, and again we condemn the victims, forgetting the fate of traitors at the hands of European mobs in 1945. What is happening here?

Are we being led to a lessening resolve in our support of democracy in southern Africa? Is our Government abandoning its promises? Is our Foreign Minister now, after returning from Africa, prepared to seek compromise with South Africa and those other Governments which profit from apartheid in order to preserve, in southern Africa and for the world, peace in our time"?

* * *

THE LATE LORNE GREENE

Mr. John Oostrom (Willowdale): Mr. Speaker, like the Right Hon. Leader of the Official Opposition (Mr. Turner), I am sure that all Canadians and Members of the House will join me in extending our condolences to the family of Lorne Greene, a great Canadian.

Mr. Greene was and will remain a superb role model for all Canadians who wish to achieve success on an international level. Mr. Greene became one of Hollywood's most prominent Canadians, yet he was so proud of his Canadian roots that he retained his Canadian citizenship despite all the success the United States had brought him.

Last year Mr. Greene stated: "I feel close to Canada". He returned to Canada to film and produce a television series on CTV called *Lorne Greene's New Wilderness*.

He has left us with a standard of love and loyalty for Canada of which we certainly can be proud. With his passing Canada has lost one of its greatest ambassadors-at-large.

Some Hon. Members: Hear, hear!

* * *

POLITICAL PARTIES

NEW DEMOCRATIC PARTY—POSITION ON VIOLENCE

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, last week the NDP endorsed the position that sometimes a resort to violence is absolutely essential in the struggle against apartheid. Over the weekend the NDP dumped the Member who put that position and at the same time restated this pro-violence position.

May I humbly suggest that they have it backwards. They ought to have dropped the pro-violence position and retained the critic, who at least raised this important question and brought the NDP out of the shadows.

Every Member of Parliament can empathize with the feelings of those who in frustration may be driven to consider the use of violence to obtain fundamental justice. However, as much as we may seek to understand the seeds of violence, we must never condone it.

All over the world there are those with causes who seek to legitimize the power of the gun, the use of violence in obtaining their ends.

Violence begets violence in South Africa, the Middle East, Central and South America, Asia, Europe, or indeed North America. We cannot pick and choose, whether it be the PLO, the IRA, the Contras, the ANC, the Basques separatists, or the FLQ. Our response in this Chamber must be a resounding no to violence.

* * *

THE ECONOMY

STRONGEST GROWTH OF INDUSTRIALIZED COUNTRIES

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, it is now three years since the Progressive Conservative Government was elected. In those three years, Canada has had the strongest economic growth record among all industrialized countries.

The results are now in for the period ending June 30. In the 12 months ending June 30, Canada had the strongest economic growth. In the 24 months ending June 30, Canada had the strongest economic growth. In the 36 months ending June 30, the entire period of the Government, Canada had the strongest economic growth among industrialized countries.

Not only did we have the strongest economic growth, we have had the largest proportionate increase in employment among all industrialized countries for the last 12 months, the last 24 months, and the last 36 months.

Indeed, when we formed the Government I recall the Leader of the New Democratic Party (Mr. Broadbent) suggesting that the Government should take on an unemployment reduction target. The target he would be happy to set for himself would be a 1 per cent reduction in unemployment each year.

At the time we became the Government, the unemployment rate was 11.7 per cent. At the end of the first year, the average unemployment rate was 10.5 per cent. At the end of our third year, the average unemployment rate was 9.6 per cent. We have met that target set by the NDP Leader in terms of reduction of unemployment.

• (1410)

The Toronto Star today reported a very interesting poll. Canadians across the country were asked if they felt the country's economy was better off now than three years ago. In every region of the country except one; in Atlantic Canada, in Quebec, in the Prairies and British Columbia, an overwhelming number of Canadians recognized the job the Government was doing.

In Ontario the results indicated that only 44 per cent felt the Canadian economy was strong. I wonder whether the results do not indicate that the reporting of *The Toronto Star* itself is part of the reason Canadians do not understand the impressive growth we have had over this last three years.

* * *

EXTERNAL AFFAIRS

INDIA—INTERROGATION OF CANADIAN CHARGED WITH SMUGGLING WEAPONS

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, a young Canadian of the Sikh faith has been charged with weapons smuggling in India. He is reported to have made a full confession after five days of rigorous interrogation by Indian anti-terrorist forces. This report appeared about the same time the Canadian Security Intelligence Service was admitting it had used false information to put a wiretap on the telephone of a Sikh Canadian in British Columbia.

There is clearly a powerful temptation to obtain the result wanted, whether it be a wiretap or a confession, by any means that will work when security forces are under pressure to do their job effectively. Truth and justice can easily become casualties in the rush to show results.

I urge the Secretary of State for External Affairs (Mr. Clark) to enquire carefully into the interrogation of Daljit Singh Sekhon and to ensure that proper procedures have been followed. The rights of all Canadians need the protection of the Canadian Government, especially when the hunt is on for terrorists.

* * *

THE ECONOMY

REDUCTION IN GOVERNMENT DEFICIT

Mr. Bill Attewell (Don Valley East): Mr. Speaker, final deficit figures are now available for the fiscal year ending March 31, 1987. It is encouraging that, due to the policy of the Minister of Finance (Mr. Wilson) of fiscal restraint, the deficit was $30.6 billion, or $400 million less than forecast.

When this Government took control three years ago in 1984, the 1984-85 deficit was $38.3 billion and climbing rapidly because of the out of control spending policies of the former Liberal Government. Its irresponsible, reckless spending habits launched this country into awesome increases in the national debt through year after year increases in annual deficits.

Regrettably, the total accumulated national debt is now $280 billion, or $11,000 for every man, woman and child in the country. Almost 35 cents of every tax dollar collected is now required to pay the interest on this monstrous debt. Canadians should never forget, nor forgive the former Liberal Government for the enormity and tragic cost of its fiscal mismanagement. Our children and grandchildren will be paying the price for decades to come.

* * *

WAR CRIMINALS

SPEEDY PROSECUTIONS URGED

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, in 1985 I originally proposed amendments to the Criminal Code to allow for the prosecution of war criminals, which found favour with the Deschênes Commission. I am pleased to compliment Canada's Minister of Justice (Mr. Hnatyshyn), and all Parties in this House, on the quick passage of the War Crimes Bill.

The passage of the Bill does not, however, bring the process to an end. The Government must now show it is committed to using the new powers contained in the Bill to prosecute war criminals in Canada. In a sense, the term "war criminal" is somewhat of a misnomer because we are not talking in the

main about the killing of combatants in the course of a war but about the murder of innocents and the persecution of a race.

Exceptional crimes justify exceptional pursuit within the framework of our legal system. The Minister of Justice, having expressed his resolve on this issue, has no time to lose in bringing war criminals to justice. There is a new urgency in the search for war criminals, not out of vengeance but for the sake of remembrance. Remembrance remains a powerful tool, a censure against extremism. The Deschênes Commission has kept alive the flame of the memory of the victims of the Holocaust. Let us be sure its light of justice is not left to flicker out.

* * *

NATIONAL ENERGY BOARD

REMOVAL OF RESTRICTIONS ON NATURAL GAS EXPORTS

Mr. Paul Gagnon (Calgary North): Mr. Speaker, one of our major policies during the 1984 election campaign was reconciliation. We promised to end discriminatory practices such as the national energy policy. This Government ended the NEP. Crude oil can be sold at market prices. Unfair and unjust taxes were terminated.

This Government requested the National Energy Board to review the discriminatory restrictions on exporting natural gas. Last week's announcement by the NEB removing these restrictions is indeed welcome news in western Canada. It means greater exports, more jobs and more prosperity.

• (1415)

We have delivered on reconciliation.

* * *

HOUSING

PLIGHT OF HOMELESS—CALL FOR INCREASED FUNDING

Mr. Neil Young (Beaches): Mr. Speaker, this week at the Ottawa Congress Centre the Canadian conference to observe the International Year of Shelter for the Homeless has brought together representatives of all levels of government, non-governmental organizations, and service agencies, to discuss solutions to the problems of homelessness in Canada and, indeed, around the world. I call upon the Minister responsible for Canada Mortgage and Housing, a major sponsor of this conference, to commit the Government to fund additional units for the hard-to-house in Canada as a substantial and meaningful contribution to the homeless in the country.

Also marking the International Year of Shelter for the Homeless, community-based groups from Ottawa, Montreal and other Canadian cities are assembling on Lebreton Flats to remind the Government of Canada that the Flats once provided affordable housing, and that future redevelopment plans must include such housing.

I further call upon the Minister responsible for the National Capital Commission, which is the land-owner of Lebreton Flats, to commit the Government to providing land to co-operative and non-profit housing agencies to construct such housing as part of any redevelopment plan on the Flats.

* * *

HOUSING

PLIGHT OF HOMELESS—CALL FOR INCREASED CANADIAN COMMITMENT

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, in 1983, when the Liberals were in power, a contribution of $300,000 was made to the International Year of Shelter for the Homeless. Canada took its role seriously and was the first largest contributor among the ranks of developed countries.

However, by mid-1986, 80 per cent of the pledges had originated in developing nations where, as we know, shelter requirements are most intense. Today the Canadian commitment must go beyond this International Year of Shelter for the Homeless. We must act as a beacon among industrialized nations in the quest for a solution to the homeless problem abroad and, indeed, at home.

I call upon the Government to recommit Canada to the resolution of homelessness in the world, and to present the appropriate measures to solve the problem at home. The Government must show as strong commitment in 1987 as the Liberals did in 1983. Instead, the Conservative Government has increased taxes for Canadians by $22 billion since taking power just three years ago, and it has neglected the homeless.

ORAL QUESTION PERIOD

[*Translation*]

CANADIAN SECURITY INTELLIGENCE SERVICE

RESPONSIBILITY OF FORMER SOLICITOR GENERAL

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, my question is directed to the Deputy Prime Minister. What personal investigation did the former Solicitor General, now Minister of National Revenue, make before signing the application to allow wiretapping of telephone conversations of alleged terrorists? Who are the individuals questioned by the former Solicitor General? What questions did he ask them? Considering that, under the legislation, the former Solicitor General was personally responsible for signing the wiretap application, that the application was misleading

and that it was his duty to revise it personally, why did the Minister not resign from this Government?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the right hon. gentleman well knows, the affidavit in support of the warrant was sworn in June of 1985. The incident did not come to light until August 26 of this year.

I advise the right hon. gentleman that at that time the then Solicitor General followed the procedure that was in place. He went through all the steps. I have discussed this personally with the then Solicitor General who advised me that he read the affidavit in question, as is required by him, and went through it.

The foundation upon which the affidavit relied was matters of fact. He, like other people, and properly so, assumed that the facts were correct. They were subsequently proven not to be correct.

• (1420)

RESIGNATIONS FROM SECURITY SERVICE

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I would have thought that in a matter of this importance arising from the disaster which preceded it the ex-Solicitor General would have personally interrogated those who prepared the affidavit and signed it, and personally interrogated his senior people, in order to assure himself that the facts were substantiated.

My question as to whether that had been done was directed to the Deputy Prime Minister. Since there is no response on that issue, and since the Solicitor General himself replied, I want to ask him a question about the current state of his security service. Was the head of that service fired? Did he resign for wider reasons than have become public? Why was he immediately rehired as a special adviser to the Solicitor General? Why have three of the five deputy directors of the security service resigned in recent months? Why is the security service in effect under trusteeship after the appointment of Gordon Osbaldeston? Where is the ministerial accountability here? Why do public servants resign? Why doesn't the current Minister take his responsibility and resign as well?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can advise the Right Hon. Member again that indeed this Minister takes his responsibilities extremely seriously.

The inaccuracies in the affidavit first came to the attention of CSIS on August 26. I was notified on August 27. I immediately directed the then Director of CSIS, Mr. Finn, to conduct an internal investigation immediately. I immediately directed the Inspector General to conduct an investigation, and I immediately asked the Osbaldeston team to look specifically into this matter.

Swift and decisive action was taken. In addition to that, I have notified SIRC, I have notified the courts, and I have had interim measures put in place to tighten up the warrant process further and to implement other necessary measures. I do take my responsibilities seriously. That is evidence of it.

Mr. Turner (Vancouver Quadra): The evidence is that the Solicitor General is presiding over complete chaos in the Canadian Security Intelligence Service.

POSITION OF MINISTERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, may I turn again to the Deputy Prime Minister? The simple fact, Your Honour, is that the former Solicitor General signed an application for a warrant based upon a false affidavit.

This action has apparently compromised a trial for attempted murder. It may also have jeopardized the whole investigation into the Air India crash, which resulted in the loss of 329 lives, mostly Canadian.

In light of the incredible error on the matter of the affidavit, and in light of the apparent widespread disorganization, disarray, and dissatisfaction within the Canadian Security Intelligence Service itself, why is it—and I put this to the Deputy Prime Minister—that the two Ministers in question are still in the Government?

Hon. James Kelleher (Solicitor General of Canada): With the greatest respect, Mr. Speaker, the right hon. gentleman is making unwarranted suppositions. They bear no resemblance to the facts whatsoever.

The Government acted quickly and decisively to look at the problem, to send in investigative teams, and to take interim measures to see that the integrity of the service and the security of Canada are being upheld. That is what the Government is doing. We have acted, as usual, with great alacrity.

INVESTIGATION OF AIR INDIA CRASH

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Minister's Department is out of control, and he knows it. Because of the gross negligence of the Minister and his predecessor, those responsible for the most hideous, the most gruesome crime ever in Canadian history, may go unpunished.

My question is for the Deputy Prime Minister. Would he not agree that, because of the gross negligence of the present Solicitor General and his predecessor, those responsible for the serious Air India crash may go unpunished, because they approved of an affidavit which was an attempt to mislead the court deliberately?

• (1425)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am having some difficulty as to my gross negligence

when I was not the Solicitor General at the time the incident occurred.

Again, what the Hon. Member is doing is attempting in his usual fashion to confuse Parliament. He is trying to confuse an incident of the alleged shooting of an Indian cabinet Minister with the downing of the Air India plane. I do not think that is proper. The facts should not be confused in that manner, and the Member knows better.

ERRORS IN AFFIDAVIT LEADING TO WIRE-TAP APPLICATION

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Minister knows that it is a serious criminal offence, first, to swear a false affidavit and, second, to attempt to deliberately mislead a court.

Mr. Clark (Yellowhead): You are changing your ground.

Mr. Nunziata: I have an affidavit sworn by Francis Elmer Saunders, Regional Director General of the Toronto Region of the Canadian Security Intelligence Service. He points out in this particular affidavit that in the previous application, in order to secure judicial authority to wire-tap a certain individual's telephone, there were at least six factual errors in the affidavit. Is the Solicitor General suggesting that the six errors were mere oversights or typographical errors? Would he not agree that it was a deliberate attempt to mislead the court?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, it is unfortunate that the Hon. Member was not kind enough to tell the House that I supplied you with that affidavit in order to assist you, and without any request or prompting from you.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): Thanks for a public document.

Mr. Tobin: He is supplying his own rope.

Mr. Speaker: I do not want to take anything away, of course, from the information the Minister is giving. I would remind the Minister that in this Chamber we do not refer to other Hon. Members as "you" but as the "Hon. Member", and I think things will go better if we all remember that. The Hon. Minister.

Mr. Kelleher: Certainly I am prepared to correct that, Mr. Speaker.

I did indeed supply the affidavit to the Hon. Member without any request or prompting from him. In any event, the full facts upon being discovered by CSIS were immediately relayed to me as Solicitor General and I immediately instructed CSIS to advise the court. All those facts were brought forward by us to the court in a good and proper manner.

TRANSFER OF SECURITY AGENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I want to ask the Minister something that is very pertinent to the question of ministerial responsibility. The Minister has said he has provided a document that was already available to the press. We all find that very encouraging.

I want to ask the Minister about his responsibility. Since CSIS apparently has simply transferred an agent who we now have learned not only provided false information to the courts but was the same person who failed to inform the RCMP of certain information that may have prevented the shooting in Canada of a visiting cabinet Minister from India a year ago, has the Minister pursued this matter? Does he think it is appropriate simply to transfer this person instead of firing him? Has he asked or talked to the agent directly and, if not, why not?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am not aware of the veracity of that particular allegation. I can certainly advise this House that following the shooting incident my predecessor ordered an investigation into it and a report was supplied. As the Hon. Member knows, this case is presently before the courts and, as such, is *sub judice*, and I am not in a position to discuss it further at this time.

• (1430)

REQUEST FOR PARLIAMENTARY REVIEW OF SERVICE

Hon. Edward Broadbent (Oshawa): Mr. Speaker, there is what can only be described as a scandalous situation in the agency. There has been, on public record revealed in the courts, deliberate lying by people working for CSIS. We are told that instead of being fired forthwith, the same people have simply been transferred elsewhere.

Mr. Clark (Yellowhead): Name names.

Mr. Broadbent: I say to the Secretary of State for External Affairs that the Director of the agency himself resigned before the weekend. He acknowledges how serious the situation is.

Given the fact that the legislation passed in 1984 provided for a parliamentary review of the operations of CSIS within five years, does the Minister not think that the time for that parliamentary review is now rather than in another two years in view of the kinds of disasters we have now had described to us?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, first I would like to clear up an allegation the Hon. Member persists in making which is that there was a deliberate action or some deliberate falsification of the facts to mislead the court. I am certainly not aware that there was anything deliberate nor is there any evidence to date from our investigations to substantiate that allegation. I think the Hon. Member should be aware of that.

Second, I would like to point out to the Hon. Member that I am well aware of the five-year review process and I will welcome that when the time comes. At this particular juncture the evidence indicates human error, faulty procedures or a lack of following procedures. It is not something which the Act itself corrects. It is something that must be corrected within CSIS and we have moved very decisively to do that. Three investigations are going on. We have advised the court and I have also advised the Security Intelligence Review Committee which, being set up as the parliamentary watchdog, I am sure will take care of this matter in an adequate way to the satisfaction of all parties.

REQUEST FOR IMMEDIATE REVIEW

Hon. Edward Broadbent (Oshawa): Mr. Speaker, because his Party was in opposition at the time this agency was being set up, the Minister knows that it was agreed by all Parties at the time that it was essential not simply to have the Government as the judge in its own case when it comes to the Security Service and that is why a parliamentary review was spelled out as being desirable and was supported by all Parties. Given the seriousness of the problems that have been revealed to everyone and their implications for civil liberties in Canada, will the Minister now do the correct thing and agree to have a parliamentary review of CSIS operations forthwith?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I trust the Hon. Member is not suggesting that SIRC is not independent. I trust he is not suggesting that the Inspector General is not independent. They were set up under the Act as independent watchdogs. They will be carrying out their investigations and I am quite prepared, when the investigations have been completed, if I am invited, and I am sure I will be, to appear before the Justice and Solicitor General Committee to discuss the matter with that committee.

RESIGNATION OF DIRECTOR

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the same Minister. When one looks at the story of CSIS, one sees criticism in two annual reports of the Security Intelligence Review Committee, serious problems with senior personnel, resignations at the very top of CSIS in addition to that of Ted Finn, the filing of dozens of employee grievances complaining about employment, and finally the Osbaldeston team having been set up with a mandate that the Minister indicated just today has been made even wider. Is the Minister asking us to believe that Ted Finn's resignation was related only to the affidavit that was referred to in the Air India matter and in the Atwal matter?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, Mr. Finn, the former Director of CSIS, undertook a very difficult task for this Government three years ago. He faced the task of taking over a brand new agency that had to be up and running from day one for the security of Canada. He is a man of integrity and character. He has performed his job extremely well. As soon as he learned of this incident, there was no cover-up or any hesitation on his part. He immediately advised me. He co-operated fully with the investigation. He submitted his resignation as he was the man responsible for the operation of CSIS, and his resignation was accepted.

REASON FOR RESIGNATION

Hon. Bob Kaplan (York Centre): Mr. Speaker, I must ask the Minister again, is he telling us that the only reason Ted Finn resigned and that the Solicitor General accepted his resignation was the serious problems with this affidavit?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can only repeat my first answer. Mr. Finn submitted his resignation and it was accepted.

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF UNITED KINGDOM SECRETARY OF STATE FOR DEFENCE

Mr. Speaker: I wish to bring to the attention of Hon. Members the presence in the Gallery of the Right Hon. George Younger, Secretary of State for Defence, of the United Kingdom.

Some Hon. Members: Hear, hear!

PRESENCE IN GALLERY OF AUSTRALIAN MINISTER FOR TRADE NEGOTIATIONS

Mr. Speaker: I wish also to bring to Hon. Members' attention the presence in the Gallery of the Hon. Michael Duffy, Minister for Trade Negotiations for Australia.

Some Hon. Members: Hear, hear!

Some Hon. Members: Oh, oh.

Mr. Speaker: I think Hon. Members will forgive me for saying that, if I get a chance, I will explain to the Hon. Michael Duffy just why there was some levity when his name was given to the House.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

ACCURACY OF AFFIDAVITS—REQUEST FOR MINISTER'S RESIGNATION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I might just say by way of preamble that I find it interesting to hear the author of the CSIS legislation asking questions that result clearly from abuses for which that legislation he authored was responsible.

My question is directed to the Solicitor General. It concerns the most recent annual report of the Security Intelligence Review Committee which states:

> We are informed that the Solicitor General makes sure, in reviewing warrant applications, that everything being sworn to is an ascertainable fact, not merely a conclusion the investigator has drawn from the facts, and he sends some applications back for amendment before he lets them go to the Federal Court . . . We welcome his vigilance.

In view of the suggestion that the Solicitor General himself is personally responsible for the accuracy of affidavits sworn in request for warrants, and having fired the Director of CSIS, does he not accept his responsibility for this deceitful warrant? If so, why does he not do the honourable thing and resign as Solicitor General?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I have already pointed out to the House earlier and I will repeat again, the affidavit which supported this warrant was reviewed and sworn in June of 1985. Immediately upon it coming to this Solicitor General's attention, I initiated the actions of which I told the House. I think we and the Government have acted quickly, fairly and decisively in this matter.

I can assure the Hon. Member that it has been my practice since I became Solicitor General carefully to review and read each affidavit in support of an application for warrant that comes before me. It has always been my practice to discuss the warrant before signing it with the Director or the Acting Director in concert with other officers of CSIS.

PARLIAMENTARY REVIEW—MINISTER'S POSITION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, given the history of CSIS, it is a security agency which is clearly in a state of crisis and disarray. There have been problems with civilianization, with bilingualism, and with bungled investigations in the case of the Sikh situation. There have been fights with the RCMP, and targeting of individuals who should not have been targeted. There has been serious criticism by SIRC.

• (1440)

Why is the Minister afraid to allow Parliament to review comprehensively the actions of CSIS today? Why is he insisting we wait two more years for the review of an agency in disarray? In light of his refusal to allow Parliament to conduct this comprehensive review today, why on earth does he not resign? He is obviously not in control of the agency for which he is responsible.

Hon. James Kelleher (Solicitor General of Canada): With the greatest respect, Mr. Speaker, I do not share the opinion of the Hon. Member that CSIS is in a state of disarray. That is unfair to the Service. I think it is doing a commendable job, and that is contained in the latest SIRC report, parts of which he chose not to read.

The language issue is being dealt with decisively. An action plan is now ready and I hope to present it within the next few weeks. The Osbaldeston committee is looking into the matters of counter-subversion and civilianization. I think the agency is alive and well. There are some minor problems and they are being dealt with.

* * *

EXTERNAL AFFAIRS

INDIA—ARREST OF CANADIAN CHARGED WITH GUN SMUGGLING

Mr. W. Paul McCrossan (York-Scarborough): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. Last week a Canadian Sikh from Mississauga, Daljit Singh, also known as Gurmukh Sekhon, was arrested in the Punjab and detained for gun smuggling. While I abhor the increasing violence in the Punjab, it is a fundamental precept of any justice system that an accused has the right to legal representation and that any individual is innocent until proven guilty.

Has the Minister confirmed that this Canadian citizen has been arrested in the Punjab and has the Canadian High Commissioner had consular access to the individual? If not, how much time has expired since we made our initial request?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I can confirm the arrest occurred. We have sought consular access. We made the first application orally four days ago on September 10. Since there has not yet been a response we made another written application today. I have instructed officials of my Department to call in the High Commissioner or the *chargé d'affaires* for India because it is essential that the right of Canadian citizens to consular access be respected.

* * *

[*Translation*]

HOUSING

THE HOMELESS—GOVERNMENT POSITION

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, in the absence of the Minister responsible for housing, my question is directed to the Deputy Prime Minister.

Last August 28, in response to one of my questions concerning the homeless, the Minister of National Health and Welfare said he would bring my question to the attention of the Minister responsible for Housing.

Yesterday at the International Conference of the Homeless the Minister did not say anything particularly noteworthy, except that it is a question of having the political will to solve the problem of homeless people.

Can the Deputy Prime Minister tell us today what concrete evidence of this political will we can expect to see? What initiative, what policy, or what program does he have in mind, particularly now that winter will soon be with us?

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, this Government certainly did not wait for the International Year of the Homeless to launch a plan of action. In fact we did so back in 1985. Under the previous administration, only 40 per cent of new units were for the homeless, whereas we implemented a plan of action to give priority to homeless people.

Mr. Speaker, the result is that more than $1.5 billion will be earmarked for the homeless this year.

MEASURES GOVERNMENT INTENDS TO TAKE

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, my second question is directed to the Deputy Prime Minister.

The Australian and British Governments have enacted legislation to define their jurisdiction with respect to sheltering the homeless. The United States is about to pass similar laws.

We in Canada have not defined either federal or provincial jurisdiction concerning homeless people. If the Government considers this to be a serious issue, can the Deputy Prime Minister assure us today that he will do whatever is required to establish the responsibilities of each government level, especially since the Government has failed to take its responsibilities and dumped the whole problem in the lap of the provinces? And if the Government considers the matter important enough, is it prepared to legislate to guarantee this protection?

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, the premises of the question of my colleague are faulty. I am sure she knows full well that more than a hundred-odd delegates from every corner of the world will be debating the issue during the conference taking place this week. Canada has always been acknowledged as a world leader in this respect and we intend to take this opportunity to champion the cause of the homeless and pave the way for building more shelters and creating still more jobs. Again I might point out that more than 900,000 jobs have been created in Canada since the advent of the Conservative Government. We will maintain our pace in spite of the fact that certain non-elected elements of the Party opposite continue to thwart such initiatives as Bill C-22 which we are trying to get through.

Oral Question

[*English*]

LITERACY

ILLITERACY STATISTICS—UNEMPLOYMENT INSURANCE PROGRAM

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is directed to the Minister of Employment and Immigration. A survey on illiteracy in Canada by Southam Inc. revealed these shocking and devastating results. Some 24 per cent of Canadians over 18 years of age are illiterate in English and French.

Earlier this year the Standing Committee on Labour, Employment and Immigration recommended in its report in response to the Forget Commission report that those illiterates who may be collecting unemployment insurance be allowed to take basic education at the same time. Is the Minister prepared to move his butt now and start to change the Unemployment Insurance Program so as to give hope to some of these people who are living a life of darkness?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I would like to tell the Hon. Member two things.

First, I would have thought that, as NDP critic for Employment and Immigration, he would have known that we have now signed agreements with all the provinces under the Social Assistance Program, to ensure that unemployment insurance recipients are covered by the program. In co-operation with my colleague the Minister of National Health and Welfare and all Canadian provinces, we have multiplied the opportunities for these people to receive training under various programs to give them the means of improving their situation.

Second, the Secretary of State is now putting together, in co-operation with various interested parties, not only studies, but also mechanisms to deal with these problems.

Instead of criticizing, I believe that his Party would do better to co-operate with us to deal with this problem, which is admittedly a national one.

[*English*]

COMMITTEE RECOMMENDATION

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, I find it absolutely incredible that the Minister is not even aware of his own legislation with respect to unemployment insurance benefits and basic education programs. We are not talking about people who are on welfare, we are talking about people who are illiterate and collecting unemployment insurance. These people are the last hired and the first fired. They are trapped in a *cul-de-sac* of no education and no opportunity to move themselves out.

Is the Minister prepared to respond specifically to that unanimous committee recommendation which would permit those who are collecting unemployment insurance benefits to

do so and take basic education programs if they so desire? A specific question, and no bullfeathers about it!

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, I replied to this question about the reform of unemployment—

An Hon. Member: It was not an answer.

Mr. Bouchard: I replied to this question in May, and I have no intention of changing my answer in September.

* * *

• (1450)

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—REQUEST THAT GOVERNMENT END TALKS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Deputy Prime Minister. The United States has repeatedly demanded that the auto pact, cultural industries and regional development programs, amongst others, be part of the free trade deal. The U.S. has consistently refused to enter into a binding trade dispute resolving mechanism with Canada.

When will the Government relieve Canadians of their anxiety and put the Government out of its self-inflicted misery by formally declaring an end to these failed free trade talks?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the position of the Liberal Party grows more and more curious. We are three to four weeks from the conclusion of a trade negotiation which, if successful, can have a very positive impact upon the economic security and availability of jobs for Canadians. As we draw near the end of the negotiation they want us to quit. That is nuts.

Mr. Tobin: Mr. Speaker, the Liberal Party grows rather embarrassed at the spectacle of the Minister swinging from the end of a rope at the tail end of these negotiations. We would rather see him out of his misery quickly.

Some Hon. Members: Oh, oh!

BINDING TRADE DISPUTE RESOLUTION MECHANISM

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, can the Minister categorically tell the House and Canadians whether or not Canada will say "no" to any trade deal that does not include a binding trade dispute resolution mechanism? Last week the Secretary of State of the United States was telling us that no such provision can be included in a free trade agreement.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we have made it clear on a number of occasions that in our judgment a binding mechanism to resolve disputes is essential to an acceptable trade negotiation. That has been the position for a long time. It has become such a popular position that it has now been adopted by the Premier of Ontario. I presume it will soon be picked up by members of the Liberal Party in opposition. That is our position, has been our position, and remains our position.

Mr. Marchi: That's nuts.

* * *

HOUSING

PLIGHT OF HOMELESS—REQUEST FOR COMMITMENT OF GOVERNMENT FUNDS

Mr. Neil Young (Beaches): Mr. Speaker, in the absence of the Minister responsible for housing I will direct my question to the Minister of Supply and Services. If the Minister has been paying any attention at all to the conferences going on across the way here about homelessness, not only in Canada but around the world, he will know that at a conservative estimate there are some 40,000 Canadians who are considered homeless. That does not include thousands who are living with parents or friends because they cannot find housing.

The one clear message emanating from this conference is that a large infusion of government money is needed to correct a serious problem. Is the Government prepared to commit the kind of money which any responsible Government would commit in the face of this particular crisis?

[*Translation*]

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, I have already replied to this question. I said that the Government would continue to deal with this issue, that we would be at the conference this week, that Canada is already recognized as a world leader in this area and that we shall continue to ensure all Canadians of our on-going concern and desire to take part. However, there is no immediate solution and it cannot come from the federal Government alone. There will have to be a consensus among all those involved.

[*English*]

LEBRETON FLATS, OTTAWA—CO-OPERATIVE HOUSING PROJECT

Mr. Neil Young (Beaches): Mr. Speaker, I will address my supplementary question to the same Minister. Expressing a desire is all good and well but these people are looking for a real commitment. Will the Government commit itself to a very simple project at Lebreton Flats, which the Government owns? Will it commit, within the next week, if not immediately, to provide moneys to the developers of housing on Lebreton Flats to construct co-operative and affordable social housing there?

[*Translation*]

Hon. Michel Côté (Minister of Supply and Services): Mr. Speaker, I said earlier that 19,000 units would be built this year. Moreover, we have brought about economic conditions which promote lower interest rates and various other favourable conditions. We are therefore very much concerned about this issue.

* * *

[*English*]

PETRO-CANADA

PRIVATIZATION INQUIRY

Mr. Bill Attewell (Don Valley East): Mr. Speaker, my question is directed to the Minister responsible for privatization and is about Petro-Canada. What is the status of the review of the privatization of this Crown corporation? Specifically, has she considered the idea I put forth in this House on September 2 that we essentially give it back to Canadians? That would not only help ensure self-sufficiency of oil and gas but would keep it in Canadian hands. The real bonus may be that it would get the Government out of the retail gasoline pump business.

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, I will consider the Hon. Member's question as a representation. I have read his statement made pursuant to Standing Order 21 on September 2. It is advice which I am certainly prepared to take back to the Government.

As the House knows, we have not reached a decision on Petro-Canada. We are studying the issue very carefully. I have made no secret of the fact and have stated publicly that if we do sell this company I would prefer a broadly based public share issue. However, I am very prepared to treat the Hon. Member's suggestion with respect.

* * *

FILM INDUSTRY

POSSIBLE EFFECT OF TAX REFORM

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, my question is for the Minister of Finance. The private sector Canadian film and television industry is in trouble, not because it does not produce good, competitive, world-class films but because this young, labour-intensive industry has had the basic incentive pins knocked out from under it by the Government's ill-conceived tax reform proposals.

Instead of listening to the free trade talks and that siren song, why does the Minister not listen to the Canadian film and television industry? Will he change his tax reform proposals to allow this industry to continue to grow and prosper, instead of opening the door to more American films and closing the door on Canadians?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, I am a little surprised at the way the Hon. Member has phrased the question suggesting that I am not listening. I have a letter here from Mr. Samuel C. Jephcott, the Executive Director of the Canadian Film & Television Associates, who is pleased about the consultation process—

Ms. Copps: That's not a letter, it's a newspaper clipping.

Mr. Wilson (Etobicoke Centre): Hon. Members are little reluctant to hear the truth.

Ms. Copps: It's a newspaper clipping.

Mr. Wilson (Etobicoke Centre): Mr. Jephcott disagrees with Mr. Sid Adilman's comments that the federal Government is not—

Mr. Turner (Vancouver Quadra): Is that the former Conservative Minister in Toronto?

Mr. Wilson (Etobicoke Centre): I will take the Leader of the Opposition aside too. I will pass the letter over to the Hon. Member but the point of it is that we are listening to the industry. We are giving careful consideration to the comments that it has made. As the Hon. Member is very much aware, we have made some changes which will ease the transition to the new rules. As Mr. Jephcott has said, the reality is not that we are ignoring the plight of the industry.

MINISTER'S PLANS

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, the industry needs a more equitable playing field. I will address my supplementary question to the Minister of Communications.

If the Government is concerned about the cultural industries, why can it not stand up to the U.S. demands at the free trade table for restrictions on the broadcasting, publishing and film industries? Why has the Minister abandoned her promise to introduce legislation to stimulate the Canadian film distribution industry?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, I have to say that once again the Hon. Member is wrong. I have not abandoned any plans that I have in place. I want to reiterate that the Minister of Finance and I, in consultation with the film industry, have already made certain changes that they have requested. In addition, we are discussing other long-term proposals with them. We intend to keep in touch with the film industry on an ongoing basis because our goal is to ensure more and better Canadian films in movie houses all across the country.

Proceeds of Crime

• (1500)

HEALTH

IRRADIATION OF FOOD

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is directed to the Minister of National Health and Welfare. This is the first opportunity we have had to question him on the Government's response to the report of the Standing Committee on Consumer and Corporate Affairs which examined the question of food irradiation and the labelling of irradiated foods.

Given that the government response largely rejected all but a couple of recommendations concerning labelling, will the Minister explain what sort of rationale he used for rejecting the recommendations and, in effect, unilaterally making decisions for himself and his Department which run completely contrary to that four-month study?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, it was not a unilateral decision, and the Member knows that.

The report was brought forward by a committee that was chaired by the Member for Capilano. It was a very comprehensive report for which I thank the committee.

There were a number of issues on which there was agreement. I think that the evidence of the studies which have been used by the Department, as well as the number of years that irradiated technology had been studied and used in a very limited manner in some countries, clearly pointed to the decision that was taken.

I also said very clearly in the response that there would not be an extension of any irradiation on any foods subject to a case-by-case study, based again on the regulatory process.

The Hon. Member must keep in mind that I take the regulatory process very seriously and that scientific and health considerations are the overriding considerations. I believe those have been dealt with clearly. I was very straightforward in my response on that issue.

REVIEW OF PROCESSES—COMMITTEE RECOMMENDATION

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, will the Minister explain to the House what criteria he used in rejecting the committee's recommendation to strike a public committee to review these processes in favour of an in-department committee that did not have to be responsible to anyone other than himself?

Hon. Jake Epp (Minister of National Health and Welfare): Mr. Speaker, I think the last comment that a committee of experts in the Government are not responsible to anyone but themselves or the Minister is a very poor evaluation of scientists and medical officers within my Department or other organizations within government.

Mr. Hovdebo: What happened to Parliament?

Mr. Epp (Provencher): Calm down and I will give you an answer. The Hon. Member should keep in mind that the Department of Health and Welfare and its officials have not compromised health and have been very keen about that.

I hear the Hon. Member for Prince Albert. He should keep in mind that he gets up in the House every day he can asking for more wheat sales. Yet part of the wheat sales in the international field possibly involves irradiated food. I wish he would be consistent one way or the other, and not try to speak out of both sides of his mouth.

GOVERNMENT ORDERS

[*English*]

CRIMINAL CODE, FOOD AND DRUGS ACT AND NARCOTIC CONTROL ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Hnatyshyn that Bill C-61, an Act to amend the Criminal Code, the Food and Drugs Act and the Narcotic Control Act, be read the second time and referred to a Legislative Committee.

Mr. Speaker: When the House rose at one o'clock, the Member for Kamloops-Shuswap (Mr. Riis) had the floor.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, in concluding my remarks on Bill C-61, I was pointing out a major flaw in the Bill that I believe all Parties will want to change. While there are many flaws in Bill C-61, the New Democratic Party supports its principle. It will allow the Government to take serious steps toward eliminating drug abuse and drug trafficking in our country.

Of course, under the present legislation, drug traffickers can easily invest and use the banking system to launder money. While they may serve some time in prison, they can come out to resume their business with substantial amounts of income that they have invested in various ways, not only in Canada but throughout the world.

The major flaw in this legislation is that it does not encompass the banking and financial communities. Serious allegations have been made in the press in the last number of months about money from illicit drug trafficking finding its way into various deposits in Canadian financial institutions. There is no definite proof of this since the books are closed. The RCMP and other law enforcement agencies do not have access to those bank accounts, unlike the United States where financial institutions are required to report their deposits over a certain amount on a regular basis. As a matter of fact, they must report a number of items. This allows the law enforcement authorities in the United States to identify where drug money is being laundered through financial institutions.

We assumed that appropriate legislation reflecting that situation would be introduced. However, such is not the case. Bill C-61 does not include Canadian financial institutions as part of the monitoring system. When this matter goes before the appropriate legislative committee, I urge my honourable colleagues to consider using the experience in the United States, where drug rings have been smashed as a result of the information provided by the reporting systems of the American financial institutions.

While this might require some new responsibilities for banking personnel, as well as some systems for that accounting, I am convinced that if such a request was made of the Canadian Bankers' Association and the organizations of other financial institutions, they would co-operate. It would be in the best interest of Canada, particularly in terms of Canada's young people, if we could put a stop or at least inhibit the running of illicit drugs that presently occurs in our schools, colleges, universities, as well as on the streets of Canada.

If this legislation can be amended in that area, it would certainly have the support of New Democrats on the committee. I am sure it would also have the support of other political parties because stopping the traffic in illicit drugs on the streets of Canada surely is not a partisan issue but something all parliamentarians would endorse.

Mr. Keeper: Mr. Speaker, I have a question which I already asked the Government in regard to its drug reform program and legislative changes. Would it not be a good idea to take into consideration as part of drug abuse the glue sniffing that goes on in many communities across this country?

• (1510)

In Winnipeg, at the City Hall level, we had a by-law for a short time regulating the sale of products which could be abused by youngsters. They were put behind the counter and the age level at which they could be purchased was restricted. This by-law had a positive effect in Winnipeg by reducing the abuse of products on which children could get high by sniffing which, of course, has a detrimental effect on their health and mental capacity.

I wonder if my colleague would not agree that it is a little strange that the Government, which is attacking drug abuse, is not at the same time taking the opportunity to amend federal laws which could reduce the abuse of products that children use to get high, thereby destroying their health?

The by-law which existed in Winnipeg was ruled *ultra vires* by the court in that it fell within federal jurisdiction. Would this not be a good area for initiative by the federal Government at this time?

Mr. Riis: Madam Speaker, my friend, the Hon. Member for Winnipeg North Centre (Mr. Keeper) makes a good suggestion, and it is not the first time he has made it. I recall that he suggested it on numerous occasions, both in public and private. He has put that question in committee and many times on the floor of the House of Commons, trying to encourage the Government to take a variety of steps which would bring to an end that type of activity by young people, not only in Winnipeg but right across the country.

I can only imagine his level of frustration today when once again there is a missed opportunity. Here is an opportunity for the Government to take steps, to indicate in the introductory speeches by government Members how the Government plans to deal with this problem. But once again it has turned its back on something which is very serious. Perhaps we will have an opportunity during debate on this legislation, and more particularly during the work which will be done in the legislative committee, to raise the importance of taking fast action in this critical area.

I also think that when we deal with legislation such as Bill C-61, finding ways and means of legislating the reduction in the amount of illicit drugs sold, drug trafficking and the abuse of drugs, that we do not lose sight of the need to fight the reasons for drug abuse. I think all too often we get too caught up in the mechanics of legislation, in our role as legislators, trying to stem the tide, to fight the symptoms of a much deeper concern. We as responsible parliamentarians should ask the question, what is it that is driving our young people to sniff glue? What is it that drives our young people in high schools and, more unfortunately, in our elementary schools, to pursue drugs and get caught up in the dastardly web of drug abuse? What is it that exists in our society that causes people to require this particular outlet?

Mr. Young: This Government.

Mr. Riis: My friend, the Hon. Member for Beaches (Mr. Young), perhaps not so humourously, says perhaps it is the Government's inaction on a whole number of fronts. You recall, Madam Speaker, the questions raised about illiteracy when the shocking facts recently came out in terms of the incredibly high level of illiteracy among Canadian adults. In some provinces it was in excess of 40 per cent of the adult population. We have tens of thousands, I must say even hundreds of thousands of Canadians in the workforce who are illiterate and, consequently, are the last hired and first fired. This is one of the fundamental problems which results in drug abuse. It provides an incentive for those who would exploit these people and, therefore, the illicit trafficking of drugs increases. That is what we are trying to deal with in this legislation. Of course, it is far down the list of consequences that result from a deeper concern in today's society.

I take with appreciation the suggestion made by the Hon. Member for Winnipeg North Centre. I suspect his wise counsel will be listened to by those who work on this Bill in the legislative committee.

Mr. Skelly: Madam Speaker, I would also like to ask about the question raised this morning with respect to the Government spending $210 million on enforcement in the drug offence area and its failure to address the major problem of

chemical addiction. I would like to ask the Hon. Member for Kamloops—Shuswap (Mr. Riis) for his comments on the failure of the Government to address the major problem of alcohol abuse.

I would like to outline a small area of which I know he is familiar, that is, the community of Bella Coola. An alcohol rehabiltation counsellor in that community is paid $12,000 a year, yet saves both the federal and provincial Governments hundreds of thousands of dollars a year by helping people with an alcohol problem. If it is a parent, the parent can go to work, and the family is assisted.

The Government saves thousands of dollars in health and social services. However, The federal Government will not pay those salaries for people to assist and treat alcoholics. In the community of Bella Coola one of the largest single causes of crime is abuse of alcohol. Everything else stems from it, from child abuse to murder, to assault, to impaired driving. Only $12,000 is the cost of an alcohol abuse counsellor. These alcohol abuse counsellors have a track record of saving hundreds of thousands of dollars.

I ask the opinion of the Hon. Member for Kamloops—Shuswap. Is the Government not being extremely short-sighted in dealing with the small end of the spectrum instead of contributing the resources of the people of Canada to the other problem areas? We are not begrudging the efforts made to curb the serious problem of drug abuse, drug trafficking and drug offences. However, we want money spent in the area of alcohol rehabilitation and treatment so we can realize the savings in human terms, in health terms and in financial terms for the people of Canada.

Mr. Riis: Madam Speaker, once again, I appreciate the most thoughtful interjection of the Hon. Member for Comox—Powell River (Mr. Skelly) on this very critical issue. It is an issue of profound interest to us all. I think too often when it comes to requests for funding of facilities to treat the victims of alcohol and drug abuse we do not have the money to spend—the treasury is bare. Spending in these areas, while it is certainly a concern, is not necessarily a high priority. I think the word "priority" itself betrays a particular attitude. I think we have to see money used to move people away from a dependency on chemicals. Money used to move people away from a reliance on alcohol and drugs is not money spent, but money invested. That money, when it saves a young man or woman, will result in vast savings because they will not spend their time in centres of care later on or cause other problems in terms of death on our highways and so on.

I think we have to see this as an investment in our future in terms of preventive action. It is an non-partisan issue. I will use as an example the non-partisan way in which this ought to be treated. There are communities around the country, as we stand here, taking the initiative to open up treatment centres for those people who are caught up in the web of chemical dependencies. I do not have to refer to any other place than the community of Logan Lake in western Canada. People such as my colleague, the Hon. Member for Cariboo—Chilcotin (Mr. Greenaway), myself and others are working hard to obtain the necessary financial support to assist people in that part of western Canada so that they can be treated for their dependency on chemicals of one kind or other. I am hopeful that as this Bill moves on to the legislative committee stage, we will be taking off our partisan hats and working to obtain the necessary changes and, of course, in the long term, the necessary funding, to bring drug and alcohol abuse in Canada to an end.

[*Translation*]

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The question is as follows. Mr. Hnatyshyn, seconded by Miss MacDonald (Kingston and The Islands), moves that Bill C-61, an Act to amend the Criminal Code, the Food and Drugs Act and the Narcotic Control Act, be now read the second time and referred to a legislative committee.

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

Some hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

* * *

• (1520)

[*English*]

SUPREME COURT ACT

MEASURE TO AMEND

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved that Bill C-53, an Act to amend the Supreme Court Act and to amend various other Acts in consequence thereof, be read a second time and referred to a legislative committee.

He said: Madam Speaker, I am pleased to rise to speak briefly on this important legislation. Bill C-53 is a Bill to amend the Supreme Court Act and to amend various other Acts in consequence thereof. The aim of the Bill, while simple, is of considerable importance to the administration of justice in Canada. It is to alter the procedure for appeals to the Supreme Court of Canada so as to ensure that the court can continue deciding issues of fundamental national importance in an effective and timely manner.

The considerable increase in recent years in the number of cases heard by the court, particularly appeals based on the Canadian Charter of Rights and Freedoms, has underlined the fact that the court's time is a limited resource. A glance at a

Canadian newspaper on almost any given day will show the fundamental important questions that the court must decide. The amendments proposed in this Bill are necessary if the court is to continue dealing effectively with the growing number of cases referred to it. Without such amendments the court is increasingly likely to find itself unable to decide some of the important legal and constitutional issues of our time.

The Bill proposes six basic amendments. I would like to summarize them. First, the Bill provides that applications for leave to appeal to the Supreme Court of Canada in both civil and criminal matters may be determined on written submissions by the parties, if it is clear from such written submissions that an oral hearing is not warranted.

This amendment is designed to allow the court to make decisions on applications for leave to appeal without it being necessary to hold an oral hearing in cases where it is clear from the written submissions that the application should be granted or that it should be dismissed. At present, all applications for leave to appeal are heard by a three-member panel of the court. I should point out that 400 to 500 applications for leave are brought each year. The court grants leave to appeal in no more than 20 per cent to 30 per cent of these cases. Pursuant to the provisions of this Bill, if the court dispenses with even a small percentage of oral hearings, a substantial saving in time could be accomplished. The discretion will rest with the court to determine whether an oral hearing is warranted or not pursuant to the provisions of the Bill. Nothing in the Bill precludes the court from ordering an oral hearing where such is warranted.

Second, in order to allow the Supreme Court to handle its proceedings more effectively the Bill provides that the court may deliver a judgment either in open court or, as is the case with many courts across the land, by depositing a copy with the Registrar. This amendment will give the court the same discretion to deliver a judgment by depositing it with the Registrar, which is something that all provincial courts of appeal now do. I think it applies to all courts across the country.

Mr. Kaplan: An Member opposite is shaking his head.

Mr. Hnatyshyn: The Member opposite has probably not appeared in every court of appeal across the land, either as a lawyer or as an accused. I will accept his acknowledgement that he does not know exactly the procedure in all cases.

The Supreme Court Act presently requires that judgments be delivered in open court and that the majority of the judges who presided at the hearing of the appeal be present for the delivery of that judgment. Obviously, this involves the time of members of the court, as well as the time and expense of counsel attending the court to receive the judgment. In all reason the court should have the discretion to determine whether the rendering of judgment in open court is necessary or appropriate.

Third, the Bill will give to the Supreme Court the authority to assign counsel to act on behalf of an unrepresented accused. Under this amendment, the Attorney General involved will bear the cost where legal aid is not granted to the accused. Furthermore, the fees of counsel may be taxed by the Registrar of the court. This proposal extends to the Supreme Court of Canada an authority that has already been given to the provincial courts of appeal by Section 611 of the Criminal Code of Canada.

In recent years the number of inmates appearing before the Supreme Court to conduct their own appeals has been increasing. Real concerns have been raised about the ability of inmates to present legal arguments. Furthermore, in those cases where the unrepresented inmate does not appear, Crown counsel argues both for the appellant inmate and the respondent Crown. Bill C-53 responds to these concerns regarding fairness by providing legislative authority for the provision of counsel to ensure that important questions are fully and thoroughly argued.

Fourth, since all appeals to the court involve questions of law, and given the amendment to permit the assignment of counsel to unrepresented accused, the Bill provides that an appellant who is in custody and who is respresented by counsel will not be entitled as of right to be present at an appeal or any preliminary or incidental proceeding. However, provision is made for the rules of court to allow attendance by inmates and for the court or a judge thereof to grant leave for the inmate to attend. This change to the Act gives the Supreme Court of Canada the same discretion as is presently available to courts of appeal pursuant to Section 615(2) of the Criminal Code of Canada.

Fifth, the Bill proposes that certain appeals as of right provided for in the Criminal Code and other statutes be abolished. Under the proposal an appellant who can now appeal to the Supreme Court as of right would thus henceforth first have to obtain leave to appeal from the court. I have received certain representations making known to me concerns with this particular element of the Bill. After careful consideration I have decided that I will bring forward an amendment to preserve the present practice regarding appeals as of right. I will bring those forward at the time that this Bill is considered in committee.

Finally, in order to overcome the present problems with the time limits for bringing an appeal, the Bill proposes amendments to make the time limits for bringing an appeal and for filing an application for leave to appeal more reasonable and practical. The time limits for obtaining leave to appeal and bringing an appeal in a criminal matter are difficult to meet. For instance, under Section 618 of the Criminal Code an appellant is given 21 days to bring an application for leave to appeal and to obtain the leave of the court. Because of the difficulty in meeting this time period, applications for an extension of the time period are routinely brought and granted.

In addition to this problem, the fact that different time periods are applicable to criminal and civil matters causes unnecessary difficulties and confusion. Bill C-53 standardizes the time periods applicable to both civil and criminal matters and places them within one statute, that is, the Supreme Court Act.

• (1530)

In conclusion, Bill C-53 is intended to ensure that our Supreme Court will retain its ability to deal effectively with questions of fundamental national importance while ensuring fairness.

I should like to draw to the attention of all Hon. Members the fact that the Canadian Bar Association has called for reform. In 1985, the Canadian Bar Association, at its annual meeting in Halifax, approved a resolution which called for all applications for leave to appeal, criminal and civil, to be determined by the Supreme Court of Canada on written submissions unless an oral hearing was ordered. The Bar recognized the need to improve accessibility for questions of national importance.

I should like to refer to the Canadian Bar Association Committee's report under the chairmanship of Mr. Claude R. Thomson. In part page 55 reads:

> Bill C-53, first reading, May 4, 1987, by clause 4, would authorize the Court to dispense with an oral hearing in those cases where "it is clear from the written material" that the criteria for leave are, or are not, satisfied. In all other cases, the present practice of an oral hearing would continue.
>
> The Committee endorses the change proposed by Bill C-53. The Bill preserves the general principle that there ought to be an oral hearing for every application for which an oral hearing could be useful. But it dispenses with an oral hearing in those cases where the hearing would be a waste of the Court's time.
>
> Not only will the Bill C-53 proposal save hearing time for the Court, it will spare the parties much of the cost of an application for leave—the Committee is satisfied that Bill C-53 is a desirable reform that ought to be proceeded with now.

I think lawyers and Hon. Members interested in the operation of our courts, particularly the Supreme Court of Canada, would agree that we should take steps as quickly as possible to allow the court to deal with and to spend the time on substantive issues, particularly with the impact of the Canadian Charter of Rights and Freedoms on the Supreme Court and the additional onus it places upon the court to give considered views in respect of very important issues.

I would say that this Bill is a first initiative on the part of the Government to help the court to husband its time and to allow it to direct its attention to important national legal issues facing it.

I will be glad to discuss in committee further details in respect of this matter. However, I simply wanted to say at this time that there has been much consideration of a wide range of issues respecting what we might do in terms of our court system in order to ensure that these matters are dealt with by the court on a proper and timely basis.

I am very much aware of my obligations as Minister of Justice—and they are obligations of those of us in the House—to consider what can be done to facilitate the court system, to ensure that things go through expeditiously at a minimum amount of cost, and to ensure that the people of Canada are well served by the highest court in the land.

We are well served by the Supreme Court of Canada. All Hon. Members would share the view that the men and women of that court have displayed great dedication, ability, and competence. They are a credit to us. It is a central institution of Canada. I know I reflect the views of all Hon. Members of the House when I pay tribute to the justices of the Supreme Court of Canada. They have a Canadian perspective. They have dealt with the laws of our lands in a very learned and Canadian way. I think these are high compliments to the court, and I think these views would be shared by all Members of the House.

I ask Hon. Members to support these amendments so that we can all share in working toward an improvement of the system to ensure that the Supreme Court of Canada in fact has the ability to serve the best interests of all Canadians.

Hon. Bob Kaplan (York Centre): Madam Speaker, over the years Parliament has done very little to improve the life of the Supreme Court of Canada. In fact, it has been the opposite. We have, with an ever increasing frequency, passed laws of increasing sophistication and complexity. We have amended our Constitution and have proposed to re-amend it. The burden faced by the Supreme Court of Canada, compared with the burden at any period in the past, can only be described in comparative terms as overwhelming.

Therefore, when a thoughtful and serious collection of improvements is put forward, as it is before the House now, to improve the efficiency of the court in some ways without purportedly taking anything away from its fairness, I think we must take it very seriously and do everything we can in this place to facilitate the work of the court.

When I talk about efficiency and fairness, I think account has to be had, as the Minister indicated, of the cost of the system of justice and ways in which that cost can be kept to a minimum and can be reduced. I think those principles have animated the amendments which are before us. While I want to express some reservations about them, I want to say also that it is a timely Bill. It is one that I suggest on behalf of the Official Opposition will be given expeditious treatment. We look forward to hearing from the Minister. In dealing with the recommendations of the Canadian Bar Association, we ought to be open to the Bar if it wants to appear before us. I have seen the Claude Thomson report. I think it is excellent and may in fact obviate even the necessity of having the Canadian Bar Association appear before us.

It must be said, however, that something is being lost from the point of view of the citizen in what we are doing today—

and if it is necessary that it be lost, it is nonetheless regrettable—that is, the ancient right, which few countries have been able to preserve but which we have preserved to this day, of getting a hearing on a request for leave to appeal. I know that some concern has been expressed across the country about this being lost. When we look at the amount of work involved in maintaining that ancient right, we must recognize that perhaps its time has come.

I should like to see the statistics—I am sure the Minister will have them—and to see the evidence. I am looking forward to deciding whether we can hold up our heads and go back to our constituents to tell them that a great historic right has been taken away from them in the interest of ensuring that the court has the time to consider properly the cases which merit real consideration.

The Minister referred to his plan to introduce amendments of his own to the fifth amendment proposed in the Bill. I will not take time to talk about it; I am glad it is being done. It is a reasonable response, but of course I should like to see the amendments he is proposing.

Finally, I want to say a word about the provision with which I had some experience as Solicitor General when inmates had to be brought to the Supreme Court of Canada from wherever they were in the country in connection with even very peripheral aspects relating to their cases before the Supreme Court of Canada. Ordinary citizens in the same situation could ill afford to come to Ottawa to be present for matters which were truly peripheral by any definition of the word. Yet, because of the existing Act, we had the practice of bringing them to the nation's capital at great expense and, in some cases, at considerable danger to themselves or to others, when we were talking about very violent criminals whose appeals were the issues before the Supreme Court of Canada.

Taxpayers should welcome this particular amendment because it takes nothing substantial away from the offender. It puts him more or less in the same position as the ordinary citizen in deciding whether he can afford to follow his lawyer to the nation's capital to make the case on a relatively minor aspect of his cause before the Supreme Court of Canada.

• (1540)

We will not, in the Official Opposition, rubber-stamp the Bill. We recognize all of the pressures that make it desirable at this time for the Supreme Court of Canada to undertake this amount of streamlining, which I hope we will find at the end of our investigation takes nothing away from fairness toward the applicants who are seeking the attention of the Supreme Court. The Supreme Court of Canada is an ornament of Canadian society. One can see by the controversy around the Meech Lake proposals that affect the composition of the Supreme Court of Canada how precious that institution is to Canadians and how much they want it to work and work well.

I will not use this occasion to make comments about the impact of the Meech Lake Accord on the Supreme Court of Canada, but I think it was significant that so many Canadians responded emotionally and with a sense of patriotism to measures that might adversely affect the institution.

The Supreme Court has an ever more important role to play in adjudicating claims between the provincial level of government and the federal level. It also has this very important responsibility under the Charter of adjudicating the limits of government, where it is that a citizen can stand and not have his or her rights or privacy invaded any further by the state. I look forward to the consideration of this Bill in committee, and I hope we will be able to undertake it very soon.

Mr. Svend J. Robinson (Burnaby): Madam Speaker, at the outset of my remarks on Bill C-53 I want to join in the remarks and the tributes made by the Minister of Justice (Mr. Hnatyshyn) and the Hon. Member for York Centre (Mr. Kaplan), the Justice spokesperson for his Party, to the Supreme Court of Canada.

[*Translation*]

There is no doubt that the men and women who sit on the Supreme Court of Canada serve with high distinction on the highest court in this country. We are very pleased that the Government has appointed two women to this most important tribunal. However, I hope that, in the very near future, at least half the members of this court will be women.

[*English*]

Traditionally, the Supreme Court of Canada has appointed on a non-partisan basis the most outstanding jurists from across Canada, obviously in conjuction with the provisions governing the Supreme Court of Canada. We in this Party, however, certainly join in acknowledging the outstanding contribution that has been made historically and is being made today by the Supreme Court of Canada. It is also important to note that the role of the Supreme Court of Canada today has been significantly enhanced as a result of the adoption in Canada of the Charter of Rights and Freedoms. It is now up to the Supreme Court of Canada ultimately to decide the full meaning of the provisions of the Charter of Rights and Freedoms, to decide, for example, what are the limits on the rights and freedoms set out in the Charter which are demonstrably justifiable in a free and democratic society. I would like to be able to say as well that the Supreme Court of Canada on these questions of fundamental civil liberties and human rights is, in fact, the final voice. It is there in a position to defend the rights of minorities against the occasional tyranny of the majority. I very much regret, however, as does my Party that that is not the case.

As a result of the inclusion of the so-called override provision in the Charter of Rights, Section 33, the most basic, fundamental and precious human rights and freedoms in Canada can be wiped out at the stroke of a legislative pen. If a simple majority, and I emphasize a simple majority, of parliamentarians at the federal level or at the provincial level disagree with a decision of the highest court of the land, the

Supreme Court of Canada can overturn that decision merely by a majority vote.

We in this Party believe profoundly that this provision of the Charter of Rights, Section 33, fundamentally undermines that commitment to equality, to justice and to civil liberties which is so essential. We strongly urge the Government as a top priority to take the necessary steps to meet with its provincial counterparts, in other words, for the Prime Minister (Mr. Mulroney) to meet with the First Ministers and do whatever he can to improve Section 33 of the Charter of Rights and Freedoms. The price that was paid for adoption is one that could potentially seriously threaten civil liberties.

We believe that the role of the Supreme Court is important not only in the area of criminal and civil appeals but in particular in putting flesh and substance on the Charter of Rights, explaining to Canadians clearly what is meant and being prepared, when necessary, to act as a check on Governments which override those fundamental provisions in the Charter of Rights. My colleague from York Centre, the Justice spokesperson for the Liberal Party, indicated that he believes the legislation with which we are now dealing is a thoughtful and serious piece of legislation, as he put it. He said, and he is absolutely right, that this is one of the first pieces of legislation to come before this House to deal in any substantive way with the Supreme Court for many years. I want to disagree very strongly with my colleague's from York Centre characterization of this legislation as thoughtful and serious. Rather, this legislation, were it to be adopted by this House, would instead constitute a fundamental erosion of some very precious and important rights of Canadian men and women. I will explain why I believe that to be the case, why I believe that this legislation is wrong in principle, and why we in the New Democratic Party are not prepared to support the legislation as it is presently worded.

We all understand the sense of frustration and at times of annoyance perhaps that the Supreme Court of Canada feels at a work-load that is clearly a very heavy work-load. Under the existing provisions of the Supreme Court Act individuals are entitled to an oral hearing on an application of leave to appeal. As well, the discretion of the court to decide for itself which cases it wishes to hear is to some extent fettered. Let me suggest that when one examines the history of these provisions and looks at why it is, with respect to certain appeals, that the appeal goes as a right, it would be a profound mistake, a tragic mistake and a move backwards for this Parliament to deny those appeals as a right.

There are certainly provisions in the legislation with which we have no quarrel. There are provisions that would allow the Supreme Court of Canada to deliver judgment by depositing a judgment with the Registrar. As those lawyers who practise before the court are well aware, at the present time there are certain judgment days, something like 12 or more each year. During those judgment days lawyers queue up, the court is jammed with people and the judgments are handed down one after the other.

The present provisions of the Supreme Court Act require that judgments be delivered in open court. There is a certain amount of drama and excitement that attends to the handing down of judgments in open court. In addition to this particular provision, a majority of the judges who preside at the hearing of an appeal must be present for the delivery of the judgment. Practically speaking, the entire Supreme Court is present for the handing down of judgments or, in any event, a substantial majority of Members. In the case of provincial courts of appeal, however, they are entitled to deliver judgments either in open court or by depositing them with the Registrar. The amendment to the Supreme Court Act which would give to the highest court in the land the same discretion to deliver judgment by deposit that the courts of appeal already enjoy is certainly one that we support and recognize will go some way towards saving the time of that very important court.

• (1550)

The next major clause of the Bill would provide that the court determine applications for leave to appeal on the written submissions of the parties unless it orders an oral hearing. It would allow the court to fix the time within which an oral hearing must be held and would provide for quorum for applications for leave to appeal.

Superficially, perhaps, this particular amendment is somewhat attractive. The case-load of the Supreme Court of Canada is a very heavy one. Indeed, it is growing each year. However, I suggest that this particular provision is one that we will want to examine very carefully in committee. We will want to hear evidence from witnesses before agreeing to this provision.

Yes, it is true that there may be applications for leave to appeal which, in the words of the clause, make it clear from the written material that the application does not come within the provisions of Section 41 and therefore does not warrant an oral hearing. There may similarly be other applications which, quite obviously, given the significance and importance of the issues raised in the appeal, do come within those provisions and thus should give rise almost as a right to an appeal.

We must ask ourselves what we are sacrificing in achieving these objectives of speed and of cutting down on the number of oral hearings on leave to appeal. I believe that the price we are paying is one which may very well be too high. I will certainly want to hear evidence on this question in the legislative committee.

Let us take a moment to examine some of the arguments, and quite compelling ones, that have been raised against this particular provision. There can be no substitute for the court itself hearing from counsel rather than pouring over page after page of written material. Frequently a point that can be made effectively in an oral hearing simply cannot be made as effectively in writing. The skills of advocacy are often brought to bear in a far more effective way at a direct, oral hearing

rather than at one in which judges simply review written material.

Yes, it is true that in some cases these hearings result in additional expense and some additional delay, but the reality as well is that the court has recently moved to a system of hearings by remote video. This has occurred in areas in British Columbia, and if it is not already happening in Newfoundland and the Maritime Provinces, I am sure it will be happening there in the near future as well. Those hearings have in fact proven to be very effective.

The Supreme Court has shown that it is able to adapt modern technology in a way that will assist it in providing hearings on leave to appeal and in cutting down the costs to litigants. However, I believe it is important that counsel should be in a position to present his or her argument cogently and clearly in an oral way at an oral hearing and not simply by means of written material.

There is another problem with this as well. There is a danger that judges will simply delegate the reading of motion papers on applications for leave to appeal to their clerks. There is no question whatsoever that this is already happening in the Supreme Court of the United States. I am not suggesting that clerks are not quite able to assist the judiciary in this important task, but the fact is that at the end of the day, it is the judges' job and responsibility. Surely a litigant who goes to the highest court of the land is entitled to know that his or her motion for leave was determined by the judge himself or herself and not by one of the judge's clerks.

I think we must also look ahead to the implications of this amendment on possible changes of a more fundamental nature to hearings before the Supreme Court of Canada. I am afraid that if we accept this clause, we will next hear arguments that appeals themselves should be limited. This in effect will turn appeals into paper wars. This has happened already in the Supreme Court of the United States where in even the most significant and important cases, oral argument is limited to 30 minutes for each side. In the United States, it is the consideration of written briefs by judges and clerks that plays the most important role in the final decision.

Obviously, given the population of the United States which is 10 times that of Canada and the fact that the American court is the same size as the Canadian court, perhaps it has been driven to that expedient. However, in our country, I suggest that this cannot be justified. I am concerned that were we to adopt the proposal which is presently before the House, it could lead to pressure for limitations on the actual appeal hearings as well.

Thomas Berger, a distinguished lawyer who also served on the Supreme Court of British Columbia for 11 years, I believe, has seen this question from both sides. As he has stated:

> To reduce the whole matter to paper seems to me to downgrade the role of advocacy; this is not in keeping with the traditions of our bar.
>
> It is not simply that this contributes to the openness of the justice system at the very highest level; my argument is that it enables the court better to understand the exact question that is before it. This contributes to better decision making.

I believe that Thomas Berger is absolutely right. When this Bill does go to committee, it will be up to the Government to bring forward compelling arguments indicating why we should not accept the counsel of Thomas Berger, given his perspective as counsel and as a distinguished former member of the judiciary. It should allow those who are seeking leave to appeal at the highest court of the land the opportunity to be heard orally on that application.

What are the other major provisions of the legislation? There are a couple of other provisions with respect to time limits for bringing appeals and applications for leave to appeal before the Supreme Court of Canada. Once again, we certainly have no objection to this. This is a provision that is overdue and in effect would attempt to make more uniform the time periods for appeal, particularly in criminal and civil matters. This amendment responds to those problems, and we support it.

There are provisions as well with respect to the attendance by inmates before the Supreme Court of Canada. Given the other new provision which would allow for the authority to assign counsel explicitly to the Supreme Court of Canada, it may very well be that these are provisions which can be supported as well. We will certainly want to hear further evidence on that point.

At the present time, while the rules of the Supreme Court of Canada allow for the appointment of counsel to act on behalf of an accused appearing before the court, that is not explicitly set out in the Supreme Court of Canada Act. We agree that when appearing before the highest court of the land which deals with such important and serious questions as come before it, no one should be denied access to the court because of inability to afford counsel. Once again, we welcome the provision that explicitly allows the court to appoint counsel.

Those are the major provisions of the legislation, save and except one other clause which I suggest is profoundly wrong and which would deny Canadians who are seeking justice, fairness and equity from the highest court of the land an opportunity to be heard when they are fully entitled to that right to be so heard. I was surprised to hear the Justice spokesman for the Liberal Party describing this legislation as thoughtful and serious while not raising any concern whatsoever about a provision in this Bill which would profoundly and seriously change the existing rights of appeal to the Supreme Court of Canada. It is one thing to say Canadians will no longer have the automatic right to an oral hearing before the Supreme Court of Canada. We have serious questions about that, but they can be studied in committee. It is something else to examine with care some of the procedural changes which, in most cases, are long overdue to facilitate the work of the Supreme Court of Canada. However, that part of this Bill which would fundamentally change the right of Canadians to appeal to the Supreme Court of Canada in certain circumstances, which I will set out, we in this Party totally reject. We

say it is wrong in principle and fundamentally undermines this legislation. For that reason we cannot possibly support this Bill on second reading.

• (1600)

Clauses 11 through 13 would abolish the right to appeal to the Supreme Court of Canada in two particular circumstances. First, when there has been a dissent before the Court of Appeal and, second, when a person has been acquitted of an indictable offence and the acquittal has been set aside by the Court of Appeal. These rights have been fought for by Canadians. Indeed, they have been at the corner-stone of the Canadian system of justice. My colleague from St. John's East, a very distinguished barrister in the Province of Newfoundland, will be commenting further with respect to these provisions.

The right of appeal in these circumstances has existed for a very important reason. We presume that provincial Court of Appeal judges are respected, knowledgeable and outstanding jurists. If one of those judges should disagree with his or her colleagues on an appeal, surely it is not good enough to say that the litigant should simply accept the fact that there is a difference of opinion and go no further. You can imagine the situation in which an individual is before the court seeking justice. He or she has persuaded a judge that there is a foundation to the appeal, only to be told that they can go no further or that they must seek the discretion of the Supreme Court of Canada before they can go any further.

There are many examples of the importance of this provision. One of the most recent is the appeal of Colin Thatcher, the former Saskatchewan politician now serving a life sentence for the first degree murder of his wife. When he appealed, four of the five judges on the Saskatchewan Court of Appeal dismissed it. One member of the court, however, was prepared to grant his appeal. It would have been profoundly wrong to say to him, or indeed any other litigant, that he has no right to seek the opinion of the highest court of the land when one of the judges at the appeal court level indicated dissent.

That brings me to another point. In many cases these appeals will go in circumstances in which an individual has been convicted of murder. Parliament has decreed that there is to be a 25-year minimum sentence before one can even be considered for parole. That was the price paid for the abolition of capital punishment in 1976. Many of us would argue that the price was very high, indeed, quite likely too high. That being said, surely an individual who faces the possibility of 25 years behind bars before even being eligible for parole, an individual who persuades an appellant court judge of the merits of that appeal, is entitled, before being locked up, to have it considered by the Supreme Court of Canada.

Similarly with respect to circumstances in which there has been an acquittal set aside by a provincial Court of Appeal. We all remember the profound injustice with respect to Dr. Henry Morgentaler. The amendment brought in by Ron Basford, then Minister of Justice, at the strong urging of my predecessor as Justice critic, Stuart Leggatt, came too late for Henry Morgentaler. He quite unjustly served time in prison because, even though he had been acquitted by a jury of his peers, the Court of Appeal overturned the acquittal. That was a serious injustice and Parliament ruled that individuals would have the right to an automatic appeal to the Supreme Court of Canada in those circumstances. I suggest that in seeking to withdraw that right, the Government is taking a serious step backwards and diminishing the quality of justice in this country. We vigorously protest this provision in the Bill.

I was pleased to hear the undertaking of the Minister that he intends to support an amendment to delete those odious provisions. I made strong representations to the Minister on this point. I indicated that I intend to propose an amendment to delete this provision and I welcome his agreement to support my amendment and agree to the deletion of this very backward and regressive provision of the legislation.

In conclusion, while we in the NDP recognize that changes must be made, clearly we do not accept the Bill as worded. We must deal with the legislation before us, not with promises by the Minister for changes in committee. As it now stands, the Bill is so fundamentally flawed and would deny significant and important rights, that we in this Party will be voting against it on second reading.

Mr. Jack Harris (St. John's East): Madam Speaker, I wish to follow the lead of other speakers in this debate in commending the Supreme Court of Canada for its great work and to acknowledge that it has the respect of all parts of the country for not only maintaining an appropriate balance between the laws of this country but for acting with great deliberation in making known and resolving major issues of not only constitutional but civil and criminal law. We all recognize the extent of their work-load and the fact that it has increased very dramatically in the last several years as a result of the introduction and passage of the Charter of Rights and Freedoms. We see the need for and welcome certain measures which would make their work easier and take away some aspects of that work which appear to be unnecessary. I would like to look at all aspects of the Act to determine whether it will accomplish that without damaging the fundamental rights of Canadians.

• (1610)

There is, for example, a restriction on oral hearings or permission to restrict oral hearings on leave to appeal. My information is that oral hearings on leave to appeal applications take perhaps 12 days a year of court time. This may be a long period of time but it is not a great period of time. A similar amount of time is used in the delivery of judgments.

I believe, as do my colleague and many barristers across the country, that the oral hearing is a very important tool of the advocate, particularly in appeals before the Supreme Court of Canada. If the Supreme Court of Canada were predisposed,

based on written material presented to it, to grant leave to appeal, time could be saved by dispensing with the oral hearing. Such a measure would speed up proceedings and save the time of the judges of the Supreme Court which could more properly and fruitfully be spent dealing with the weighty matters before them.

However, the provision of an oral hearing is of very great importance. As an advocate who has appeared before many courts, including the Supreme Court of Canada on a leave application, I attest to the value of an oral presentation. I myself have been convinced by oral presentations of advocates in cases where I was not persuaded by written material.

This Bill also contains the procedure for the assignment of counsel. This can be done under the existing rules, but we are told it is not done very often. We would look forward to it being done more often and the inclusion of it in the Act may result in some improvement. However, it is really window dressing as the court already has the right to assign counsel when necessary.

There is also the provision for the delivery of judgments in written form by deposit in the registry instead of waiting for a judgment day, which sounds rather formidable. Some very important and weighty cases of great national significance may well benefit from the learned judges of the Supreme Court of Canada assembling together and making a verbal judgment.

However, in many cases the filing of a judgment, as is done in the provincial courts of appeal, would be perfectly adequate and may result in judgments being handed down more quickly. In fact, I know it would because quite often judgments are ready but cannot be delivered until the next judgment day. In matters of great national importance which affect the Constitution or more than just the litigants and establish very serious principles, the court may well prefer to read the judgments from the court itself.

There are a number of things in this Bill which, with a few amendments, could provide for the streamlining of court activity, save the court some time, and enable the work of the judges and the court to be conducted in a more fruitful way. We would support that sort of thing, but cannot support legislation which contains very serious regressive steps in terms of justice. The most significant are the removal of the automatic right of appeal in two cases, the first where there has been dissent in the provincial court of appeal, and the other where there has been acquittal by a jury.

The right of appeal, when there has been assent at the provincial court level, is, I believe, designed to provide uniformity in our laws across the country. A learned trial judge of the court of appeal of a province dissents from his colleagues when there is a serious divergence of opinion on a matter of great importance, a matter which may well be before the courts of other provinces in other ways.

Two of three judges in a Newfoundland court may decide a particular question one way while two of three judges in the Province of Ontario may decide the question in another way. The purpose of having automatic appeal to the Supreme Court of Canada is to provide uniformity of laws across the country. We cannot have one criminal law for Newfoundland, another for Ontario and another for British Columbia. The law must be uniform across the country in terms of its interpretation and application. That fundamental change is thrown into this legislation under the guise of streamlining matters at the Supreme Court level.

The second exception which is more fundamental with regard to rights is with regard to acquittals by a jury when the provincial court of appeal has overthrown an acquittal and sent it back for a new trial. This is a matter of great fundamental importance which involves more than a change in procedure at the Supreme Court level. This is a matter of fundamental justice with regard to the approach to jury trials in this country.

We have adopted the centuries-old institution of the jury trial from the British legal tradition. In Britain if one is acquitted by a jury of one's peers chosen to hear the case, there is no appeal by the Crown allowed. In preserving the liberty of the subject and attempting to bring to justice someone who has committed a crime the state has only one opportunity to present the case properly.

In this country the Crown has the right of appeal from such an acquittal. A person acquitted by a jury of his peers is tried again if the Court of Appeal of a province decides that there has been a technical error in a case. My colleague, the Hon. Member for Burnaby (Mr. Robinson), has referred to the Morgentaler amendment as it has become known. Until that amendment, we had an even more fundamental problem in our country. The Court of Appeal could substitute a verdict of guilty after an individual had been acquitted by a jury of his peers. Thankfully, that amendment has removed that diminution of the great jury system.

• (1620)

The institution of the jury is one of the great preserves of the liberty of the subject. It has been said that the institution of the jury preserves the liberty of the subject sometimes in the face of the tyranny of the state. It is such a fundamental institution in our society that it would be a backward step from the progress that has been made to remove the automatic right of an individual to go to the Supreme Court of Canada to have an appeal heard when his acquittal by a jury has been repealed by a Court of Appeal as a result of a technicality.

It would be a backward step for us, after having passed an amendment which prevented the acquittal by a jury from being reversed by a Court of Appeal. That right of appeal to the Supreme Court upholds the institution of the jury at least to some extent. I and my Party would prefer to see the jury system be given the respect that it has been given in Britain so

that there would be no appeal at all. We support the institution of the jury in which its unanimous finding of acquittal is the end of the matter. At least, the current automatic right of appeal to the Supreme Court of Canada is some protection. Its removal is a fundamental change in our law and ought not to be part of any Bill that is purported to streamline the operations of court.

I understand that we have an undertaking from the Minister that there will be a response to amendments of this nature at committee level. I am pleased to hear that. Legislation with this fundamental flaw should not be before the House for second reading.

I am sympathetic to the importance of streamlining matters because the Supreme Court of Canada is overloaded with appeals. However, perhaps if the Government did not introduce some highly questionable Bills before the House, such as Bill C-84, there would not be so many appeals before the Supreme Court of Canada in an attempt to sort out the mistakes. In terms of procedure, I support the Government's measures to make it easier for the Supreme Court of Canada. However, I cannot and will not support in principle a Bill which has three fundamental flaws that affect the rights of Canadians under the guise of procedural changes.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the yeas have it.

And more than five Members having risen:

Mr. Gauthier: Madam Speaker, I rise on a point of order. There have been consultations. I believe you will find unanimous consent to have the vote on this Bill at six o'clock together with the other votes on Bill C-84 and Bill C-2. The House could suspend the sitting until five o'clock, at which time we will deal with Private Members' Hour.

Mr. Robinson: Madam Speaker, there have indeed been consultations and we agree to the proposal that has been made.

Mr. Gerin: That is agreed.

The Acting Speaker (Mrs. Champagne): There being unanimous consent, the vote will be held at six o'clock.

SITTING SUSPENDED.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent to suspend the sitting until five o'clock?

Some Hon. Members: Agreed.

At 4.27 p.m. the sitting of the House was suspended.

SITTING RESUMED

The House resumed at 5 p.m.

The Acting Speaker (Mrs. Champagne): Order, please. It being five o'clock, the House will now proceed to the consideration of Private Members' Business as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS--PUBLIC BILLS

[*Translation*]

PATENT EXTENSION (ASPARTAME) ACT

MEASURE TO ENACT

On the Order: June 18, 1987—Bill C-259, Patent Extension (Aspartame) Act.

Mr. Claude Lanthier (Parliamentary Secretary to Minister of Public Works): Madam Speaker, as Bill C-259 has been returned to the House by the Senate with an amendment, with the unanimous consent of the House, I would like to move that the order for consideration of an amendment proposed by the Senate to Bill C-259, entitled an Act to amend the term of a patent relating to a certain food additive, commonly called Aspartame, Nutrasweet or Nutrasuc, be revoked and that the Bill be withdrawn, as the amendment proposed by the Senate is unworkable.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent for the Hon. Member to move this motion?

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, without wanting to editorialize or to provide explanations, I understand that the Hon. Member wants to have this Bill withdrawn. Needless to add that he does not agree with the amendments, but as I understand it, the motion is as follows: That Bill C-259 be now withdrawn. I can give my consent to this motion, Madam Speaker.

Mr. Lanthier: That is right, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the said motion?

Some Hon. Members: Agreed.

Motion agreed to, order revoked and Bill withdrawn.

* * *

[*English*]

MARRIAGE PROHIBITED DEGREES ACT

MEASURE TO AMEND

Mr. Rob Nicholson (Niagara Falls) moved that Bill S-5, an Act to amend and consolidate the laws prohibiting marriage between related persons, be read the second time and referred to a legislative committee.

He said: Madam Speaker, I am very pleased to be able to say a few words on this Bill, which, as you know, originated in the other place, as it is referred to in this Chamber. It concerns the laws with respect to the capacity to marry.

When the British North America Act was passed in 1867, Parliament was given exclusive jurisdiction to legislate with respect to marriage and divorce and, more specifically, with respect to the capacity to marry. The provinces are involved in this area as well inasmuch as they have exclusive jurisdiction with respect to the solemnization of marriage. It is Parliament's prerogative to legislate in this particular area and it is on that basis that this Bill is presently before Parliament.

I believe it would be prudent at this point for Members of the House to reflect on some of the historical background to the question of prohibited degrees of marriage. It is, I would guess, one of the oldest areas of law still in effect in this country. A look at the historical aspects is especially important because although there are certain legal questions and arguments to consider, consideration of social ideals and norms that have developed throughout our history is important.

Our laws with respect to prohibited degrees of marriage, and the state's involvement in this area, goes back to Biblical times. In fact there are references in the Old Testament, the Book of Leviticus, Chapter 18, indicating what person another person could or could not marry.

As well, from the earliest times of Christianity and the involvement of the Christian Church with marriage, along with the solemnization of marriage conducted by the church, several norms grew up which indicated which related or non-related person, a person related, as we say in the legal profession, by consanguinity or affinity, someone could or could not marry. As the years went on, the Christian Church at various stages in its history, expanded or contracted the list according to the times. For instance, at one point in canon law one was prohibited from marrying a person within the seventh degree. I have not quite figured that out. I think it would be one's third or fourth cousin. The present law in Canada originates from about the time of the so-called Reformation. At that time in the event of the church's history, Henry VIII and his Ministers set out a number of specific prohibitions. I suppose he is one monarch who had plenty to do with the subject of marriage, so it is somewhat appropriate he lend his hand to the statutory provisions. In 1563, a table of prohibited degrees was implemented in England. The table listed all the possible relationships up to and including the third degree, arising out of either blood or marriage, that would be prohibited. This table eventually found its way into the Anglican Book of Common Prayer. Eventually, the table was utilized by the ecclesiastical courts of England in annulment actions. Finally, the Lord Lyndhurst Act of 1835 indicated, among other things: "All marriages which shall hereafter be celebrated between persons within the prohibited degrees of consanguinity or affinity shall be absolutely null and void to all intents and purposes whatsoever". Such became the law of England in 1835. It was this law that was adopted by the common law jurisdictions of Canada and was then subsequently assumed, as I indicated, by the federal Government in 1867.

I should say that the laws were not exactly the same between the colonies and the provinces within the common law jurisdiction, but fortunately, they were very close to each other and, fortunately, as well, a civil law jurisdiction in Canada, namely, the Province of Quebec, had adopted laws that were essentially the same as its common law counterparts.

With the jurisdiction having passed to the federal Government in 1867, Parliament at various times tried its hand at the subject of the capacity to marry. In 1882, Parliament enacted a statute that removed various prohibited grounds. This was a feat of legislation known as the Marriage Act, which has descended to the present time. However, there were certainly inadequacies in the law as it existed then and as it has continued to exist up to the present time. Some of these laws and prohibited grounds have touched people very deeply.

I know that several of my colleagues who will be making comments in this debate will be referring to some of the genuine hardships people have suffered as a result of this somewhat antiquated law. However, for those of us who concern ourselves with this law, it has become clear that there is a vagueness in the law as it exists in Canada and there are certain inadequacies which, hopefully, this Bill will meet.

• (1710)

As an example of problems with the current law, there are approximately 30 petitions now before the other place, petitions of individuals who have used their right to petition either a member of the Senate or a Member of the House of Commons asking for relief from some of the prohibited grounds. In my discussions with other Members of Parliament, the number of petitions has increased over the years. I think that is the reason we now have before us the present legislation. The Bill as proposed would remove the need for these petitions.

The Bill that is presently before us is just the latest attempt to consolidate and update the laws with respect to marriage. There have been several attempts made in the past to achieve this end, and many of us hope that it will not be necessary to make more attempts. There are many of us who hope that this will be perhaps the last kick at the can, so to speak.

The law before us contains a number of measures which I think are helpful. Clause 4 of the Bill states that unless a prohibition is outlined in the law, then all other unions between individuals are all right. The prohibitions that remain fall into two categories. Clause 2(2) states:

> No person shall marry another person if they are related
>
> (a) lineally by consanguinity or adoption—

That is the first category. What that does is to place an absolute prohibition on what we refer to as lineal descendants, one's children, grandchildren or great-grandchildren. Obviously it prohibits marriage between one's parents and one's great-grandparents.

There is one other prohibited category. The Bill states:

> No person shall marry another person if they are related—
>
> (b) as brother and sister by consanguinity, whether by the whole blood or by the half-blood.

There is an absolute prohibition on marriage between siblings who are related by blood or by the half-blood. That only makes sense. These are prohibitions which we have traditionally frowned upon. Of course, there are genetic reasons as well why society frowns on marriages within those categories.

Hon. Members may have noticed that in the second prohibition there is not a reference to adopted siblings. I suggest that if there is a controversial part in the Bill, and I know that it has been referred to as a housekeeping Bill, it resides in that clause. There are a number of arguments on either side of this issue. One could argue that siblings by adoption have had no choice in their relationship, a parent has made the decision as to what the relationship between the two of them is and therefore there should not be a legal prohibition against their eventual marriage. The trend in provincial law, which has jurisdiction in the area of adoption, is to treat the adopted child as much as possible as a natural child. Most people would agree that that is something that we should pursue. In any case, the committee of the other House that looked at this clause came to the conclusion that at the present time there is not a prohibition against adopted siblings marrying each other.

This matter was studied. A couple appeared before a committee of the other place with a petition asking for permission to marry. Members of the committee looked into the law and concluded that adoption is only a 20th century concept. The law with which we are working was developed in the 19th century and in the centuries before when there was no concept of adoption. Therefore there was no need for this couple to petition the other place because the proposed marriage was not prohibited. In any event, this is the one area that I would like to see looked at again.

Some have pointed to the fact that in Australia the question has been considered. The Australian Government chose to look at the adoptive relationship in exactly the same way as a consanguinity relationship for the purpose of determining capacity to marry. In Australia it was asked why these children should be treated any differently. I believe there is some merit to that argument.

The Bill contains no prohibitions other than the ones I have mentioned. I would suggest that no other prohibitions are necessary. They are not necessary from what we know of genetics. People have gone into the degrees of relationships and have concluded that there is no necessity to prohibit marriage in other categories.

I suggest that social attitudes have changed with respect to how we perceive relationships. As the law stands now, after a divorce one cannot marry one's divorced spouse's uncle or aunt. That is clearly not necessary. Social attitudes have changed in Canada. I think that the number of petitions that are presently before the other place is indicative of that.

We are dealing here with an area that was long within the purview of the churches, and certainly the churches continue to have their laws and rules within their own denominations as to whom they will allow to marry. I think that is all well and good and as it should be. At the same time, I think that we should not attempt to have our civil law conform to the rules of one or more religious denominations. I think most people will agree with that.

To conclude, I believe that the provisions in the Bill are positive. I believe that they are worthy of the attention of the House.

Mr. Keith Penner (Cochrane—Superior): Madam Speaker, I have been motivated to enter this debate on Bill S-5 because of a serious problem that was presented to me by a constituent, a problem that I was incapable of solving because the law needs to be changed in order to solve it. It is her personal problem caused by the present Marriage Act which is prompting me now to speak in this debate and to urge all Hon. Members to consider seriously passing this Bill as quickly as possible.

The Hon. Member for Niagara Falls (Mr. Nicholson) has given an indication to the House that there may be a difficulty with one part of the Bill, the part dealing with adopted children. If that is the case, then I suggest that we deal with that one probable difficulty expeditiously and then bring the Bill back to the House as quickly as possible in order to pass it.

Before I outline the problem of my constituent, I want to commend the Hon. Member for Niagara Falls for being the sponsor of this legislation. He sponsors the Bill from the Senate as a Private Member's Bill. I believe that he is leading the way in helping a considerable number of people in the

country who are facing a problem because of the current Marriage Act. We all recognize that it is necessary and proper that the Marriage Act should prohibit those who are closely related by blood from marrying. That is not what we are talking about here at all. I want to ask the House what sense there is in refusing the right to marry to those who have become related through marriage and that marriage is then dissolved by divorce.

• (1720)

For example, as the Hon. Member for Niagara Falls indicated, the Marriage Act prohibits a woman from marrying her former husband's uncle. I would ask Hon. Members why. What sense is there in that?

Bill S-5 would clarify the law among other situations whereby a person whose marriage has been dissolved by divorce may marry the brother, the sister, the nephew, the niece, the uncle, or the aunt of the divorced spouse.

As has already been indicated, the only procedure available in the past to such couples who wished to be married was to petition Parliament for an exemption. This has been done successfully in the past in quite a number of cases, but the Senate no longer wishes to make such a remedy available. Of course, why should Parliament be burdened with such a cumbersome procedure? How much more logical it is to change the law to make it reasonable and sensible. I am advised, having looked at the time spent in the consideration of Bill S-5, that the Senate has given the Bill the closest possible scrutiny over a considerable period of time. Its purpose, I repeat, is to end confusion in the Marriage Act. It attempts to change the law. These attempts have been under way since 1983, a very long period of time to make what is a straightforward and reasonable change.

The Senate has polled religious groups, legal experts, geneticists, and others, and it has found no serious or major objections to the Bill.

I want to say again that after discussion with the Hon. Member for Niagara Falls and with the Hon. Member for Burnaby (Mr. Robinson), I recognize the problem already referred to in respect of the provision that a relationship by adoption is no prohibition to marriage, that is, marriage among siblings. I concur fully that we must examine that carefully, but I do not believe that we need to take years to do it. I think that we can do it in a matter of a few weeks at most.

In conclusion, I want to share with the House part of a letter which I received from a constituent so that the House will understand how our refusal to change antiquated laws can create great difficulties and burdens for our citizens. The letter is addressed to the Prime Minister (Mr. Mulroney) and reads in part:

Dear Sir:

When the House of Commons meets in September, and the Marriage Laws of Canada are brought up for discussion, your knowledge of my situation would be greatly appreciated.

I was married in 1980, and divorced in April of 1986.

I am now engaged to my—(ex-husband's uncle), and I was to be married on August 29th, 1987—

I personally picked up the marriage licence in June. Number 17 on the back of the licence states, "A man may not marry his nephew's wife".

Approximately one week after I picked up the marriage licence, I returned to the town office—and spoke with the Town Clerk—about the validity of number 17. At that time he was unaware of our situation and said he would contact—the Deputy Registrar General in Toronto—

I was told to return our marriage licence for a refund—and then I was to be commended on my honesty—

I was informed that the marriage law had been passed through the Senate three times, and all that was required, was a short discussion and a stamp of approval—

Our plans were void. The invitations and the hall had to be cancelled immediately. The marriage licence had to be returned by a friend as a refund of thirty-five dollars seemed to be trivial and embarrassing.

The only hope seemed to be having our banns read in the Church. Some of the laws in the Church are different from the laws of the government.

—(Our priest) told me that if this was the law of the land there was absolutely nothing that he could do.

When the new Constitution of Human Rights came into effect, our Minister, the Bishop, (and ourselves) assumed that an archaic law such as this would be obsolete—

Marriage takes priority in our lives before a family. I am 26, and my (husband-to-be) is 27, we feel that we should be able to make our own decision—.

When the tears stopped, the only alternative was to be married out of our country Canada.

With the help of my Minister and an American Minister, arrangements were made to be married in the U.S.A. Canada considers this to be legal. The laws in the U.S.A. do not pertain to our case—

The House of Commons meets in September. We have decided to explain our situation and hope that in September you will consider us when the House meets again.

It is not our choice to marry in the U.S.A., but if the law is not changed, you leave us no alternative.

We were informed that this law has been brought up for debate since 1983, and we do not want to wait for four more years in case it will never be changed. We were also informed that this law was probably dating back to the 14th Century.

—(We) are literally begging you to take time and change the law in September—

Please take into consideration our situation:. We are not blood related, I have been legally divorced for over a year, and my ex-husband has remarried.

The letter ends by indicating that they are looking forward to a favourable reply. It is on the basis of that problem that I rose to speak this afternoon. I hope the House will respond with care and with consideration to the serious problem facing some of our citizens.

[*Translation*]

Mr. Clément M. Côté (Lac-Saint-Jean): Madam Speaker, I am pleased to rise in this debate concerning marriage prohibitions between persons who are too closely related either by consanguinity, affinity or adoption but would like to get married in spite of these prohibitions.

That is a matter that may concern a very small fraction of the population, however it is of very great concern for the people involved. It is easy to understand that marriage

prohibitions can have great implications in the life of these people on the psychological level.

Since this Bill touches on the perception that we have of the family life, it is vitally important, Madam Speaker, that this House review the matter very carefully.

We must ask ourselves whether our society must continue to be governed by a legislation that is considered by some to be archaic and outdated, given the changes that have happened in our modern canadian society that is more and more cosmopolitan. For instance, why should a woman be forbidden to marry her uncle or, if she is divorced, her ex-husband's brother or uncle?

To this day couples who were prohibited from marrying each other, especially the first group referred to above, could have their marriage validated if they wished by having the Senate pass a special Bill or an act granting an exception to the general rule. However, in order to do so, these people had to go through a long and difficult process which was also very costly.

For these reasons, the Senate has deemed appropriate to pass Bill S-5, an act to amend and consolidate the laws prohibiting marriage between related persons.

Thus the marriage legislation has been streamlined and made more accessible while still maintaining a number of basic prohibitions.

The only prohibitions that have been kept regarding persons related by consanguinity concern parents, grandparents and children as well as grandchildren and brothers and sisters or half-brother and half-sister. On the other hand, an aunt will be able to marry her nephew and a niece will be able to marry her uncle.

There will no longer be any prohibition concerning persons related by affinity or marriage. The Act also provides that a person whose marriage has been dissolved by divorce can get remarried to the divorced spouse's brother or sister, nephew or niece, uncle or aunt.

In the case of adoption, Bill S-5 prohibits marriage between grandparents, parents, children and grandchildren. That prohibition however would not apply to brothers and sisters by adoption, who would be free to intermarry.

It will always be difficult to have unanimity on those matters, Madam Speaker. Some people would prefer the *status quo* for reasons of moral, social or religious rectitude. On the other hand, others feel that this area of our legislation should be taken out of the dust of former times and brought into line with this new era, in order to address various situations. Anyway, more often than not, couples will elect to live together in common law marriage if they cannot obtain dispensation from the Senate.

It must be realized, Madam Speaker, that the practice of prohibiting marriage between persons who are related to a certain degree either by consanguinity or adoption stems from the ancient Judeic religious law, which was enshrined later in a number of statutes adopted under Henry VIII.

So is was that the Canadian provinces which entered Confederation in 1867 adopted that British Common Law tradition. Such is the situation now prevailing in nine provinces out of ten. As far as Quebec is concerned, marriage prohibitions are to be found in Sections 124 to 126 of the *Code civil*—but they are identical to those in other provinces and those that prevailed at Confederation.

Marriage and divorce are a federal matter under Section 91(26) of the Constitution Act, 1867. And to this day, the law has remained practically unchanged, since the federal Government has elected not to get involved in that area, excepting the Marriage Act, 1970, which only brought in minor amendments.

I will conclude, Madam Speaker, by urging Hon. Members to give particular attention to that matter, in view of its importance to those couples who are looking forward to a legal solution to their problems or who expect an answer that would allow them to clarify their situation.

• (1730)

[*English*]

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I will be very brief. Bill S-5 was brought before the House by the Hon. Member for Niagara Falls (Mr. Nicholson) and, in my view, is certainly worthy of passage. We in the New Democratic Party are prepared to support the legislation and to see it adopted this afternoon.

It has been subject to a very serious and comprehensive study by the Senate which, as long as it exists, occasionally does some positive, constructive committee work. This is an example of an area in which we are able to benefit from the work done by the Senate. The Senators have heard an extensive number of witnesses and consulted with all the provinces and the two territorial Governments, and we are now able in this Chamber to take advantage of that work.

Having done that, Madam Speaker, I suggest that the time to move forward on this legislation is now, not to delay further the adoption of the legislation.

While I recognize the concern raised by the Hon. Member from Niagara Falls who sponsored the Bill—and I want to pay tribute to him for bringing the Bill before the House—as well as the concern raised by the Hon. Member for Cochrane—Superior (Mr. Penner) with respect to adopted siblings, I do want to make it very clear that while we recognize those concerns, we are prepared to see the legislation adopted in all stages this afternoon.

[*Translation*]

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Madam Speaker, with the consent of the House, I would like to propose a

motion which will not deprive me of my right to speak if it cannot receive unanimous consent.

I would like to move the following motion:

That the motion be amended by striking all words after the word "That" and substituting the following therefor:

Bill S-5, an Act to amend and consolidate the laws prohibiting marriage between related persons, be not now read for the second time but that the order be discharged, the bill withdrawn and the subject-matter referred to the Standing Committee on Justice and Solicitor General.

I seek the consent the House to have this motion adopted.

The Acting Speaker (Mrs. Champagne): Does the Hon. Member have the unanimous consent of the House to present this motion?

Some hon. Members: Agreed.

The Acting speaker (Mrs. Champagne): Is it the pleasure of the House to adopt the motion?

Some hon. Members: Agreed.

Motion agreed to, Bill withdrawn and subject-matter referred to Standing Committee on Justice and Solicitor General.

[*English*]

SITTING SUSPENDED

The Acting Speaker (Mrs. Champagne): We shall now suspend the sitting until six o'clock.

At 5.37 p.m. the sitting of the House was suspended.

SITTING RESUMED

The House resumed at 6 p.m.

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 13(5), the House will now proceed to the taking of the deferred divisions on the motion for third reading of Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof; and on the motion for third reading of Bill C-2, an Act to dissolve Canagrex and to amend certain Acts in consequence thereof; and on the motion for second reading and reference to a legislative committee of Bill C-53, an Act to amend the Supreme Court Act and to amend various other Acts in consequence thereof.

Call in the Members.

• (1810)

GOVERNMENT ORDERS

[*Translation*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Thursday, September 10, consideration of the motion of Mr. Bouchard that Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

And the division bells having rung:

The Acting Speaker (Mrs. Champagne): The first division is on Motion No. 84. Mr. Bouchard, seconded by Mr. Lewis, moves:

That Bill C-84, an Act to amend the Immigration Act, 1976 and the Criminal Code in consequence thereof, be read the third time and passed.

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

(*Division No. 240*)

YEAS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Blais
Blais-Grenier
Blenkarn
Bouchard
Bourgault
Browes
Charest
Chartrand
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Coates
Collins
Cooper
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Daubney
Dick
Dorin
Duguay
Ellis
Epp
(Provencher)
Fennell
Ferland
Fraleigh
Fretz
Friesen
Gagnon
Gérin
Girard
Greenaway
Grisé
Hamilton
Hardey
Hawkes
Hnatyshyn
Horner
Howie
James
Jardine
Jepson
Kelleher
Kempling
Ladouceur
Lesick
Lewis
Mailly
Mantha
Martin
Mazankowski
McCrossan
McCuish
McInnes
McKenzie
McKinnon
McKnight
Minaker
Moore
Nicholson
(Niagara Falls)
O'Neil
Oostrom
Pennock
Ravis
Redway
Reid
Reimer
St. Germain
Schellenberg
(Nanaimo—Alberni)
Scott
(Hamilton—Wentworth)
Scowen
Stevens
Stewart
Taylor
Tremblay
(Lotbinière)
Tupper
Turner
(Ottawa—Carleton)
Van De Walle
Warner
Wenman
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Wise
Witer—92

Canagrex

NAYS

Members

Allmand	Guilbault (Saint-Jacques)	Murphy
Althouse	Harris	Nicholson (Trinity)
Angus	Heap	Nunziata
Blackburn (Brant)	Hopkins	Nystrom
Blaikie	Hovdebo	Ouellet
Boudria	Isabelle	Parry
Caccia	Jewett	Penner
Cassidy	Johnston (Saint-Henri—Westmount)	Prud'homme
Copps	Keeper	Riis
de Jong	Killens	Robinson
Dewar	Langdon	Rodriguez
Epp (Thunder Bay—Nipigon)	MacLellan	Rossi
Finestone	Marchi	Skelly
Foster	McCurdy	Tobin
Fulton	McDonald (Broadview—Greenwood)	Turner (Vancouver Quadra)
Gauthier	McLaughlin	Waddell
Gray (Windsor West)	Mitchell	Young—52
Grondin		

• (1820)

[*English*]

The Acting Speaker (Mrs. Champlain): I declare the motion carried.

Bill read the third time and passed.

[*Translation*]

Mr. Jourdenais: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Member for La Prairie (Mr. Jourdenais) on a point of order.

Mr. Jourdenais: Madam Speaker, I simply want to point out to my colleagues in the House and to all Canadians—

[*English*]

—that I was present in the Chamber when the vote on Bill C-84 took place.

[*Translation*]

—and that I abstained from the vote for reasons which many people already know. There is no need to explain them.

[*English*]

Also, my conscience did not permit me to act otherwise.

Some Hon. Members: Hear, hear!

* * *

CANAGREX DISSOLUTION ACT

MEASURE TO ENACT

The House resumed from Friday, September 11, consideration of the motion of Mr. Wise that Bill C-2, an Act to dissolve Canagrex and to amend certain Acts in consequence thereof, be read the third time and passed.

Hon. Herb Gray (Windsor West): Madam Speaker, I wonder if you would seek the sense of the House as to whether it would care to have the vote as recorded on the Bill we have just dealt with apply to this one on the understanding that each vote would be recorded separately.

The Acting Speaker (Mrs. Champagne): Is the Hon. Member for Kamloops—Shuswap (Mr. Riis) seeking the floor?

Mr. Riis: No, Madam Speaker, I am not seeking the floor.

Some Hon. Members: Hear, hear!

The Acting Speaker (Mrs. Champagne): I imagine that the House can well understand that the Chair did not know whether or not the Hon. Member was seeking the floor. He was neither sitting nor standing.

Mr. Clark (Yellowhead): That's their position.

The Acting Speaker (Mrs. Champagne): Am I to understand that there is unanimous consent to apply the vote?

Some Hon. Members: Agreed.

[*Translation*]

Mr. Jourdenais: Yes, Madam Speaker, if you use the same count as for Bill C-84, I can say that, had there been a separate vote, I would have voted with the Government.

[*English*]

The Acting Speaker (Mrs. Champagne): Therefore the vote will be dealt with accordingly, adding the vote of the Hon. Member for Lapierre (Mr. Jourdenais).

The House divided on the motion (Mr. Wise) which was agreed to on the following division:

(*Division No. 241*)

YEAS

Members

Andre	Coates	Epp (Provencher)
Attewell	Collins	Fennell
Beatty	Cooper	Ferland
Belsher	Cossitt	Fraleigh
Bernier	Côté (Lac-Saint-Jean)	Fretz
Blais	Côté (Langelier)	Friesen
Blais-Grenier	Crofton	Gagnon
Blenkarn	Crosby (Halifax West)	Gérin
Bouchard	Dantzer	Girard
Bourgault	Daubney	Greenaway
Browes	Dick	Grisé
Charest	Dorin	Hamilton
Chartrand	Duguay	Hardey
Clark (Yellowhead)	Ellis	Hawkes
Clark (Brandon—Souris)		Hnatyshyn
Clifford		Horner

Howie
James
Jardine
Jepson
Jourdenais
Kelleher
Kempling
Ladouceur
Lesick
Lewis
Mailly
Mantha
Martin
Mazankowski
McCrossan
McCuish
McInnes
McKenzie
McKinnon
McKnight
Minaker
Moore
Nicholson
(Niagara Falls)
O'Neil
Oostrom
Pennock
Ravis
Redway
Reid
Reimer
St. Germain
Schellenberg
(Nanaimo—Alberni)
Scott
(Hamilton—Wentworth)
Scowen
Stevens
Stewart
Taylor
Tremblay
(Lotbinière)
Tupper
Turner
(Ottawa—Carleton)
Van De Walle
Warner
Wenman
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Wise
Witer—93

NAYS

Members

Allmand
Althouse
Angus
Blackburn
(Brant)
Blaikie
Boudria
Caccia
Cassidy
Copps
de Jong
Dewar
Epp
(Thunder Bay—
Nipigon)
Finestone
Foster
Fulton
Gauthier
Gray
(Windsor West)
Grondin
Guilbault
(Saint-Jacques)
Harris
Heap
Hopkins
Hovdebo
Isabelle
Jewett
Johnston
(Saint-Henri—
Westmount)
Keeper
Killens
Langdon
MacLellan
Marchi
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Murphy
Nicholson
(Trinity)
Nunziata
Nystrom
Ouellet
Parry
Penner
Prud'homme
Riis
Robinson
Rodriguez
Rossi
Skelly
Tobin
Turner
(Vancouver Quadra)
Waddell
Young—52

The Acting Speaker (Mrs. Champagne): I declare the motion carried.

Bill read the third time and passed.

* * *

● (1830)

[*Translation*]

SUPREME COURT ACT

MEASURE TO AMEND

The House resumed consideration of the motion of Mr. Hnatyshyn that Bill C-53, an Act to amend the Supreme Court Act and to amend various other acts in consequence thereof, be read a second time and referred to a legislative committee.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Agreed.

The House divided on the motion of Mr. Hnatyshyn which was agreed to on the following division:

(*Division No. 242*)

YEAS

Members

Andre
Attewell
Beatty
Belsher
Bernier
Blais
Blais-Grenier
Blenkarn
Bouchard
Boudria
Bourgault
Browes
Caccia
Charest
Chartrand
Clark
(Yellowhead)
Clark
(Brandon—Souris)
Clifford
Coates
Collins
Cooper
Copps
Cossitt
Côté
(Lac-Saint-Jean)
Côté
(Langelier)
Crofton
Crosby
(Halifax West)
Dantzer
Daubney
Dick
Dorin
Duguay
Ellis
Epp
(Provencher)
Fennell
Ferland
Finestone
Foster
Fraleigh
Fretz
Friesen
Gagnon
Gauthier
Gérin
Girard
Gray
(Windsor West)
Greenaway
Grisé
Grondin
Guilbault
(Saint-Jacques)
Hamilton
Hardey
Hawkes
Hnatyshyn
Hopkins
Horner
Howie
Isabelle
James
Jardine
Jepson
Johnston
(Saint-Henri—
Westmount)
Jourdenais
Kelleher
Kempling
Killens
Ladouceur
Lesick
Lewis
MacLellan
Mailly
Mantha
Marchi
Martin
Mazankowski
McCrossan
McCuish
McInnes
McKenzie
McKinnon
McKnight
Minaker
Moore
Nicholson
(Trinity)
Nicholson
(Niagara Falls)
Nunziata
O'Neil
Oostrom
Ouellet
Penner
Pennock
Prud'homme
Ravis
Redway
Reid
Reimer
Rossi
St. Germain
Schellenberg
(Nanaimo—Alberni)
Scott
(Hamilton—Wentworth)
Scowen
Stevens
Stewart
Taylor
Tobin
Tremblay
(Lotbinière)
Tupper
Turner
(Ottawa—Carleton)
Turner
(Vancouver Quadra)
Van De Walle
Warner
Wenman
Wilson
(Swift Current
—Maple Creek)
Wilson
(Etobicoke
Centre)
Wise
Witer—116

NAYS

Members

Althouse
Angus
Blackburn
(Brant)
Blaikie
Cassidy
de Jong
Dewar
Epp
(Thunder Bay—
Nipigon)
Fulton
Harris
Heap
Hovdebo
Jewett
Keeper
Langdon
McCurdy
McDonald
(Broadview—
Greenwood)
McLaughlin
Mitchell
Murphy
Nystrom
Parry
Riis
Robinson
Rodriguez
Skelly
Waddell
Young—28

The Acting Speaker (Mrs. Champagne): I therefore declare the motion carried.

Bill read the second time and referred to a legislative committee.

The Acting Speaker (Mrs. Champagne): It being 6.35 p.m., this House stands adjourned until 11 a.m. tomorrow, pursuant to Standing Order 3(1).

The House adjourned at 6.35 p.m.

HOUSE OF COMMONS

Tuesday, September 15, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*Translation*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table, in both official languages, the Government's response to the 15 petitions bearing Nos. 332-3000 to 332-3012 inclusive, 332-3024 and 332-3025.

* * *

[*English*]

INTERPARLIAMENTARY DELEGATION

PRESENTATION OF TWENTY-THIRD AND TWENTY-FOURTH REPORTS—CANADIAN NATO PARLIAMENTARY ASSOCIATION

Mr. Bob Hicks (Scarborough East): Mr. Speaker, pursuant to Standing Order 101, I have the honour to present to the House, in both official languages, the twenty-third and twenty-fourth reports of the Canadian NATO Parliamentary Association.

[*Editor's Note: See today's Votes and Proceedings*]

* * *

COMMITTEES OF THE HOUSE

STRIKING—PRESENTATION OF TWENTY-EIGHTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the twenty-eighth report of the Striking Committee.

BILL C-55—REPORT OF LEGISLATIVE COMMITTEE

Mr. Ken James (Sarnia—Lambton): Mr. Speaker, as Chairman of the Legislative Committee on Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, I have the honour to present the Bill to the House with amendments.

I would like to tell the House that the committee sat for fifty-five and a half hours and heard over 30 witnesses. I would like to thank all the members of the committee for their diligent work on the study of this Bill. It must be especially noted that the co-operation and compromise between all Parties made the study of this piece of legislation more fruitful. In particular, I want to thank the Hon. Member for Spadina (Mr. Heap) and the Hon. Member for Calgary West (Mr. Hawkes), for imparting their long-standing and extensive knowledge of immigration matters to our deliberations.

[*Editor's Note: See today's Votes and Proceedings*]

PUBLIC ACCOUNTS—AUTHORIZATION TO TRAVEL

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, there have been discussions among the Parties. I have two motions that I would like to put to the House at this time. I think you will find there is consent to put the motions and that they will pass unanimously.

The first motion is:

That the Standing Committee on Public Accounts be authorized to travel to Stockholm, Sweden; The Hague, The Netherlands; and Bonn, Federal Republic of Germany, from November 6 to 18, 1987 inclusive, to meet with its counterpart committees and the Auditors General of those countries, and that the necessary staff do accompany the committee.

Mr. Speaker: Does the Hon. Minister of State have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

NATIONAL DEFENCE—AUTHORIZATION TO TRAVEL

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, the second motion is as follows:

That the Standing Committee on National Defence be authorized to travel to West Germany, Belgium and Switzerland between October 15 and 23,

1987, inclusive in relation to its consideration of the White Paper on National Defence pursuant to Standing Order 96(2), and that the necessary staff do accompany the committee.

Mr. Speaker: Does the Hon. Minister of State have the unanimous consent of the House to move the motion?

Some Hon. Members: Agreed.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

* * *

• (1110)

PETITIONS

REQUEST FOR ACTION TO EFFECT A SETTLEMENT WITH FRED TURNER

Mr. Jim Fulton (Skeena): Mr. Speaker, I am pleased today to table, pursuant to Standing Order 106, a petition which is certified correct. It is from residents throughout the Northwest Territories on behalf of Mr. Fred Turner.

The petitioners hold the opinion that the Government of Canada has inflicted a severe injustice to one of its citizens by wrongfully depriving Fred Turner of his right to earn a living through the operation of his family business.

Since the Prime Minister (Mr. Mulroney) agreed to examine the situation but has chosen instead to avoid the issue and to hide behind the courts, the petitioners call upon the House to take whatever actions possible to find an equitable settlement to assist Fred Turner and his family after this unfair and perhaps illegal loss.

RIGHT TO LIFE OF UNBORN BABIES—PROTECTION OF CHARTER OF RIGHTS AND FREEDOMS

Mr. Rob Nicholson (Niagara Falls): Mr. Speaker, it is my duty and honour to present a petition signed by over 100 individuals who attended the Fourth International Youth Pro-Life Congress held at Niagara Falls, Ontario. They call upon the Members of the House to support and to initiate reforms of the Constitution Act, the Canadian Charter of Rights and Freedoms and the Criminal Code in order to protect the rights and dignity of unborn human persons in Canada. With those sentiments, I completely agree.

CANADA POST—OPPOSITION TO CLOSURE OF POST OFFICE—WILNO, ONT.

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, pursuant to Standing Order 106, it is my honour to present a petition on behalf of the residents of Wilno, Ontario, and indeed of the Canadian-Polish community of Canada at large. Canada Post is attempting to reduce the service if not close down the post office at Wilno, Ontario, in the County of Renfrew. Wilno is the oldest community of Polish origin in Canada. The national campgrounds of the Canadian Polish community are just six miles away from the general store in Wilno where this post office is located.

The petitioners have asked me to present this petition to the Parliament of Canada asking, for heritage and historical reasons, and indeed for community service reasons, that this post office remain open and that the rural route remain as it is now and that the postmaster remain on salary so that he can handle the post office. It is very important to all these people in Canada because they come to Wilno to visit every year from all major parts of Canada.

[*Translation*]

REQUEST FOR ADDITIONAL AID FOR CO-OPERATIVE HOUSING PROGRAMS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I have the honour to present a petition signed by residents of my Montreal riding, Saint-Michel—Ahuntsic, who are opposed to the Government's housing policy. This being International Year of the Homeless, they believe that this Government's definition of essential needs prevents hundreds of thousands of Canadians living below the threshold of poverty from getting housing assistance from the Government.

For all these reasons the petitioners humbly call upon Parliament to authorize an immediate increase in funds for co-operative housing programs.

[*English*]

CANADA POST—OPPOSITION TO CORPORATE PLAN

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, I join my colleague from the Ottawa Valley, the Hon. Member for Renfrew—Nipissing—Pembroke (Mr. Hopkins), in presenting a petition pursuant to Standing Order 106 which meets the requirements.

Canada Post Corporation has already started reducing services in certain rural areas and intends to continue systematically closing an important number of post offices in small municipalities including Wilno. The population is firmly opposed to any reduction in postal personnel and the normal services to which rural citizens are entitled. The population does not accept at any time that small communities be penalized by the planned reductions.

For those reasons, the petitioners ask Parliament to give an immediate answer to the request regarding the fact that rural communities will not have to suffer any form of discrimination to the quality of their postal services and ask that Parliament agree that the rural municipalities will not be penalized by the closing of the post offices, and finally ask Parliament that the rural communities which have already been badly affected by

reductions will recover complete postal services to which they are accustomed, and the petition is humbly submitted.

CANADA POST—OPPOSITION TO REMOVAL OF RURAL ROUTE SERVICE—WILNO, ONT.

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, I join with my colleague from the Ottawa Valley in protesting the recent decision by Canada Post concerning the residents of Wilno, Ontario, which is also the oldest community of Polish origin in Canada.

At this time the post office is in the general store and there is a rural route running out of it. Canada Post wants to remove the rural route starting point to another community. The community in that area wants to retain the post office as it now is. The National Polish Congress also wants it retained. On behalf of the petitioners, I duly pray that the Government come to its senses and rectify this obvious error on its part.

* * *

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all questions be allowed to stand.

The Acting Speaker (Mr. Paproski): Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT

MEASURE TO ENACT

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada) moved that Bill C-58, an Act to provide for the implementation of treaties for mutual legal assistance in criminal matters and to amend the Criminal Code, the Crown Liability Act and the Immigration Act, 1976, be read the second time and referred to a legislative committee.

He said: Mr. Speaker, at the outset of my remarks dealing with this third important justice initiative we have considered, I would like to draw to the attention of the House the fact that I do appreciate very much the co-operation of the House in dealing with these matters. While they are different pieces of legislation, they are all important in their own right and deal with some tangible realities we face in today's society.

Legal Assistance

It has long been recognized that no nation can exist in isolation. Indeed, states have always regarded international co-operation as being essential to their good relations. In criminal matters, such co-operation has traditionally taken the following forms: extradition, commissioned evidence, service of documents issued by a foreign court and informal co-operation between police forces.

These types of assistance, although still useful and necessary, were developed at a time when crimes were not normally committed beyond the boundaries of any one country. Because of the spectacular increase in means of communication and transportation, criminals are no longer inhibited by territorial boundaries. Quite the contrary, criminals take advantage of the traditional notion of territorial jurisdiction to escape detection and prosecution.

Crime is no longer a local or national affair. It is now transnational. A transnational crime can be described as a crime whose planning or execution has taken place in two or more countries. Obvious examples of such crimes would include drug trafficking, crimes associated with terrorism, tax evasion, money laundering, fraud and organized crime.

Transnational crime has become an international problem which requires a solution at an international level. Hence, the purpose of mutual legal assistance in criminal matters.

• (1120)

You will recall that an important treaty was signed by the Prime Minister (Mr. Mulroney) and President Reagan on March 18, 1985, in Quebec City. The Bill we are dealing with today sets out the appropriate legal framework necessary to implement in Canada the provisions of the Canada-U.S. treaty on mutual legal assistance and those of any other treaty to which Canada may become a party. The Bill is not itself a code of mutual legal assistance but enables implementation of treaties.

Let me now describe what mutual legal assistance is. Simply put, it is an arrangement whereby a country, the requested state, at the request of another country, the requesting state, agrees to gather in its own territory evidence of a crime which is largely or entirely committed in the requesting state. As the words themselves imply, it must be stressed that mutual legal assistance is not a one-way street. It benefits, on a reciprocal basis, all those involved. This means Canada will obtain the same kind of assistance for Canadian investigations as we are able to provide for foreign investigations.

The new scheme encompasses every possible means of legal assistance. By way of illustration, let me read Article 2, paragraph 2 of the Canada-U.S. treaty:

> Assistance shall include:
>
> (a) examining objects and sights;
>
> (b) exchanging information and objects;
>
> (c) locating or identifying persons;
>
> (d) serving documents;

(e) taking evidence of persons;

(f) providing documents and records;

(g) transferring persons in custody;

(h) executing requests for searches and seizures.

I wish to assure all Canadians that the Bill does not open up Canadian borders to foreign police forces. Important safeguards have been developed to that effect. Foreign requests for assistance may be denied by the Minister of Justice if he or she is of the view that they are contrary to Canadian public interest. Where a foreign request for assistance is accepted, it will be executed by Canadian police officers and supervised, in the case of compulsory measures of assistance, by Canadian courts pursuant to Canadian standards and Canadian laws.

We must recognize mutual legal assistance as a tool which is both modern and essential to the fight against transnational or international crime.

Canada has chosen to base its system of mutual legal assistance on a network of bilateral treaties which will specify for each treaty partner those measures of assistance, compulsory or not, that Canada has agreed to make available, and the offences for which Canada will provide assistance. The Government is of the view that this procedure is the most appropriate because it is flexible enough to produce treaties that are tailor-made, so to speak, to the particular needs of both Canada and its treaty partner.

The Bill provides for the listing in a schedule of foreign states which have signed a mutual legal assistance treaty with Canada and the publication of such treaties in *The Canada Gazette* for the courts to take judicial note of. In essence, mutual legal assistance is of benefit to our own country and to the country with whom we enter into the treaty.

[*Translation*]

However the signature of a treaty does not mean that existing co-operation agreements between Canadian and foreign police forces will no longer be honoured. Quite the contrary, Mr. Speaker, the Bill expressly acknowledges that informal mutual legal assistance will be maintained; the treaty will complement it on a more official basis, but without replacing it.

[*English*]

It should also be noted that the treaty approach chosen by Canada will not prevent the Government from providing assistance to non-treaty countries when assistance is warranted in the international context. Indeed, where there is no treaty between Canada and another country, the Bill recognizes that the Secretary of State for External Affairs (Mr. Clark), with agreement of the Minister of Justice, may enter into an administrative arrangement with that foreign country. Such an arrangement will be executed like a treaty and will be valid for a specific purpose and a limited period of time, not exceeding six months. This will provide Canada with the flexibility to respond, on a case-by-case basis, to unforeseen situations of a serious nature, such as terrorist acts for which a foreign state may require Canadian assistance in uncovering evidence located in our territory. Moreover, in exceptional circumstances, administrative arrangements will also be available to treaty countries for non-listed offences when the treaty so provides.

Let me review the main provisions of the Bill. Under the Bill the responsibility for mutual legal assistance in criminal matters has been assigned to the Minister of Justice. He has been designated as the central authority for Canada. Upon receipt of the request, the Department of Justice of the requested state as central authority, if it accepts the request, is obliged to carry it out. This is done by transmittal of the request to appropriate competent authorities, that is police agencies or prosecutors, for execution according to the laws of the requested state.

As I indicated earlier, mutual legal assistance encompasses both non-compulsory and compulsory means of assistance. The Bill will only apply to compulsory assistance. There are four categories of so-called compulsory measures of assistance: search warrants, summoning of witnesses, temporary transfer of persons in custody, and the lending of Canadian exhibits to a foreign state.

The Bill sets out the procedure applicable to each of these categories of compulsory measures of assistance. These measures, however, will not be made available, as a matter of course, to every country in the world. Indeed, before a compulsory measure of assistance is made available to a foreign country several conditions will have to be met. The requesting state must be a party to a treaty with Canada. Such treaty must provide for the measure of assistance sought. The measure of assistance must be requested for an offence covered by the treaty. The request for assistance must be in conformity with provisions of the applicable treaty. The request for assistance must not be contrary to Canadian public interest as determined by the Minister of Justice. Finally, the safeguards contained in the Bill, including an order from a Canadian judge, must have been respected.

Let me now describe briefly the procedure made applicable in the Bill to the four general categories of compulsory measures of assistance, firstly with respect to the matter of the search warrant.

[*Translation*]

The Bill provides the possibility of securing in Canada a search warrant to gather information or evidence for a foreign investigation. The relevant procedure set forth in the Bill is in keeping with the Canadian Charter of Rights and Freedoms and our legal principles, and it provides strong guarantees because the search is conducted within the scope of a foreign investigation.

• (1130)

[*English*]

These safeguards are as follows. First, the application must be made to a Canadian Superior Court judge. Second, the judge must be satisfied that no other less intrusive means would be appropriate to gather the evidence sought. Third, the judge must be satisfied that an offence within the treaty was committed in the requesting state and that evidence of that offence can be found in Canada.

If the judge is satisfied that these conditions are met and issues a search warrant, it must be executed by a Canadian peace officer named in the warrant. The person who has been the object of the search may make representations to the judge who issued the warrant either to have it set aside or to request that before the things seized are sent abroad conditions be imposed in respect of the rights of owners or third parties and with respect to the preservation and return of these things to Canada.

In that regard, because the Canadian judge has no jurisdiction over the foreign country, the Bill also provides that no object or thing will be sent abroad until the Minister of Justice is satisfied that the foreign state will respect the conditions imposed by the Canadian judge.

Dealing with the evidence-gathering order provisions of the Bill, the purpose of this judicial order is to compel a person to testify or to produce a record, document or other article. Again, provision is made for terms and conditions to be imposed by the judge, including the manner in which a refusal by the witness to answer questions is to be dealt with where such refusal is based on a law in force in Canada or in the requesting state.

In a nutshell, Mr. Speaker, where the objection is based on a law in force in Canada it will be decided by the judge. However, if the objection relates to a possible breach of a privilege recognized by a law in force in the requesting state, or to a possible breach of a criminal provision in force in the foreign state, the objection will be taken down in writing and will be sent to the requesting state for decision. If the objection is overruled, the witness will be obliged to answer. If he still persists in his refusal he could then, of course, be guilty of contempt of court.

It is worth mentioning at this point that both the search warrant and the evidence-gathering order will also be available to gather information which may reveal the whereabouts of a person who is suspected of having committed an offence covered by the treaty.

Dealing with the provisions concerning transfer of persons in custody, the Bill would allow the temporary transfer of a detained person from a Canadian jail to a foreign country for the purpose of testifying or helping in an investigation. Such a transfer will only take place with the express consent of the detained person. It should also be mentioned that young persons within the meaning of the Young Offenders Act will not be subject to transfer even if they consent.

Measures are provided to ensure that the detention of the Canadian inmate in a foreign country does not imperil his or her rights with respect to any remission which would have accrued to him or her had it not been for the transfer to a foreign country. Conversely, when a foreign prisoner is transferred to Canada pursuant to a Canadian request for assistance, provisions have been made for his or her entry into Canada, his or her continued detention, and his or her return to the requested country.

Moving to the provisions with respect to the lending of exhibits, exhibits that have been admitted in evidence in a criminal proceeding in Canada would be lent to a foreign state if the court which has possession of the exhibits so orders. If a loan order is made it would be subjected to several conditions in respect of a test to be performed on the exhibits, its preservation and its return to Canada. Again, since the court has no jurisdiction over the foreign state, no loan order will be made until the court is satisfied that the foreign state has agreed to the conditions.

Besides setting out the procedures applicable to the compulsory measures of assistance, the Bill allows foreign states to apply to Canadian courts to enforce payment of fines imposed in criminal matters in those countries. It contains provisions to protect foreign records sent to Canada pursuant to a Canadian request by creating a privilege for those records until such records are made public or are admitted in evidence in compliance with the conditions on which they were sent to Canada.

The Bill also contains a consequential amendment which would authorize Canadian police officers to disclose to a foreign police force or prosecutor private communications which have been intercepted in Canada if such disclosure is intended to be in the best interests of the administration of justice.

I must underline why I have described the provisions with respect to the operation within Canada. That is for the purpose of understanding the provisions of the Bill because they are reciprocal. Accordingly, the same measures of assistance which are made available to a foreign state in the execution of search warrants, evidence gathering, lending of exhibits, and the transfer of detained persons will also be made available to Canadian authorities by the foreign state as a recognition of its treaty obligations toward Canada.

[*Translation*]

Finally, Mr. Speaker, I do not think it is necessary to lay more emphasis on the importance of the legislative measures I am tabling today. They will provide Canada with a legal framework whose scope will enable us to respond efficiently to the ever present and growing threats of terrorism and international drug trafficking, while at the same time giving us

sufficient leeway to be in a position to implement the provisions of the Canada/United States treaty and any other similar treaty which Canada might negotiate in the future with a common law or civil right country.

[*English*]

I am confident that this Bill, in conjunction with mutual legal assistance treaties, will enhance the existing co-operation between Canada and other nations and is a major step forward in Canada's efforts to deal effectively with international crime.

This Bill provides the framework for important advances in law enforcement in our country. As I said at the outset, international and transnational crime is, regrettably, very much in existence. I believe this legislation is a responsible approach to questions of mutual legal assistance. We are now moving toward a legislative framework which will be available for the protection of Canadian citizens and will allow for procedures to be put in place and the scrutiny of our own courts in the case of applications by those foreign states with which we have treaties.

On the other hand, Canadians will be the beneficiaries because we know that in order to prosecute successfully serious crimes under our criminal code it becomes more and more necessary in today's society for us to acquire foreign evidence. This Bill will provide us with the framework for that inasmuch as we will not have to rely on the goodwill of foreign law enforcement agencies. Under the provisions of this Bill and the treaties which accompany it we will have the ability to obtain evidence in other countries to assist our prosecutors to prosecute successfully crimes which were committed within our territory, therefore serving the interests of justice in our country.

I have always been a great believer in having these matters spelled out in the law of the land. In that way parliamentarians can ensure that safeguards for our citizens are included. I say to you, Mr. Speaker, to Members of the House and to Canadians in general that we must take these steps nowadays in order to ensure that we in Canada have the tools available to us to attack successfully the international trafficking of drugs and organized crime which knows no boundaries but operates transnationally. We have to take these steps in order to enhance our ability to serve the Canadian public through our law enforcement agencies, by providing them with the best tools available in order to prosecute illicit and illegal activity in our country.

• (1140)

I ask that Members of the House give this legislation favourable consideration so that we can move forward to the committee stage and examine the provisions of the Bill, and in the final analysis be able to serve our fellow citizens by bringing forward legislation that will best serve the interest of proper law enforcement in Canada.

Hon. Bob Kaplan (York Centre): Mr. Speaker, the Minister made compassioned concluding remarks with a perfectly straight face. I will open in the same vein and take him out of his suspense and agony by indicating that Her Majesty's Official Opposition intends to support this Bill in principle.

We support the Bill in principle, although I refer to the Minister's straight face because I think it has to be acknowledged that this legislation is largely a public relations exercise by the Government. It results from an agreement at the Shamrock Summit to the effect that mutual assistance in police matters and criminal investigations would be undertaken between Canada and the United States.

While the treaty was signed in Quebec City, perhaps the Minister could correct me now if my understanding is wrong that the treaty has not been ratified by the American Congress and is not yet in effect in the United States. However, here we are, not only with a treaty which is in effect, because it is binding in Canada without ratification, but with legislation that is brought forward by the Government to give effect to the important measures that will improve Canada's ability to assist other countries in the war against crime.

The Minister also ought to recognize that virtually all of the measures which this Bill provides for by way of legislation are already part of the practice in our country— primarily established by judicial orders—and well known in the common law and in the civil law in every province. This Bill legislates things that are already provided for in Canadian law, although not until now provided for in Canadian statute law.

On behalf of the Official Opposition I want to indicate that we are in favour of this legislative advance in principle. We hope that the United States takes this treaty as seriously as the Prime Minister (Mr. Mulroney) and the Minister of Justice (Mr. Hnatyshyn) and ratifies the treaty as well and proceeds to introduce similar legislation. It seems that this is another one of those cases where the Americans do not take those things agreed to as seriously—

Mr. Hnatyshyn: Mr. Speaker, I rise on a point of order. The Hon. Member asked me to correct him if he was wrong in his assumption. The American process is somewhat different than ours. We are in fact dealing with this matter by legislation. They do not require the same legislative route in order to ratify the treaty. Before we are in a position to properly bring about the effect of this treaty, we require legislation to be presented in the House. The Americans have indicated that they are prepared, through their own procedures, to ratify it as soon as we are in a position to move forward with the passage of legislation.

The Acting Speaker (Mr. Paproski): Since that has been clarified, we can carry on with the Member for York Centre (Mr. Kaplan).

Mr. Kaplan: Recently the President of the United States set out his vision for his remaining term of office. I noted his remarks with interest, and the ratification of this treaty and the bringing in of legislation to give effect to it was not mentioned, nor was the Conservative Government free trade

initiative. My point is that we are taking this matter seriously even if the Americans do not. Let me indicate that we approve of that.

The Minister indicated that legislation is necessary to implement the treaty. While that is true, certainly no legislation is needed to give effect to any of the types of procedures that are now going to be provided for by legislation. As the Minister knows, we already have extradition procedures and a well developed common law system by which the four types of assistance that are provided for in this legislation are already available.

I want to express my concerns, which I will enlarge upon when the measure goes to committee. I hope at that time we will be able to get satisfactory answers.

One must begin with the principle that any measures that will assist in law enforcement and in the war against crime, international crime or organized crime, are welcome and ought to be supported. Certainly we will do so. We can begin by providing for this assistance between Canada and the United States because there are no two stronger allies than Canada and the United States. However, I would remind the House that even in our relations with the United States there are crimes to which they take a different attitude than do we.

I am glad to say that the law reserves the discretion on the Canadian side to decide how far we want to go in helping the United States achieve their law enforcement objectives. We do not have the same criminal laws as the United States. We do not have the same foreign policy in every respect as they do. Our law must take account of that and therefore it does not provide for automatic assistance.

An example of this is the draft dodger situation that arises between Canada and the United States every few decades, hopefully less often in the future than in the past. At the beginning of World War II, Canadians went to the United States and were immune from being extradited back to Canada to be punished for not fighting in our war. Similarly, during the Vietnam war when Americans came to Canada to escape the draft in that country, whether or not we welcomed them, we certainly provided a haven for them from prosecution in the United States provided they met our immigration standards.

In our opinion, even the American justice system, as fine and admirable as it is, sometimes goes astray. That happened in the Peltier case, where a Canadian Indian is in the United States being punished for a crime, when in our opinion false evidence had admittedly been used to obtain his conviction. We have a different view of the situation than the Americans. We want to be certain that signing a treaty and passing a statute does not simply mean we will be delivering people to the United States to fit in with their foreign policy priorities and their criminal law system, as much as we admire them.

I think also of the FLQ incidents in which the United States is currently seeking extradition of airplane hijackers whom we know as the FLQ, 18 years after the fact. It is important in such a situation that it be our system of justice that makes a Canadian decision about whether and how far we propose to co-operate with the United States.

Finally, when considering our relations with the United States I think the issue of the death penalty must bear on the considerations of the Government about extradition to the United States. We recently decided in this Chamber that the death penalty is not an acceptable punishment for even the most serious crimes. In the United States literally hundreds of people are convicted and are awaiting execution. If requests come to us from the United States for candidates for eventual execution under the criminal justice system of the United States—and I am not saying we should automatically oppose it because I do not feel we should—I believe in those circumstances a Canadian decision will have to be made and this treaty and legislation should not be taken as a waiver of the Canadian interest in cases like that.

I examined some other circumstances involving Canada and third countries, because this legislation, while it relates to the Shamrock Summit agreement, has a wider scope. It will permit Canada to sign mutual assistance treaties with other countries in the world and provide assistance to them in law enforcement objectives. I would like to say that there are many countries with which we would have a law enforcement interest, and I am thinking about drugs, evasion of family responsibilities, escaping with children, a marriage to a person from a third country—there are many reasons why it is in the interests of Canada to have treaties with other countries. However, we must at the same time remember that in respect of many of the countries with which we would want to co-operate on police matters, in some cases, there are very good reasons to be extremely guarded.

• (1150)

Recently, for example, there was a request from Argentina to extradite a florist living in Canada for the murder of his wife which occurred 11 years ago. I would urge that in a case like that, where we would want a murderer to be returned to face the music for what he did, we should bear in mind that there could be a political dimension to the demand. He may well have a defence that he would not be allowed to make, or could not freely make, even in a democracy like Argentina, or in Chile, or in other countries with which we have a police interest, in many ways, but where there is such a fundamental differences in values to those in our system of government and in our definition of dissent and protest.

While we might sign a treaty, we would only do so if we could be very certain that a Canadian standard of respect for fundamental human rights and values would be part of the consideration of the government. That would have to be a consideration with respect to how far we wanted to play ball with these countries in achieving what they would characterize as a straightforward law enforcement or anti-criminal objective.

We would want to be certain, in connection with all of these treaty countries, that confidential information would not be made public and not be transferred to countries except in very circumscribed and controlled situations. When we think about it, the Government of Canada has access in its records, and in related records, by computers and so on, to the most intimate details of the private life of every person in this country; if they have had an abortion, if they have been bankrupt or failed to pay ordinary private debts, if they have had mental problems or complaints against them by neighbours, justified or unjustified. All of this information is becoming easily accessible in relation to every individual within our borders.

That pool of information, which is not even available, or should not be available, to other Canadians or other Canadian agencies, should certainly not now suddenly become available to foreign governments which might want to abuse it or which might not have the same kind of safeguards we have to ensure that the information is not used to violate the privacy of an individual for no good purpose at all.

[*Translation*]

In conclusion, although I may have sounded rather negative I should like to emphasize that the Official Opposition will support the Bill under consideration. Still I express our concern over the fact that the measure relates to a field of individual privacy, that it affects the property of probably just about anybody in this country; we want to make sure that the Government is very much aware of these values, that the treaty or the legislation will give us free reign to restrict the access of foreigners to our citizenship and to individuals in this country.

That being said, Mr. Speaker, again I offer our support and express our interest in seeing this piece of legislation adopted in due time. We endorse this measure.

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, as already explained by the Hon. Member for York Centre (Mr. Kaplan), this Bill stems from the March 1985 treaty signed in Quebec City by Ronald Reagan and our Prime Minister at the so-called Shamrock Summit. We in the New Democratic Party know very well that a number of agreements signed and advocated during that summit are not in the interest of Canadians. For this reason, of course, we are acutely aware of our responsibility to scrutinize the treaty which has just been signed concerning the exchange of information between the United States and Canada, not only between the United States and Canada but also, as indicated in this measure, with other as yet unnamed countries. As the Hon. Member for York Centre pointed out, we want to know exactly which other countries we are talking about because, on the strength of Clause 4 of the Bill, for instance, it will be left to the Government or the Governor in Council, meaning Cabinet, to add other countries covered under this Bill. As we see it, such a decision might indeed have an impact on the civil liberties of Canadians and it must be made by Parliament, not only by the Government or Cabinet.

[*English*]

Recognizing that this legislation flows from the treaty which was signed in March of 1985 by Ronald Reagan, the President of the United States, and the Canadian Prime Minister (Mr. Mulroney), and recognizing as well the extent to which the Canadian Prime Minister, the head of the Conservative Government, has been prepared to cede fundamental aspects of Canadian sovereignty, we naturally are concerned; we are concerned about the implications of legislation which flows from that Shamrock Summit.

There is a broader question here. The Liberal justice critic has said we have some concerns about this Bill, but we like it and will support it in principle. However, when we start to examine carefully, not only the legislation itself but more importantly the history of the Government's negotiations with the United States, its failure to stand up for the interests of Canadians, then surely we must recognize the potential for serious abuse of the civil liberties, rights and privacy of Canadians which exists with respect to this legislation.

I would like to say a few words about the Government's failure to negotiate on behalf of Canadians, its failure to take effective action in dealing with the United States to protect Canadians from the laws and policies of the United States which are manifestly unjust and work to the detriment of our people here in Canada. Let me give two examples and ask why the Government of Canada and its Minister of Justice (Mr. Hnatyshyn) are prepared to give significant new powers to United States law enforcement officers without insisting, on behalf of Canadians, on action in other areas?

One of those areas is the provision of American legislation in the area of immigration. I refer here to the provisions of the McCarran-Walter Act. This is a United States law which was basically passed at the height of the cold war in the 1950s. It is a law which has been used to bar Canadian citizens from visiting the United States.

Who are these dangerous, subversive citizens who have been denied entry to the United States, denied even the right to pass through the United States as a result of this piece of legislation that is so reprehensible and constitutes such a denial of the civil liberties, not only of Canadians but of all others who would seek to visit the United States?

• (1200)

One of those dangerous subversives is a Canadian author named Farley Mowat. Under the provisions of the McCarran-Walter Act, this United States law which is still on the books today, Farley Mowat was told that he could not enter the United States to promote a book he had written. He wanted to board a Los Angeles-bound flight in Toronto in 1985. At that time the American authorities told him that the door was closed to him.

Why was the door closed to Farley Mowat? In 1968, in a jocular and offhand manner, Farley Mowat threatened to shoot down U.S. aircraft flying through Canadian air space.

As a result of that joke, which clearly is all it was, he was denied the right to enter the United States. In fact, this American law, and the discretionary powers under it, have been used to stifle debate by denying entry to foreigners, including Canadians, whose views do not necessarily coincide with the views of the American Government.

There was also another person, a person from Saskatchewan, who was denied entry to the United States as well under the provisions of the McCarran-Walter Act. I refer to a professor from the University of Regina School of Human Justice, a professor named Jim Harding, a good friend of the Hon. Member for Yorkton—Melville (Mr. Nystrom). He is obviously a dangerous radical and a subversive. He was denied the right to even pass through the United States *en route* to a United Nations conference in Costa Rica.

Why was that? Why was Professor Jim Harding turned away by U.S. immigration officials in Calgary when he wanted to board a flight for Mexico via Los Angeles? He was told that he was on a list of Canadians who were not admissible to the United States. He asked the Americans for an explanation. He asked why it was that he could not even pass through the United States *en route* to a conference. He was told that apparently the American authorities considered him to be a communist because in 1961 he had attended a conference on disarmament in the Soviet Union with a number of other Canadian students.

I remind Hon. Members that this incident of being refused entry to the United States occurred at the beginning of this year. Also attending that conference were people such as Lord Bertrand Russell and Jean-Paul Sartre. Because of that law which still exists in the United States Professor Jim Harding, who has a long and distinguished involvement in the peace movement, was refused the right even to pass through the United States in transit to Central America.

What did the Canadian Department of External Affairs do to stand up for the rights of this Canadian? It did not do anything at all. It said that it regretted the incident but it respects the sovereign right of the United States to decide who can come and go in that country. That type of kowtowing to legislation which is reprehensible and which denies Canadians the right to visit the United States, or even to pass through it, that type of knuckling under is clearly not acceptable to those of us in this Party. Our Government should be saying to Ronald Reagan, look, Ronnie, if you want new powers under the mutual legal assistance legislation you are going to have to do something about a law which has been on the books of your country since 1950, a law which has denied access to your country to Farley Mowat, to Professor Jim Harding, and to many other Canadians, a law which is being used and has been used to stifle political debate, a law which poses a threat to international scholarship.

We say that if the Government wants to extend new powers to the United States to engage in investigative activity in Canada then let it do some tough-minded and serious negotiation, let it tell the Americans that we do not accept this outdated and dangerous law. Let the Government tell the Americans that they owe an apology to the Canadians who have been excluded from the United States as a result of this law and that we are not prepared to co-operate with them in the manner in which they are now seeking unless they take steps to deal with this matter.

There is an opportunity for the Government to act. United States Congressman Barney Frank from Massachusetts has a Bill before the American Congress that would in fact repeal the most repugnant provisions of this legislation.

I suggest that the Government and the Prime Minister go back to the bargaining table to suggest to the President of the United States that if he wants our co-operation in this area then how about some co-operation in supporting the legislation that is before the United States Congress today to get rid of it? That is the first point. Let us have some serious negotiations here instead of just giving in to the Americans, as the Government has done on so many issues in the past, and as it is continuing to do, we fear, in the free trade negotiations.

One other example of actions which could and should have been taken by the Government in the context of negotiation of this treaty is looking at the question of one of the most serious abuses of the rights of Canadians citizens by American authorities. I am talking here about the psychic brainwashing experiments that were carried out by the CIA in the late 1950s and early 1960s. These were experiments that used Canadians as human guinea pigs, experiments in mind control that were carried out by Dr. Ewen Cameron at the Allan Memorial Institute in Montreal. We know the tragic history of this particular series of events. Cameron, in researching brainwashing techniques, took advantage of men and women, primarily women. Three-quarters of his victims were women. He took advantage of people who came to him as a doctor, people who were depressed and in need of psychiatric help. Instead of helping those people he used them in his grisly mind control experiments without informing them that that is what he was doing.

This research was dreamed up at the height of the cold war in the United States. The CIA was funding this research. One of the victims of these terrible experiments was the wife of the Hon. Member for Winnipeg North (Mr. Orlikow), one of the best known victims. She was subjected to the following treatment by Dr. Ewen Cameron. She was subjected to a taped message being repeated over and over and over again which told her, "You are a bad mother. You are a bad wife". To this day, of course, she feels the effects of that type of experimentation. The coalition that has been attempting to seek justice and compensation for these people alleges that some others were not as lucky. They have committed suicide. Most cannot work. One of the victims has died. Many others are permanently scarred by these terrible experiments.

What is the Government of Canada doing to stand up on behalf of these Canadians who were the victims of these terrible experiments? The Conservative Government appointed a former Conservative Member of Parliament from Nova Scotia to conduct a study into the implications of this particular matter. But that study was nothing less than a complete whitewash. He came to the conclusion that there was no proof that anyone was damaged by the experiments. In fact, in arriving at his conclusion he did not even speak to a single victim of the experiments. He said that the Canadian Government had no responsibility toward these victims. We fundamentally disagree.

• (1210)

We believe that the Government of Canada should release all the information it possesses to the victims of those experiments to assist them in their lawsuit against the CIA in the United States. We are also insisting that Canada should financially assist the victims of these brainwashing experiments. For some time we have been waiting for the Government to live up to the promise it made, that at the very least it would help these people pay for their legal expenses in bringing action against the CIA.

It is thanks to the tremendous dedication, courage, and unflagging commitment of their United States attorney, Joseph Rauh, that this action is still alive before the United States courts. But the Canadians who are pursuing this action are still waiting for the Government to live up to its promise to assist them financially in pursuing their lawsuit.

I put a question to the Minister of Justice in June, and the Minister stated that he was in the process of consulting, looking at this matter, and that he hoped to be able to come forward with some concrete results in the very near future. That was four months ago, and still no action has been taken on the part of the Government.

I wish to link this to the Bill before the House at this time, and to ask the Government, whether the Prime Minister of Canada said to his good friend, Ronald Reagan, look, Ronnie, we are going to give you some new powers under the Mutual Legal Assistance Act, but your Government, and your intelligence agency, the CIA, is still refusing to recognize its responsibility to compensate the victims of experiments by the CIA in Canada during the late 1950s? Did our Prime Minister stand up for these Canadians? Did he say that if the United States wanted these new powers, it was not going to receive them unless the Americans accepted their moral, ethical, and legal responsibility to compensate these victims?

We do not know what happened at the Shamrock conference. We do know that the victims of these experiments have so far received absolutely no assistance whatsoever from the Government of Canada. Until the Government comes to grips with this serious question and recognizes its responsibility to our citizens who are the victims of these brainwashing experiments by the CIA without their consent, why should we co-operate in granting new powers to the Government of the United States?

Let us say to the American authorities, the Attorney General of the United States, and the President of the United States, if you wish these new powers it is about time that you took action to assist us. That is the type of hard-headed, tough negotiating that we believe should have been undertaken, and that we believe was not undertaken before this Act was brought forward.

It may well be that this is another little bone that is being tossed to the American Government as part of the price that we pay for free trade in Canada, together with the legislation on generic drugs, and the Minister of Communications knuckling under on the Broadcasting Act. I could go on with a litany of areas in which the Government has caved in to the Americans. We are afraid that perhaps this Bill is part of that pattern of knuckling under to United States pressure. We do not believe we should be giving in to that pressure. We certainly believe that Canada should be standing up for Canadians.

There are a number of other areas of concern with respect to this legislation. First, I wish to point out that the Liberal spokesperson indicated that the Liberal Party intends to support this Bill in principle. Once again the Liberals and the Conservatives are in bed together on a matter that fundamentally affects the rights and sovereignty of Canadians. The Liberal justice critic said that this Bill is simply implementing what is presently being done informally. Quite obviously the Liberal justice critic has not read the Bill, if that is the position that he has taken. There are at least two significant elements of this Bill which do extend the powers of the United States investigative authorities.

The new Canada-United States treaty which would come into effect as a result of this Bill would allow the collection of evidence in Canada by United States police at a far earlier stage than is presently permitted. Presently under Canadian law the United States enforcement agencies are only permitted to seek Canadian co-operation in the gathering of evidence after charges have been laid, or after a trial has begun in the United States. The Prime Minister is now saying, come on in even before charges have been laid. We will allow you to investigate, and to use all of the powers in this new Act under this new treaty at the investigation stage. That is a significant change. It is not just putting into effect something which is informally taking place now, because if it is informally taking place now Canadian laws are being broken.

Another element in which this changes the law, and not just putting into effect a law which is already utilized in practice, as the Liberal justice critic has suggested, is the extent to which currently Canadian legislation denies American police access to search warrants for wholly foreign offences which are committed in the United States. This law would also change that.

What are the types of offences we are talking about here? We do not have to go back too far to find instances of Americans being guilty of offences in the United States who came to Canada and when, fortunately, we said that we were not prepared to turn our backs on those Americans, but rather we welcomed them. They were Americans who did not want to participate in fighting an immoral war in Vietnam. They came to Canada in large numbers. In doing so, they were breaking American laws.

Under the provisions of this treaty, and particularly this legislation, the Canadian Government would be involved. The Canadian police forces and the RCMP would be involved in helping authorities in the United States bring those people before American courts. I do not believe we should be involved in that type of thing. I do not believe we should be involved in a situation in which Americans who are seeking to assist refugees fleeing from Central America should be subject to investigation by Canadian authorities working hand in hand with the FBI. I do not believe that Americans who are seeking to peacefully protest American policy in Central America, and who subsequently may come to Canada, should be subject to investigation by Canadian authorities at the instance of the American police.

Last week in a hospital in Walnut Creek, California, I visited a very courageous and dedicated young man named Brian Willson. He is a veteran of the war in Vietnam. He realizes the immorality of that war, and has dedicated his life to doing what he can to ensure that the United States does not participate in other immoral, unjust military actions. Along with a number of other American men and women, Brian Willson peacefully demonstrated outside the Concord naval weapons base, in Concord, California. They gave notice to the naval authorities that they intended to peacefully erect a banner and stand by that banner on the train tracks which were transporting weapons to Central America, which ultimately may very well have been used by the Contras in their murderous attacks on civilians in Nicaragua.

• (1220)

Brian Willson was run down by a naval train carrying weapons as he peacefully demonstrated. He lost both legs and fractured his skull. In engaging in that act of peaceful civil disobedience he did break American law.

I do not want Canada to be helping the United States authorities prosecute the Brian Willsons of the United States should they come to Canada. I do not want to see Canada assisting the FBI in ferreting out refugees who are fleeing from Central America and who seek sanctuary in Canada. I do not believe that Canadian law should be used in a manner that would subvert all of the finest traditions and principles of Canadian justice. I do not believe that Canadian law should be used to assist in the gathering of evidence in a manner that may indeed involve serious invasions of the privacy of Canadians.

Under this law there will be access to a wide-ranging array of information. A most important point is that this legislation does not just deal with the United States, but would allow the Canadian Government to enter into similar treaties or agreements with any other country in the world. The Government does not even have to come back to Parliament to do so. Once the Cabinet decides it wants to enter into such an agreement, it merely passes an Order in Council, and that is it.

What if this Government of Canada or a future Government decided it wanted to pass a similar agreement with say a brutal military junta similar to the one governing Chile today? Such an agreement could facilitate the very serious abuse of the rights of Chileans who have sought refuge in Canada from that bloody dictatorship. We know already that Canada's CSIS is co-operating in a shameful way with the Chilean intelligence agency, the CNI.

I do not want to be responsible for the passage of a piece of legislation that ultimately could lead to Canada co-operating with military regimes in Chile or elsewhere, co-operating with police forces against citizens who have sought refuge in this country. Fifteen Chilean are possibly subject to the death penalty as a result of certain allegations. Those trials have taken place under a system of military justice which denies all of the basic rights accorded under any sensible and decent system of justice. If one of those people were to show up in Canada, I would hope that Canada would not co-operate in the manner envisaged by this legislation in sending these people back.

This Bill is wrong in principle because of the possible dangers it poses, not just to Canadians but to people from other countries who may seek refuge in Canada and who may have committed acts recognized as offences in those jurisdictions, but by no means offences that we may want to involve ourselves with in Canada.

Obviously when we are talking about co-operation respecting offences involving organized crime, that is another question and Canada should extend its fullest possible co-operation in those areas. But this legislation, Mr. Speaker, is dangerous because it has the potential to go far, far beyond that.

Because of the reasons I have outlined, because of the failure of the Government to stand up for Canadians—and before adopting this legislation we should insist upon the Americans taking their obligations seriously concerning the victims of the CIA brainwashing experiments and the McCarran-Walter Act—and because of serious concerns about the substance of this legislation and the potential of very grave abuse of civil liberties in Canada, we in the New Democratic Party are strongly opposed to this Bill and will be opposing it in principle. The Government should go back to the drawing-board, go back to the Americans and insist on justice.

Mr. Skelly: Are there any questions or comments, Mr. Speaker?

The Acting Speaker (Mr. Paproski): Not for the first three speakers.

Mr. Skelly: Mr. Speaker, I would like to participate in the debate.

The Acting Speaker (Mr. Paproski): Therefore, the Hon. Member for Comox—Powell River (Mr. Skelly) has the floor on debate. Before we proceed—after the conversation is finished—perhaps I could direct the Hon. Member to Standing Order 55(2). The Hon. Member will now have 20 minutes plus 10 minutes for questions and comments. If there are any further conversations, I wish Hon. Members would have them in the lobbies. The Hon. Member for Comox—Powell River.

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I will speak to my colleagues about this massive breach of etiquette in the House of Commons. One of our colleagues from the other side of the House seems to want to speak. Undoubtedly she will speak on this Bill; we will listen breathless and spellbound to her contributions.

I would like to offer congratulations to my colleague, the Hon. Member for Burnaby (Mr. Robinson), who expressed some very serious concerns in a number of areas about the legislation before the House today. First, is Canada negotiating effectively with the United States in the development of the number of treaties and arrangements that we have seen come through the House? He gave examples to show that the answer is no.

In the minds of most Members of this House on all sides, the Prime Minister (Mr. Mulroney) of Canada has involved himself in a massive giveaway. To the Americans, without question and without an attempt to negotiate, have gone such things as the salmon interception treaty on the West Coast and the present legislation before us today. In the minds of most Canadians the Conservative Government and the Prime Minister are involved in a massive giveaway in an attempt to secure a free trade agreement. It is time that we as Canadians dug in and began to negotiate effectively.

This Parliament should not pass this Bill without changes. The Prime Minister should be digging in his heels with the Americans on the question of the salmon interception treaty on the West Coast. We have no effective authority over our resources in the Yukon River. That was an omission. The problem was known but we heard that it might offend the Americans and the President if we began to ask for things that belonged to us and which might jeopardize the free trade agreement.

There were the summit meetings between the Prime Minister and the United States President. Instead of dealing effectively with Canadian resources in the transboundary rivers that cross southeast Alaska flowing into the Province of British Columbia, which rivers contain large fish stock originating in Canadian waters, the Prime Minister gave those away without a thought. In addition, we have a very poor interception agreement with the United States.

At the present time Canadians are losers in this massive giveaway in the attempt to obtain a free trade agreement with the United States. The legislation presently before the House is another example of failure to negotiate effectively. We are involved in other serious matters of negotiations with the United States, and we could use this Bill and the arrangements as leverage. I am speaking of what is called the A-B line, the boundary between Canada and the United States, between southeast Alaska and British Columbia. There have been numerous provocations in that disputed area by the U.S. Coast Guard. The U.S. Coast Guard has arrested Canadian fishermen, seized their catches and hauled them into court in Ketchikan, Alaska, in a completely unjust manner. Canadian fishermen who had been fishing in areas designated on Canadian maps as being Canadian territory have been arrested by the U.S. Coast Guard, hauled into Ketchikan, Alaska, and had their catches seized. There have been a great many threats of violence against them.

• (1230)

If the Prime Minister of Canada were fulfilling his obligations to Canadians, he would be raising these matters with the American President and suggesting that proper processes be used by the Americans in disputes. We would be prepared to co-operate with the Americans in many areas of legitimate negotiations if in fact their behaviour in certain areas was acceptable.

As well, the Americans gave petroleum leases across the A-B line in absolute rejection of anything that would seem reasonable. Yet it seems we did not raise any kind of concern about that at the Shamrock Summit. No, indeed, the Prime Minister of Canada is quite prepared to give away points on the salmon interception treaty and quite prepared to fail to observe the kinds of infractions that are going on in the northwest corner of British Columbia over the A-B line.

We do not negotiate with the United States. The Conservative Government and the Prime Minister and, indeed, the past Liberal Government have virtually given away Canadian rights and Canadian sovereignty without raising substantial efforts at negotiation. This is the record, and I think it was shown effectively by my colleague, the Hon. Member for Burnaby, when he spoke today. He pointed out that this is a result of a treaty which is a give-away and that we as Canadians under the present Conservative Government are being badly served in our negotiations with the United States.

The legislation before the House assists in law enforcement matters. It was pointed out that this legislation is too far reaching and allows the involvement of law-enforcement procedures from a foreign country in Canada too early. The Hon. Member pointed out the problems involved with having demands for investigative action taking place in Canada before charges are laid, a new item over which there is concern.

As well, he pointed out that under the present legislation certain regimes will probably come forward since the legislation envisions a wider view of which countries can obtain these benefits in Canada. He pointed to the cases of Chile and Argentina. The Hon. Member for York Centre (Mr. Kaplan) as well pointed out that these regimes could approach Canada and ask for law-enforcement activity within Canada targeted against individuals whose activities would not be considered criminal in Canada.

For example, there are a great many Canadians of Chilean origin, many of whom were judged to have committed crimes in that country which are not crimes in this country. They fear that regime and have been subjected to severe repression. Ultimately, the thought of our law-enforcement agencies co-operating in any way with that regime is absolutely intolerable.

As far as my colleagues and I are concerned, when this legislation goes to committee it will be given very serious scrutiny. We will look to tightening the legislation so that it is targeted at specific areas of concern. We will be very careful with any rights it allows foreign law-enforcement agencies in Canada.

There is a positive side to this legislation that I am surprised has not been discussed or has not been envisioned by the Government. Some Canadians have asked Canadian law enforcement agencies to become more involved with American law enforcement agencies in the search for missing persons, family members who have disappeared. In this case, there seems to be a great reluctance on the part of the Americans to participate effectively with Canadian authorities. It has become a matter of concern for individuals in my constituency where there is not good co-operation with American authorities in assisting in attempts to reunite family members.

In the search for missing children, law-enforcement agencies are the effective agencies. I believe this Bill could be used to encourage the United States by indicating we would certainly be prepared to assist here if we could see a much larger initiative in assistance from them.

As well, there are people who have gone to the United States to avoid family obligations imposed by Canadian courts. Assistance in solving that problem could definitely be improved by this legislation. Given the concerns in respect of those issues which exist on all sides of the House and certainly on both sides of the border, that should be looked into.

My colleague, the Hon. Member for Burnaby, mentioned a matter of serious concern on which the Canadian Government should take the initiative with the American Government. The Canadian Government should suggest that the list of excluded Canadians under the McCarran-Walter Act should be re-examined. Indeed, some of the absolutely frivolous reasons for excluding Canadians from the United States should be removed. Those Canadians should have the right to go back and forth across the boundary. Many people who live in Canada have family, contacts and friends in the United States. It becomes a very serious matter when a family member is excluded. At least half of my own family are citizens of the United States.

During the Vietnam war, many people who lived in the United States were severely tested by the war and were under pressure of the draft and their absolute abhorrence of that war. Many were likely candidates to avoid the draft by coming to Canada. Those who did are now unable to visit immediate members of their families in the United States.

This legislation is of particular concern to me. I personally would like to see it made much tighter. Although it does not apply in my particular case, I can understand the concerns of other people over the McCarran-Walter Act. They are unable to visit family members or travel in the United States for the most absolutely frivolous reasons. It is a time both Governments approached this from a reasonable point of view and eliminated that list.

We as Members of the House of Commons know of a very tragic example of the failure of the Canadian Government to pressure, through the negotiation process, a quid pro quo approach to the question of the LSD experiments. We should indicate to the United States that we will move on areas that are of interest and concern to Americans if they will address the things that concern us as Canadians. This must be done.

The LSD experiments are an example of something that was intolerable. Great damage was done and compensation must be addressed. That issue should have been raised by the Prime Minister. There should have been a clear-cut agreement that that matter will be resolved and put to rest.

I believe we should pursue these issues as we consider the legislation through committee and report stages and on to third reading. Quite honestly, I think American officials should be invited to appear before the committee to tell us why these other items have not been addressed if we are expected to pass this legislation.

• (1240)

The timing of the legislation has been mentioned as an issue. The United States has not passed reciprocal legislation. In the case of the salmon interception agreement we had to make amendments to our legislation before the Americans would consider passing theirs. We do not know what they will do with their legislation. They may amend it or reject it outright. It would be better to have agreements which are worked out between Canada and the U.S. considered and ratified simultaneously and avoid this problem.

The matter before us today is of very serious concern. The Liberal Party appears prepared to move ahead quickly on this legislation. I know it was probably a slip of the tongue, but the Hon. Member for York Centre said he could see some problems when the Government was faced with requests for law enforcement assistance in Canada from democracies like Argentina and Chile. I was quite shocked when I heard that. It would be a simple matter for the Hon. Member to check and

correct the "blues" to make sure that the word "democracy" is not associated with Chile. Perhaps we might not have heard that if the previous Liberal Government had not been so co-operative with Chile.

The failure of the previous Liberal Government to negotiate effectively with the U.S. is clearly evident when we have matters such as this before us. My colleague from Burnaby indicated that in this situation the Liberals and Conservatives were largely in bed together on their failure to negotiate effectively with the U.S. Yet it is to the credit of the previous Government that we did not see a sell-out on such a massive scale as we see with the present Government in its effort to obtain a free trade agreement. Canadians are not prepared to see that continue. If you look at the polls you can see that the record of the Government is very dismal in the eyes of Canadians. It is time to turn things around, and this legislation could be an example.

We are certainly prepared to pass acceptable legislation. That acceptability can be worked out in committee. However, there are certain irritants and even severe problems in our relationship with the U.S. which, as I said, could be dealt with in order to reach an understanding. I think that concludes my remarks, Mr. Speaker.

The Acting Speaker (Mr. Paproski): Questions or comments.

Mr. Epp (Thunder Bay—Nipigon): Mr. Speaker, it was interesting to hear the observations of my friend from Comox—Powell River on various aspects of this Bill. He has outlined the dangers on the side of political pursuits and I would ask him to expand on that. He also was concerned about the possibility of mutual legal assistance in family matters. These of course are two different problems. I suppose the latter is not, strictly speaking, a matter of criminal law but it could have potential value in the pursuit of mutual legal assistance.

I wonder whether he could tell us something about the British Columbia experience with general criminal matters. I have a vague memory and a more recent memory of specific cases in that province where co-operation between Canada and U.S. enforcement authorities occurred. Since he has referred to some of the dangers inherent in this legislation as well as its unrealized potential, I wonder if he could offer some observations on the extent to which operations over the last few years have reassured him or otherwise about the way in which the authorities actually do operate and how they might operate under this new legislation?

Mr. Skelly: Mr. Speaker, the difficulties in family matters and the cases involving disappeared children is a matter of record. One parent takes the children to the U.S. and the other parent begins a search. As has been demonstrated in a number of cases, it is extremely difficult to obtain what I would call serious effort by American law enforcement agencies in the search for those individuals. I know the task at hand is very large, but so are the law enforcement agency resources, and I think the agreement between the President and the Prime Minister could have explored that particular issue much more.

How can we become more effective in recovering missing children on both sides of the border? How can we apply the strength of our law enforcement agencies and bring in other resources in support of them? When this legislation goes to committee those are items I would like to see raised. I intend to pursue the matter vigorously through our critic, or directly if I participate on the committee. It is a logical place to do it and I would hope other Members with the same experience will pursue it as well.

Another aspect of that same problem is the situation where a parent has obligations imposed by the courts for maintenance of the family and then moves to the U.S. For all intents and purposes that could be defined as criminal activity, because that person is failing to live up to an obligation imposed by the court. I think arrangements to deal with that problem should be pursued. Probably every Member of this House has had experience at one time or another with that kind of situation. It is almost futile to pursue it unless the individual involved has a large amount of money. This particular legislative mechanism would be appropriate in dealing with that problem as well. That is an item which I would like to flag for attention in committee in order that the legislation can be expanded or made more precise to include this matter.

• (1250)

I am not certain which incidents in British Columbia the Member speaks about, but a number come to mind in which law enforcement co-operation between the two countries has been a little too informal and may need some legislative action. The FBI in Seattle has phoned the RCMP in Vancouver asking them to pick up and drop off in Blaine one of their "nasties" who was living in Vancouver, this without benefit of a court appearance. We have experienced that a number of times. That is certainly not acceptable under our system of justice. People have a right to a day in court. The RCMP has participated in such completely unacceptable activity.

With regard to the political situation, I do not think there are many Members of this House who have not been confronted with the problem of assisting refugees from regimes such as those in El Salvador and Chile. These people often have difficulties dealing with immigration. The immigration people say that if they have a criminal record or criminal charges pending in their country of origin they cannot enter this country. It would be very difficult to check with a regime such as that in Chile to determine whether a refugee has a criminal record.

It is dead wrong to allow the Cabinet of Canada to expand the list of countries which could enjoy the powers of this legislation without reference to Parliament. We should work at every stage of this Bill to stop that. Conceivably the Soviet

Union could request law enforcement action in Canada. That is not what Parliament has in mind with this legislation.

The Government has gone too far in the drafting of this Bill. If this Bill is passed at second reading, I would hope that an agreement could be made to drop that particular aspect.

Certain regimes consider activities to be criminal which bear no relation to criminal activity in Canada. These include free speech, protest and demonstration, and active involvement in trade union activities. These are rights which are worthy of guaranteeing constitutionally in a democratic country but are prohibited in regimes such as those in South Africa and Chile.

Under this legislation their law enforcement agencies could come to Canada and suggest that because an individual has committed that nature of a crime in their country they wish to enjoy the benefits of this legislation and have Canadian enforcement officials gather evidence against them and move to extradite them. This is the kind of thing that could result from the wide open, loose and sloppy drafting of this legislation.

We would have much more confidence in this legislation and the Government's application of it if we did not know that the Government is already involved with those regimes and very reluctant to criticize their most heinous and obscene actions. The Liberal Government opened trade with the regime in Chile which almost encourages its continuance. The Conservative Government has certainly done nothing to indicate that we should not expect the Chilean police forces to operate in Canada.

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I appreciate the opportunity to speak on Bill C-58 with regard to mutual legal assistance in criminal matters between Canada and other countries. The "other countries" aspect will be the focus of my comments. My friends from Burnaby and Comox—Powell River have addressed, in particular, concerns involving Canada's relationship with the United States. That is understandable and always acceptable or forgivable depending upon one's perspective because we share the continent of North America with our powerful friends in the United States. Being a much smaller country in terms of population, we are always concerned about how Canadian interests will be defended by our Government *vis-a-vis* the United States.

I hardly need expand on the concerns that many Canadians have felt over the last three years as they have watched the present Government, and particularly the Prime Minister (Mr. Mulroney), dealing with the U.S. President. They have wondered whether Canada's interests were not being sold out in those various contexts. I will not spend any more time on that this afternoon.

We are dealing with general legislation which raises concerns, which I want to explore, involving other countries. If there is any doubt about the validity of these observations I note that in the interpretation section of the Bill, where definitions are provided, "foreign state" is defined as "a state that is a party to a treaty". Clearly that could be any state at all. Treaty means "a treaty, convention or other international agreement that is in force and to which Canada is a party, the primary purpose of which is to provide for mutual legal assistance in criminal matters". In those two definitions in the interpretation section we have obvious evidence that this Bill could be applied to any country at all.

The provisions of this Bill, if it becomes law, will be quite far-reaching. I note in the next section the following statement in the first clause:

> In the event of any inconsistency between the provisions of this Act and the provisions of another Act of Parliament, other than the provisions of an Act prohibiting the disclosure of information or prohibiting its disclosure except under certain conditions, the provisions of this Act prevail to the extent of the inconsistency.

I recognize, of course, that disclosure of information is a large part of criminal investigation, but there are in fact many other areas upon which it could touch. In all of those other areas this is the Act that will govern.

In looking at Clause 6 of the Bill, within which are provisions for administrative arrangements, we will appreciate exactly how far-reaching this Bill is. We are told in of Clause 6(1):

> Where there is no treaty between Canada and another state, the Secretary of State for External Affairs may, with the agreement of the Minister, enter into an administrative arrangement with that other state providing for legal assistance with respect to an investigation specified therein relating to an act that, if committed in Canada, would be an indictable offence.

In Clause 6(1) we have provision for the development of special arrangements in instances of countries that do not already have a treaty negotiated with Canada. The Bill, of course, does not have attached to it in a schedule a list of countries with which Canada has a treaty. Once passed, and if proclaimed, that would obviously be appended to it for useful reference.

In Clause 6(1) authorization is being requested which would allow Canada to make arrangements with any country at all. That, of course, provides a basis for asking what the ramifications of this Bill might be, how far-reaching its powers might be, and what its consequences might be.

Shall I call it one o'clock, Mr. Speaker?

The Acting Speaker (Mr. Paproski): Before I call it one o'clock, the Hon. Member will have 15 minutes left for debate after three o'clock, plus the 10-minute question and comment period.

It being one o'clock I do now leave the chair until two o'clock this day.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

S. O. 21

STATEMENTS PURSUANT TO S. O. 21

[*English*]

INDUSTRY

HAMILTON FIRESTONE PLANT—OFFER TO PURCHASE

Ms. Sheila Copps (Hamilton East): Mr. Speaker, Hamilton is a lucky town. It is lucky for Liberal politicians and also lucky for hockey players, as Wayne Gretzky and Mario Lemieux found out only two days ago. I can say that they will do it again tonight and will blow the Russians out of the water.

At the same time that the Canadian team is trouncing the Russians at the Copps Coliseum, I ask the Government to look also at saving jobs for 1,300 workers in the same city of Hamilton. Firestone has received an offer from Cooper Tire Company in the United States. It is clear that it is a valid, bona fide offer.

The Minister should show some leadership in this area, as the Canadian hockey team has shown leadership, and go to Akron, convince Firestone to sell, and save 1,300 jobs for Hamilton workers who deserve them. Our hockey players deserve our support, so do our Firestone workers.

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MARINE SAFETY

RETENTION OF BRITISH COLUMBIA LIGHTHOUSE KEEPERS ADVOCATED

Mrs. Mary Collins (Capilano): Mr. Speaker, the Canadian Coast Guard is currently examining the possibility of automating some of British Columbia's lighthouses. The Minister of Transport (Mr. Crosbie) has received a report recommending that ten of the 41 lighthouses in British Columbia be considered for unmanning.

I recognize the expertise of Doctor Paul Leblond who authored the report, and I realize that technological developments have lessened the need for permanent lighthouse keepers in some areas. Nevertheless, I have some very serious concerns about any proposals to automate lighthouse light stations on the West Coast.

Apart from their duties to maintain the light, its power supply and fog horn, light keepers perform a multitude of duties, including marine weather monitoring, and participation in search and rescue operations.

I am proud to say that a lighthouse keeper at Port Atkinson in my riding, Mr. Don Graham, has authored several major books documenting the role of light keepers on the West Coast.

Of equal importance to the duties performed by light keepers is the feeling of confidence that they inspire. Mariners know that behind the beacon of light there lies a capable and courageous individual who will render assistance if need be, something which no machine can do.

I therefore urge the Minister of Transport, in considering whether or not to automate light stations, to examine not only the technological factors but the very important historical and human contributions made by British Columbia's keepers of the light.

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EXTERNAL AFFAIRS

INDIA—DETENTION OF CANADIAN CITIZEN ON SUSPICION OF GUN SMUGGLING

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I rise to protest violation of the human rights of a Canadian Sikh being held by the Indian police. The interrogation of Daljit Singh Sekhon by Indian anti-terrorist forces spotlights the excesses to which even sister nations of the Commonwealth sink when they fight terrorism.

The 1985 Terrorist and Disruptive Activities (Preventive) Act gives police sweeping powers to detain people without charging them or bringing them to trial. Indian human rights groups have protested this Act which allows persons to be held without being charged for a year in India generally and for up to two years in the Punjab.

These groups have protested the way police interrogate persons under severe threats or worse, without any possibility of assistance from legal counsel.

I call on the Secretary of State for External Affairs (Mr. Clark) to intensify his efforts to protect the human rights of Mr. Sekkon. India's 1985 Terrorist and Disruptive Activities (Preventive) Act is clearly tyrannical. It is as unfair to Indian citizens as it is to Canadian citizens. Defence of the rights of Canadians will enable the Canadian Government to seek repeal of this Draconian measure by the Government of India.

* * *

RAILWAYS

FATAL ACCIDENT AT SASKATOON RAIL CROSSING

Mr. Don Ravis (Saskatoon East): Mr. Speaker, I want to express my deep concern over the death of a fellow Saskatonian which occurred as a result of a railway-vehicle collision at the Sutherland crossing at Saskatoon last week.

It is my understanding that the Canadian Transport Commission has already identified this crossing as a location for upgrading, with the federal Government sharing 80 per cent of the cost and the remainder being shared by the City of Saskatoon and the railway.

I intend to raise this issue with the Minister of Transport (Mr. Crosbie) and the Canadian Transport Commission, to ensure the immediate installation of a traffic barrier for this crossing. Although we recognize that the ultimate solution lies in the construction of a grade separation, which I fully support, the implementation of traffic barriers would prohibit similar fatalities from occurring in the future.

Considering that across Canada there were 525 related accidents in 1986, I strongly believe safety procedures should be given top priority by the Canadian Transport Commission.

• (1405)

On a more personal note, I wish to take this opportunity to extend my deepest sympathy to the Carriere family.

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[*Translation*]

HOUSING

THE YOUNG HOMELESS—GOVERNMENT POSITION

Mr. Gilles Grondin (Saint-Maurice): Mr. Speaker, a survey on homeless youths in Montreal done between January and June 1985 gives us a clear picture of the problems faced by these young people aged 18 to 30. Half of them have lived in foster homes or in institutions. Generally speaking, 80.3 per cent of these homeless youths have broken all ties with their family, and they have to cope with two major problems: alcoholism and/or drug abuse, and mental illness.

As a matter of fact, 23 per cent of cases studied have already undergone psychiatric treatment. Suicide attempts are common. Under such conditions, these young people find it hard to hang on to steady jobs.

The Governor of the State of Massachusetts stated recently: "Not only do homeless youths fall victim to violence and family problems, alcohol and drug abuse, and mental illness, but they also suffer from an economy which fails to provide economic benefits for everybody."

What is the Conservative Government waiting for before helping homeless youths during International Year of the Homeless?

* * *

[*English*]

NATIONAL PAROLE BOARD

REPORT ON EARLY PAROLE OF CONVICTED MURDERERS—TIMING OF RELEASE

Mr. Bill Domm (Peterborough): Mr. Speaker, further to a story in yesterday's *Ottawa Citizen*, it has become apparent that a study from the National Parole Board shows that early-leave prisoners have been responsible for 130 murders in Canada in the past 12 years. The most disturbing aspect of the report is the fact that it had been completed since early this year but had not been released to Members of Parliament, nor to the public, at a time when a national debate on the whole issue of capital punishment was before this House of Commons.

Why were we as parliamentarians denied facts so important to the recent debate? I believe that Members of Parliament should have been aware of facts which detail the reality that murderers are being released to do it again.

This is in addition to a Corrections Canada study which shows an average of one murder every 50 days in prison populations of 1,000 men or less. Some murderers do not wait for parole. They repeat this heinous crime right inside the various institutions which are supposed to be reforming them.

Why did the Government release statistics showing a drop in the Canadian murder rate and fail to give equal exposure to the high rate of repeat murderers?

* * *

SOCIAL AFFAIRS

TRAGEDY OF THE HOMELESS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, on January 22, 1987, the Canadian Council on Social Development's survey of social agencies indicated 757 homeless people in Manitoba, 728 of whom were found in Winnipeg.

There are many tragedies in the phenomena of the homeless. I want to draw to your attention, Mr. Speaker, three of them. First, the homeless are becoming younger and younger. A survey of the clientele of the Main Street Project Hostel in Winnipeg indicated that half the people using the hostel were between 18 and 33 years of age. Second, 57 per cent of those who sought refuge at the hostel are native Canadians. The third tragedy concerns women. The average age of homeless women is less than 35 years of age.

What does this say about Canada? Let us take the opportunity that the International Year for the Shelter of the Homeless provides in order to take a good look at our social policies, to take a good look at ourselves as a nation, and to adjust our policies to the needs of those Canadians who are in dire need of our help.

S. O. 21

TRADE

CANADA-UNITED STATES NEGOTIATIONS—CONDITIONS FOR ACCEPTANCE OF TREATY

Mr. John Reimer (Kitchener): Mr. Speaker, the Canada-United States trade negotiations are now at a very crucial stage. However, Premier Peterson and Premier Pawley notwithstanding, Canadians need not fear that "the store" is about to be given away. It is worth reiterating the exact terms of the March 16 motion tabled by the Mulroney Government, namely:

> That this House supports the negotiation of a bilateral trading arrangement with the United States, as part of the Government's multilateral trade policy, while protecting our political sovereignty, social programs, agricultural marketing systems, the auto industry, and our unique cultural identity.

These are the very explicit conditions under which an agreement would be acceptable to the federal Government. It is self-evident that the conditions outlined by Premier Peterson have already been addressed by the federal Government and I would, therefore, encourage him to get fully on board and support the Government's efforts toward improved trade and, thereby, greater economic growth.

• (1410)

To conclude, let it be emphasized that these negotiations are within federal jurisdiction and are being undertaken with this nation's best interests in view. Anything less than that will simply not be acceptable.

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HUMAN RIGHTS

U.S.S.R.—PLIGHT OF DISSIDENTS

Mr. Bill Blaikie (Winnipeg—Birds Hill): Mr. Speaker, today Parliament celebrates the presence in our city of Mr. Natan Shcharansky whose current freedom is a tribute to Mr. Shcharansky's enormous personal courage and determination, and a sign to all who cherish human rights that persistent international pressure such as this Parliament helped to generate in the case of Mr. Shcharansky can and does have an effect.

Mr. Shcharansky's message to Canadians, as I understand it, is that though we should be encouraged by *glasnost* in the Soviet Union we should not grow becalmed, that the notoriety of his release and that of others should not cause us to forget or diminish our efforts on behalf of the many others who have yet to be released, who have yet to receive the freedom that is theirs by virtue of being human, whether it be Jews who want to go to Israel, or Ukrainians, Baltic peoples, or others who want more political freedom. I am sure that I speak for all parliamentarians when I call on the Soviet Union to redress this moral flaw in the life of their country and heed the prophetic message of old to "set the captives free".

HUMAN RIGHTS

VISIT OF SOVIET DISSIDENT TO OTTAWA

Mr. Bill Attewell (Don Valley East): Mr. Speaker, as Chairman of the Canadian Parliamentary Group for Soviet Jewry, I would like to welcome officially Natan, or as we know him Anatoly, Shcharansky to the nation's capital and to the House of Commons.

Mr. Shcharansky, a leading activist in the Soviet Union, was arrested in 1977 and convicted of treason, espionage and anti-Soviet activities, and sentenced to 13 years in prison. From the start his wife Avital began a lonely world-wide vigil to tell the true story of the injustice which had been committed by the U.S.S.R. Canada was the first country in the world to recognize the plight of Anatoly Shcharansky and to speak out against the Soviet Union for its human rights violations.

The release of Shcharansky on February 11, 1986, marked the end of a nine-year, world-wide campaign to secure his release. None of us can imagine the pain, anguish and loneliness which Anatoly endured during his incarceration. Two lengthy hunger strikes may have compromised his long-term health. But Shcharansky, who had become a symbol of the fight for human rights, never gave up hope. Mr. Shcharansky's journey to freedom continues to give hope to the many thousands of refuseniks and prisoners of conscience who are still being denied their basic human rights.

I believe we should withhold any premature widespread condemnation or applause for Gorbachev's new policy of openness, or *glasnost*, even though we welcome the recent release of several prominent refuseniks.

I want to advise Mr. Shcharansky that he can count on Canadian parliamentarians, together with Canadians throughout the country, to continue the battle for human rights in the Soviet Union.

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FARM CREDIT CORPORATION

INTEREST RATE INCREASE

Mr. Maurice Foster (Algoma): Mr. Speaker, yesterday the Minister of Agriculture (Mr. Wise) raised the long-term lending rate for Farm Credit Corporation loans for the second time this summer to 12.25 per cent. At a time when the inflation rate in our country is only 4 per cent this means that the real rate of interest for farm loans is over 8 per cent, one of the highest rates in history.

Last week a confidential report of the Farm Credit Corporation revealed that over 11,500 farm mortgages, involving $1.5 billion, are in serious financial difficulty, cash flow problems, or subject to foreclosure.

The move to raise FCC interest rates at a time when thousands of farm families are facing the loss of their farms is a cruel and mean-minded act by the Minister of Agriculture. I call on the Government to take action and to put the Farm Credit Corporation on a sound financial footing so that it can help farm families stay on the land.

* * *

NATIONAL PAROLE BOARD

REPORT ON PAROLE OF CONVICTED MURDERERS

Mr. Jim Jepson (London East): Mr. Speaker, more than 100 killings over the past 12 years were committed by inmates released from prisons on parole or mandatory supervision, a National Parole Board study has found. Between 1975 and 1976 there were 473 releases on parole of convicted murderers. There were 457 actual murderers paroled but, believe it or not, 15 were released twice or three times.

In the same 12 years, 130 inmates released on mandatory supervision or parole were returned to prison before the end of their supervision for killing again—90 for murder and 40 for manslaughter. It is hard to believe that we could be so lax in carrying out justice in our country for those taking another person's life.

It is high time that a life sentence of 25 years meant just that, not 10 or 15 years if a person qualifies with good behaviour for parole. Again I say that it is time to focus on the protection and rights of the public at large rather than the rights of those who would indiscriminately take an innocent person's life.

* * *

• (1415)

WESTERN DIVERSIFICATION FUND

CRITERIA APPLICABLE TO PROJECTS

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I wish to address my comments to the Government concerning the Western Diversification Fund, and the desperate need of single-industry communities in western Canada, particularly in British Columbia, to receive fair consideration under this program, and not only the major cities.

The Western Diversification Fund managers should not only use the budget of $1.2 billion to enhance programs in western Canada, but they must also use their influence with other federal Departments to have them pay greater attention to western Canada and to single-industry communities. They must encourage those Departments to remove discriminatory and harmful criteria such as cost recovery to the federal Government, in considering major projects. Many of those communities may not be able to pay the cost recovery but they need federal infrastructure to draw down additional business in the diversification process.

I would point to communities such as Tahsis, which needs a road to offset the negative effects of a sawmill shut-down; Port Hardy which needs a federal wharf to offset the massive impact of the closure of a mine; Bella Bella, a native community, which needs a roll-off, roll-on ferry loading facility to cut an enormous cost of living in that community.

This fund, and the influence of the managers, can do a great service to western Canada, and to single-industry communities. Hopefully the Minister and the Government will recognize that and act.

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NATURAL RESOURCES

AGREEMENT ON USE OF NECHAKO RIVER WATER

Mr. Ross Belsher (Fraser Valley East): Mr. Speaker, yesterday in Vancouver the Minister of Fisheries and Oceans (Mr. Siddon) announced a three-party, out-of-court settlement to the protracted legal dispute over Alcan Aluminum Limited's use of water flows from the Nechako River in north central British Columbia.

It is gratifying to note that the Minister, the Province of British Columbia and Alcan, were able to reach this agreement which is an intelligent and environmentally responsive solution to a long-standing, counter-productive legal dispute. This settlement will result in the conservation and protection of the fish stocks of the Nechako water systems, while ensuring that Alcan will be able to proceed with the hydroelectric development.

The adjacent Nanika-Morice river systems which feed the Skeena River will be saved in perpetuity from future damming and diversion by Alcan.

Once again this shows that when both senior levels of government and industry together with our fishery scientists put their heads together to work through a problem, we do not have to subject ourselves to a long legal struggle and court battles.

My congratulations to all of the parties involved.

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EXTERNAL AFFAIRS

STATEMENT ATTRIBUTED TO UNITED STATES SENATOR

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, we all know that the Prime Minister (Mr. Mulroney)

is a close friend of the United States President, Ronald Reagan, and other Republicans in high places.

Today I have a copy of a newspaper article in hand from *The Press Democrat Empire News*—

Some Hon. Members: Order.

Mr. Speaker: The Hon. Member may wish to refer to some words in an article, but I ask that he not wave the newspaper around.

Mr. Boudria: Thank you, Mr. Speaker. I wish to read an article from the newspaper which is very embarrassing to the Tories who are grunting across the way. The article is entitled, "Sen. Wilson lambastes Canada", and in part it states:

> Wilson, the author of legislation attacking what he sees as overseas trade barriers, said "the next market we've really got to crack is the Canadians'. They are turning from being good neighbours to being absolute bastards."

On behalf of all Canadians I demand an apology from that United States Senator. I think that the Prime Minister should issue a letter of protest to President Reagan, and demand an apology on behalf of all Canadians for that insult to every single Canadian citizen.

ORAL QUESTION PERIOD

[*English*]

TRADE

CANADA-UNITED STATES NEGOTIATIONS—AUTO PACT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, for the past two and a half years when we in the House have directed questions to the Prime Minister or members of his Government asking whether the Auto Pact was on the table in the free trade negotiations with the United States, we have been improperly accused by the Prime Minister and his Ministers, and I use some of the words, of "cheap shots, insults, sniping, scare tactics, fear mongering, continual harping, and scurrilous comments".

Some Hon. Members: Oh, oh!

• (1420)

Mr. Turner (Vancouver Quadra): Time and again the Government has said, Mr. Speaker, and I quote from *Hansard*: "The Auto Pact is not on the table".

Some Hon. Members: Right.

Mr. Turner (Vancouver Quadra): "The Auto Pact is not on the table".

Some Hon. Members: Right.

Mr. Turner (Vancouver Quadra): "The Auto Pact is not on the table".

Some Hon. Members: Right.

Mr. Turner (Vancouver Quadra): "The Auto Pact is not on the table".

Some Hon. Members: Right.

Mr. Turner (Vancouver Quadra): Now we learn, Mr. Speaker, no thanks to the Prime Minister, that the Auto Pact is on the table.

Some Hon. Members: Shame!

Mr. Turner (Vancouver Quadra): When will the Prime Minister tell Canadians why it is that he has been misleading this House and Canadians for the last two and a half years, or has he been incredibly naive throughout these negotiations?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I would like to make it very clear to this House that the Auto Pact is not on the table. I can also assure the House that we have seen no proposals from the Americans.

I can only repeat what we have said many, many times in this House. The latest example would be June 22 when I told the House that Canada does not intend to put the Auto Pact on the table. We believe, as I have told the House, that it is working well. If the Americans wish to make any proposals, which they have not yet done, to increase employment, increase production and increase investment in Canada, we will look at them. That was the position then, and that is the position today.

REQUEST THAT CANADA WITHDRAW FROM NEGOTIATIONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, a Canadian Press story confirms—

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): Confirms?

Mr. Turner (Vancouver Quadra): —"U.S. negotiators have given official notice that they intend to discuss automotive issues in the free trade talks with the United States, a federal official confirmed today". That was confirmed by several of the Premiers last night and again this morning on television.

Let me say to the Prime Minister that the Americans have outnegotiated us during the course of these negotiations, on almost everything. We have given away an energy policy; we have given away a foreign investment review policy; we have given away book publishing, we have given away drug prices—

Mr. Mazankowski: What about the National Energy Program?

Mr. Turner (Vancouver Quadra): —we have given away softwood lumber, we have given away potash—

Mr. Mazankowski: And what about the NEP?

Mr. Turner (Vancouver Quadra): —and now we are going to give away the Auto Pact. In return the Prime Minister and his Minister haven't got a single thing for Canada throughout the course of these negotiations.

Will the Prime Minister tell Canadians that he is prepared to walk away from these negotiations if the United States refuses to take the Auto Pact off the table and refuses to take it away as a matter of discussion in these free trade negotiations?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my right hon. friend began by saying that the Auto Pact was on the table. Then he issued as a justification for his statement a CP story which said that "automotive issues" will be discussed.

Mr. Turner (Vancouver Quadra): Well?

Mr. Mulroney: My right hon. friend says "Well". There is a world of difference between the two. The fact of the matter is that my right hon. friend has just contradicted his first question. The Americans indicated on Friday night that they intended to submit for our considerations views on automotive issues.

An Hon. Member: Such as?

Mr. Mulroney: As the Minister has indicated, if those issues result in advantages to Canada, if they result in greater employment in Canada, greater opportunities for Canada, we will take a look at them. That is the objective of the exercise. There is nothing at all that has been said or done at the table that is inconsistent with the views expressed by the Minister or myself on behalf of the Government.

A comprehensive trade agreement is one that we are seeking in the national interests of Canada. If it creates jobs, brings greater employment to our regions, a greater sense of fairness, new prosperity, as an instrument then we will bring it forward for consideration. If it does not, as I have said from the beginning, there will be no deal. We believe that we should pursue, seek to pursue and continue to pursue an instrument that possibly, possibly, could bring greater prosperity to Canada.

Some Hon. Members: Hear, hear!

MINISTER'S STATEMENT—FUTURE OF AUTO WORKERS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister neglected to use the opportunity given to him in the House to deny that the Auto Pact was on the table. Several of the Premiers have indicated quite strongly that that was the communication they received during their meeting with the Prime Minister yesterday.

[*Translation*]

Although on June 23 the Minister of International Trade stated, to quote her own terms: "The Auto Pact is not on the table", today the Government is vague—to put it mildly—on that matter. Does that mean that the workers employed in the automobile industry should have to face the same situation as those employed in the lumber industry or in the potash industry?

• (1425)

[*English*]

Does that mean that our automobile workers will have the same fate awaiting them as the lumber workers and fishermen had, and as those in the potash industry have already endured?

[*Translation*]

Is the Prime Minister so desperately bent on reaching an agreement with the United States that he will trade off anything to reach that goal?

[*English*]

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, this is difficult reasoning to follow when the OECD has just announced that Canada has the strongest, most powerful growing economy in the western industrialized world.

Some Hon. Members: Hear, hear!

Mr. Mulroney: It is even stranger when one considers that in excess of 900,000 new jobs have been created in the less than three years since this Government was sworn in and that 417,000 of them have been created in Ontario, largely as a part of this Government's strong support for the Auto Pact and our defence of the automotive industry.

In terms of employment prospects, my right hon. friend may want to give me some information if he has some. I can only refer to the objective data that are available. For example, if a free trade arrangement is secured and if it is brought forward, the Economic Council of Canada says that it could mean in excess of 350,000 new jobs in Canada, and many of those tens of thousands of jobs will be in regions such as Newfoundland, the interior of British Columbia, the Prairies and northern Quebec, where jobs are desperately required. Unemployment is now down to 5.8 per cent in Ontario and we hope that that kind of prosperity can be shared across the country.

DISCUSSION OF AUTOMOTIVE ISSUES

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Prime Minister. A Canadian Press dispatch reports as follows:

> U.S. negotiators have given official notice they intend to discuss automotive issues in free trade talks with Canada, a federal official confirmed today.
>
> Tim Ralfe, spokesman for Trade Minister Pat Carney, said the U.S. negotiating team raised the issue Friday night as two days of talks with Canadian officials ended in Washington.

How can the United States discuss automotive issues with Canada without at the same time discussing, directly or indirectly, the Canada-U.S. Auto Pact? Surely there is no way to discuss auto issues between our two countries without the

Auto Pact coming up. Why does the Prime Minister not admit this and say now that he will insist that the Auto Pact not come onto the table, directly or indirectly? Why does the Prime Minister not take a stand now for Canada and Canadian workers?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member has just confirmed the contradictions and the confusion in his own Party. I can simply repeat what we have said before. There are no proposals on the table. We do not know what the Americans are proposing to put on the table. We have said repeatedly that we are not prepared to put any proposals on the table. If the Americans do put proposals on the table, we will look at them and, if they are in the national interest and are good for Canada, we will consider them.

The Hon. Member should be the one person in this House who knows that according to the Auto Pact, "at any time at the request of either Government, the two Governments shall consult"—and I am reading from the text—"with respect to any matter relating to this agreement". They are free to bring this forward at any time.

• (1430)

MINISTER'S POSITION

Hon. Herb Gray (Windsor West): Mr. Speaker, has the Minister not just admitted that what the Americans did Friday night was to give notice they want to discuss the Auto Pact? Does she not stand condemned out of her own mouth—

Some Hon. Members: Oh, oh!

Mr. Gray (Windsor West): —in saying that the Americans are ready to discuss the Auto Pact and the Government is ready to sit down with them for that purpose?

I want to ask the Minister specifically why it was necessary for the Americans to give notice Friday night that they wanted to discuss automotive issues if this was simply part of an ongoing discussion. Let the Minister now admit that there is a new and disastrous turn to the discussions—

Mr. Clark (Yellowhead): You are a joke, Herb.

Mr. Gray (Windsor West): —and if the Government is not going to take a stand against that turn, it will be irreparably harmful to the Canadian economy and Canadian workers.

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker.

POSITION OF UNITED STATES NEGOTIATORS

Hon. Edward Broadbent (Oshawa): Mr. Speaker, someone noticed, and probably Bill Jarvis will remark, that I have taken a significant step to the left, but I—

Some Hon. Members: Hear, hear!

Mr. Broadbent: My question is directed to the Prime Minister. I want to say at the outset—

Mr. Hnatyshyn: Why not move down a few more seats?

Mr. Broadbent: I want to say—

Mr. Fennell: Lloyd is not here today.

Mr. Broadbent: —that he has observed the Ontario economy has been doing well. The reason is we have had in place since 1965—

Some Hon. Members: Free trade!

Mr. Broadbent: —an automotive agreement. It is not a free trade agreement. It required investment in Canada and we do not want to put an end to it.

Mr. Clark (Yellowhead): You were against it then.

Mr. Broadbent: It seems pretty clear that most of the Premiers came out of the meeting yesterday concerned that the Government was heading for a desperate deal rather than a good deal with the U.S.

Mr. Clark (Yellowhead): Name one.

Mr. Broadbent: The Americans are boasting—

Mr. McDermid: Who said that, Ed?

Mr. Broadbent: —that they have four concessions from the Canadians so far, including—

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member.

Mr. Broadbent: Mr. Speaker, the Americans are boasting they got four major concessions, including slashing Canadian tariffs, opening new sectors of the Canadian economy to U.S. investment, changes in our drug patent legislation, and changes in investment as it affects services, during the discussions on a free trade initiative with Canada. They have made all these significant gains in the discussions. Could the Prime Minister assure Canadians that he is not heading for a desperate deal by giving us a similar list of gains Canada made in those discussions?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the significant gains will be submitted to the House at the conclusion of the negotiations. If the transaction, a very important commercial transaction, is deemed to be in the national interest by the Government of Canada, it will be brought forward for consideration, as it should be.

Oftentimes opinions change. For example, when the federal Government went in 22 years ago to unilaterally, without consultation with the Province of Ontario, negotiate the Auto Pact, that was denounced by many members of the NDP as being inimical to the interests of Ontario. It turned out to be

the greatest bonanza Ontario and Canada have ever seen. The Hon. Member may want to wait to see the final text because a few years from now he will probably be saluting me as one of the finest Prime Ministers negotiating—

Some Hon. Members: Oh, oh!

Some Hon. Members: Hear, hear!

Mr. Nystrom: Even Maz is laughing.

Mr. Broadbent: Mr. Speaker, all I would say to the Prime Minister is: Sir, don't hold your breath.

Mr. Nystrom: Even Joe laughed.

Mr. Gray (Windsor West): Joe wants him to hold his breath.

Mr. Lewis: You did better in the other seat, Ed.

Mr. Speaker: Perhaps it is appropriate for the Chair to note that some of the Members who have not been recognized but who insist on exchanging views with others are on lists I have here to ask questions later on.

Some Hon. Members: Oh, oh!

[*Translation*]

CONCESSIONS—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Right Hon. the Prime Minister. The Prime Minister himself stated yesterday that the Americans had not addressed Canadian concerns. Can he explain to the people of Canada why the Canadian Government has made all the concessions, while the Americans have not made any?

Right Hon. Brian Mulroney (Prime Minister): Of course, Mr. Speaker, that is a totally erroneous statement by the New Democratic Leader. In fact, we will be in a position to make a value judgement on the contents of the documents only after the negotiations are completed. I already made a formal commitment that if the document were to be consistent with our national interest, the Government of course would submit it to the Canadian Parliament. Three weeks before the deadline is not the time to state whether it is good or not. While referring to the First Ministers, the New Democratic Leader said—

[*English*]

—that they were desperate coming out of the meeting. That is very far removed from the truth. We had very good and careful discussions with the First Ministers.

On something of compelling national interest, the conduct of this Government in negotiating a complex free trade deal with the U.S., trying to create jobs and bring greater prosperity to Canada, and doing it in consultation with the provinces, is a far cry from some years ago when a predecessor Government went in and unilaterally imposed that kind of decision without so much as a by-your-leave from the Government and people of Ontario.

Mr. Tobin: You just said it was a good deal.

Mr. Mulroney: Indeed, it was a good deal. It is the philosophy of free trade in automotive products that we are trying to spread across the country to engender wealth throughout the regions of Canada.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Mr. Speaker, our notion of trade certainly does not include the notion that Canada is up for sale. That is the deal the Prime Minister is making.

PRIME MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Government has already made concessions in pulp and paper, tubular steel, pharmaceutical products, publishing and, in the last 48 hours, in agricultural programs and the Auto Pact. The Prime Minister cannot name a single concession the Americans have made. Therefore, can he explain to the people of Canada why we should accept his word that he is winning these negotiations with the Americans?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I would just remind my hon. friend that on behalf of the Government the Minister for International Trade offered to take the Leader of the NDP into her full confidence regarding the details of the trade negotiations.

Mr. McDermid: After it was requested.

Mr. Mulroney: After a request by a member of his own Party. We thought that was a mature and sensible way to proceed.

Mr. Broadbent: To shut us up.

Mr. Mulroney: No, so you would have all the information on a confidential basis in support of the Canadian negotiators.

My hon. friend throws off quite easily scare tactics and shibboleths, for example: "Canada is not for sale", the implication being, of course, that Canada is opposed to foreign investment. The Hon. Member is opposed to foreign investment in Canada unless it is in Oshawa, in which case he is very much in favour of it.

Some Hon. Members: Hear, hear!

* * *

HOUSE OF COMMONS

PRESENCE IN GALLERY OF ANATOLY SHCHARANSKY

Mr. Speaker: I would like to remind Hon. Members that on March 26, 1982, and again on November 4, 1982, the

Canadian House of Commons resolved unanimously to call on the Soviet Union to immediately grant the release from detention of Anatoly Shcharansky pursuant to the terms of the Helsinki Accord.

It is therefore my pleasure to draw all Hon. Members' attention to the presence in the Speaker's Gallery of Mr. Anatoly Shcharansky.

Some Hon. Members: Hear, hear!

* * *

• (1440)

CANADIAN SECURITY INTELLIGENCE SERVICE

REQUEST FOR RESIGNATION OF SOLICITOR GENERAL

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Prime Minister and concerns the conduct of the Solicitor General. He knows that Canadians are fast losing confidence in the Canadian Security Intelligence Service and it is all because of the negligence of the Solicitor General. Yesterday in the House the Solicitor General said that there are some minor problems in the Security Service and that they are being dealt with.

The Solicitor General made those comments in light of the departure last week of Ted Finn, the Director, in light of the departure of four of the five directors, in light of false affidavits, in light of jurisdictional battles between the Security Service and the RCMP, in light of low morale, et cetera, et cetera, et cetera.

Will the Prime Minister not immediately seek the resignation of the Solicitor General for conduct unbecoming a Solicitor General of Canada and for his gross negligence in the handling of the Air India investigation?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, there appears to be an allegation of some negligence in the handling of the Air India investigation. I am not aware of such negligence. If he has some evidence to support that rather startling statement I wish he would supply it to me and I will undertake an immediate investigation in that regard.

PREPARATION OF FALSE AFFIDAVIT

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Solicitor General knows that the Liberal Party has asked for a Royal commission inquiry on seven separate occasions over the last 12 months because of some very serious allegations regarding the conduct of the Security Intelligence Service. He knows that the Review Committee has also expressed serious concerns about intelligence gathering with regard to that particular investigation.

We now know that the Security Intelligence Service—

Mr. Speaker: I ask the Hon. Member to put his question.

Mr. Nunziata: Mr. Speaker, can the Minister indicate to the House why a false affidavit was sworn by Mr. Archie Barr and why the Minister's predecessor, the present Minister of National Revenue, endorsed a particular application for a search warrant? Can he indicate whether the previous Solicitor General was aware that the affidavit was false?

Mr. Clark (Yellowhead): Wiggle and slide.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, it is a little difficult to know what question to answer. The Member began by asking about the Air India investigation. The Member talks about serious allegations. If he has such allegations I ask him to please make them in this House. I would also like to hear him make them outside the House.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

TRADE

FREE TRADE—AGRICULTURE—STABILIZATION PROGRAMS—GOVERNMENT POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, my question is directed to the Prime Minister. Premier Devine has indicated that the United States had requested that in the area of agriculture, a free trade agreement should abolish the stabilization programs that are so important to our farmers. I would like a specific answer from the Prime Minister. Can he promise that those programs will not be included in that agreement, despite the requests by the Americans?

[*English*]

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, I would like to remind the House that if we are successful in concluding this agreement with the U.S. it will be the largest trade agreement in history. It will be of major significance. In assessing that agreement the Prime Minister has regularly told the House, as have I and other Ministers, that if it is not in the interests of Canada, if it is not good for the country, there will be no deal.

The scare tactics which the NDP is engaged in will be seen by Canadians for what they are, attempts to scuttle a deal which is good for Canada by an Opposition which is flatly against it.

PRIME MINISTER'S POSITION

Mr. Steven W. Langdon (Essex—Windsor): Mr. Speaker, the Prime Minister is not a humble man.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Not like the rest of us.

Mr. Speaker: Perhaps the Hon. Member, having made that assertion, could put his question very succinctly.

Mr. Langdon: I agree, Mr. Speaker, that it might be argumentative.

In view of this, would the Prime Minister be prepared to look at the list of concessions which we have lost in these negotiations and take this opportunity to boast a little to the Canadian people and tell us of one concession which the Canadian people have managed to get from the Americans through this negotiation process?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, may I say in all humility—

Some Hon. Members: Oh, oh!

Mr. Mulroney: —and that is difficult—to my hon. friend that, as he knows and as the Minister for International Trade has indicated, we are trying to negotiate a complex and challenging document which could have very beneficial effects for Canadians.

As my hon. friend knows, one of the serious problems in Canada is a tremendous concentration of prosperity in some of the central provinces with that degree of prosperity not being equally shared in the regions from Newfoundland to British Columbia. One of the ways to diminish this disparity and provide for greater prosperity in the regions is to provide for greater trade in and to attract greater investment to the regions.

All of the studies so far have indicated that there would be a tremendously beneficial effect upon employment across Canada if we were able to conclude this kind of an agreement. Surely my hon. friend will not reproach the Government of Canada for having the vision and courage to engage in an important international negotiation which may very well bring much needed prosperity, growth, opportunity and equality to the regions of Canada.

Some Hon. Members: Hear, hear!

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

RELATIONSHIP WITH ROYAL CANADIAN MOUNTED POLICE

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Solicitor General. The Solicitor General is responsible for two agencies which share responsibility for national security. If the Minister wants allegations, I allege that the relationship has failed. The RCMP is withholding police information, files, and CPIC access from the security agency and the security agency has been withholding intelligence about a major security matter from the RCMP.

In light of this failed relationship which is responsible for a total deterioration of national security, how can he not do the honourable thing and resign?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am not aware of what is behind the allegations the Hon. Member has made. If he would be good enough to provide that to me I would be more than happy to look into it.

With regard to the relationship between the RCMP and CSIS, I can advise the Hon. Member that one of the first things I attended to upon becoming Solicitor General was to call both parties in and discuss the problem of their relationship. We installed new programs and procedures. We have liaison officers appointed now in each service. We have a major liaison committee which oversees their activities. I am happy to advise him that today there is a good and complete sharing of information between the two agencies.

• (1450)

MINISTER'S ANSWER

Hon. Bob Kaplan (York Centre): Mr. Speaker, my supplementary question is directed to the Prime Minister. This is the first occasion of a Minister in trouble where the Prime Minister has not rushed to his feet to defend the Minister. I invite him to do so in this case. Is he satisfied with the answer that the Minister has just given, that there are no problems in the relationship between the RCMP and the security service?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, the Prime Minister has complete confidence in me to be able to answer such a scurrilous question.

Mr. Speaker: The Hon. Member for Etobicoke North.

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CANADIAN BROADCASTING CORPORATION

REQUEST FOR INVESTIGATION

Mr. Bob Pennock (Etobicoke North): Mr. Speaker, my question is directed to the Minister of Communications. Today I gave the Minister notice of questions I intend to place on the Order Paper related to the possible conflict of interest at the senior management level of the CBC.

In light of the delays which might result in obtaining answers, and the very serious nature of this, will the Minister take action now to initiate an immediate investigation?

Hon. Flora MacDonald (Minister of Communications): Mr. Speaker, I notice that the Hon. Member has said he is submitting questions for the Order Paper. I want to assure him and you, Mr. Speaker, that I will look at those questions as soon as I receive them and provide whatever answers are possible.

Mr. Pennock: Supplementary.

Mr. Speaker: The Hon. Member for Burnaby.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

REQUEST FOR REVIEW OF WARRANTS

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Solicitor General. He will know that, according to the Security Intelligence Review Committee, it is the Solicitor General's personal responsibility to ensure the accuracy of information contained in affidavits which are used for warrants.

In view of the obvious failure of his predecessor to exercise his responsibilities to review these assertions carefully, will he undertake to the House and the people of Canada that he will review all of the warrants which were issued under the tenure of his predecessor, to ensure that they were not similarly the subject of lies, of reliance on unreliable informants? Will he not accept that there is a very serious risk that the civil liberties of Canadians have been violated because of the derogation of responsibility by his predecessor?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I do not accept the premise of the Hon. Member's question that there was any derogation on the part of the former Solicitor General in question, or indeed any Solicitor General.

The Hon. Member knows full well that the Solicitor General's role under the Act is to ensure that the request for a warrant meets the test of Section 12 of the Canadian Security Intelligence Service Act and is strictly necessary for the security of Canada. I am quite satisfied from my investigation that all former Solicitors General indeed met that test of their responsibility.

However, with respect to the veracity of the facts contained in the affidavit, as I advised the Hon. Member in this House the other day, I have ordered a complete audit of all warrants to ensure that no other inaccuracies exist.

[*Translation*]

ALLEGED INFILTRATION OF CNTU BY DOUBLE AGENT—GOVERNMENT POSITION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, it is quite clear that the Canadian Security Intelligence Service is facing a crisis and that this Minister is incompetent and should resign.

Last Friday, the Crown Attorney in the Marc Boivin case openly confirmed that Mr. Boivin was a double agent infiltrated into the CNTU and paid by the CSIS.

My question is this: How can this Minister explain that infiltration of the Quebec labour movement by the CSIS, an infiltration that recalls the worst days of RCMP abuse in Quebec in the past? How can he justify that infiltration?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I have answered similar questions from the Hon. Member on other occasions. All I can do is repeat what I said on previous occasions. Mr. Boivin himself has admitted that he was a source. He was never an agent of CSIS. We do not have the authority under the CSIS Act to target a labour union. We never have and we never will. If he has evidence to that effect, I would ask him to please put forward the facts on which that allegation is made.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

MATANE PAPERMILL—JOB CREATION—GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-Des-Rapides): Mr. Speaker, in the absence of the Minister of Regional Industrial Expansion and the Minister of State for Science and Technology, I shall address my question to the Prime Minister.

My question concerns regional development in the Gaspe Peninsula and the North Shore region. The *Journal de Montréal* had an article some time ago saying that the federal Government was dragging its feet about the Matane project. There was also an article quoting the comments of the Conservative Member for Matane who had reportedly stated that this issue had become essentially political. He invited his Government to respect the commitments made to the population of Matapedia—Matane.

I therefore ask the Prime Minister whether he intends to keep this commitment, as requested by the Conservative Member of Parliament for this constituency, and when his Government will make an announcement about providing assistance for a paper mill in the Matane region, which would create 300 jobs.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Matane project is now being considered. It is an important project as it involves job creation in a region which greatly needs more jobs. I presume that there will be an announcement in due time by both Governments and by the private sector.

In view of the situation in Quebec, the important thing would be for the Quebec leader of the Liberal Party to tell us exactly his position on Bill C-22, which would create 1,300 new jobs in the Montreal region. At this very moment, the non-elected Liberal sernators are strangling economic development in Greater Montreal, and I invite the Hon. Member to take a position for the Quebec population and to say no to the Liberal Senate.

MINERAL EXPLORATION IN SCHEFFERVILLE AND SEPT-ÎLES REGIONS—FLOW-THROUGH SHARES—GOVERNMENT POSITION

Mr. Raymond Garneau (Laval-des-Rapides): Mr. Speaker, as my colleague is pointing out, this is not of much help to the Matane workers who are trying to find a job. My question is not about pharmaceutical products. If the Prime Minister wants to know my position on that issue, he just has to read *Hansard* as I have already spoken about it.

Mr. Speaker, the Matane project is important, but unemployment has reached 25 percent in Sept-Îles. I was there a few days ago. Houses are boarded up and unemployment is over 25 percent. This is what I want to ask the Prime Minister. Could he sit down with his Minister of Finance to consider giving the North Shore region, as in the case of the Abitibi, the possibility of using flow-through shares to promote mining development in the Schefferville and Sept-Îles regions and to stimulate the economy of a region whose unemployment rate is totally unacceptable even though the population has gone down from 40,000 to 25,000?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, am I to understand that the Hon. Member, who is Leader of the Liberal Party for Quebec, is now saying that he would like the Liberal Senate to give approval to this legislation so that we may create 1,300 jobs in the Montreal region?

[*English*]

Mr. Speaker: I regret to interrupt the Right Hon. Prime Minister, but both the question and, as a consequence perhaps, the answer, are getting very argumentative.

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NATURAL RESOURCES

MANAGEMENT OF NECHAKO RIVER FLOW—NATIVE REPRESENTATION

Mr. Jim Fulton (Skeena): Mr. Speaker, my question is directed to the Minister of Fisheries and Oceans. While opposing in principle the private ownership and control of rivers anywhere in Canada, I, as many others, would like to congratulate the Minister for saving in perpetuity the Nanika-Morice river systems in their natural state.

Some Hon. Members: Hear, hear!

Mr. Fulton: In the face of the profound historic sensitivity and interest in the effects of the Alcan hydroelectric project on the Nechako and Fraser systems, why has the Minister chosen not to involve or appoint even one northern or native representative to participate directly in the flow management of the Nechako?

• (1500)

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I would like to extend to my colleague, the Hon. Member for Skeena, my thanks for the compliment he has paid in having reached what I think is a landmark settlement of a difficult problem which will permit development to proceed in northwestern British Columbia while at the same time ensuring that the fish stocks are conserved, maintained and enhanced in the future. I thank him for that.

I also want to compliment the Hon. Member in his new capacity as spokesman for the energy industry on behalf of the New Democratic Party. It is going to make for some pretty interesting debates in the House.

In the process of consultation, which led up to the conclusion of this agreement yesterday in Vancouver, we have had many hours of discussion with affected groups in northern British Columbia, in the Hon. Member's own constituency, and that dialogue will continue, as it is continuing today as my colleague, the Minister of State for Science and Technology, travels to meet many of these groups to ensure that they know of our invitation to become fully involved in the plan to implement measures to preserve and enhance fish values. That involvement will continue unobstructed into the long term future.

HYDROELECTRIC DEVELOPMENT BENEFITS

Mr. Jim Fulton (Skeena): Mr. Speaker, my supplementary question is directed to the same Minister. Since Alcan did not deliver on the vague promises it made some 37 years ago in 1950, I would like to ask the Minister why he failed to include in the agreement any terms of reference for Alcan's new hydro project to ensure that the substantial benefits of the development accrue to those northern communities and groups which are affected by this development.

Mr. St. Germain: They will. Come on, Jim, you know they will.

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I think the question has been answered from the rear here.

As the Vice-President of Alcan for British Columbia conceded yesterday, much has changed in 37 years. I am convinced of the commitment of Alcan and the Government of British Columbia, and all parties to this agreement, and of their willingness to live up to the spirit of our fish habitat policy in the agreement they signed yesterday to ensure that benefits flow to the native communities and to all the communities in that important part of British Columbia.

Mr. Speaker: This is the last question of Question Period. The Hon. Member for Algoma.

Point of Order—Mr. Riis

TRADE

CANADA-UNITED STATES NEGOTIATIONS—DOMESTIC PRICE OF WHEAT

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is directed to the Minister for International Trade. Last night the provincial Premiers indicated a great deal of pessimism about progress in the free trade talks with the United States concerning agricultural programs and indicated that different formulas are being considered to get an agreement. What assurance can the Minister give that the Canadian Wheat Board and Canada's right to set the domestic price of wheat will not be bartered away in the free trade negotiations?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, these negotiations are in their most critical and sensitive stage. The negotiators are meeting all the time and Cabinet is meeting all the time on this issue. It would not be in the national interest to give specific positions at any given time on any given issue. That would hurt and harm the national interest in the negotiations.

I can only assure the Hon. Member by repeating what the Prime Minister has said on many occasions. It has to be a good deal for all of Canada. It has got to benefit all of Canada. It has got to meet our objectives. I am sure the Hon. Member can be reassured by that viewpoint.

Mr. Speaker: The final question.

CANADIAN POSITION

Mr. Maurice Foster (Algoma): Mr. Speaker, since these various scenarios are being considered by the Government, I wonder what it might trade off to get a deal, since that is being proposed by the Government? Can the Minister make it clear that agricultural programs, our supply management system, marketing boards and support programs will not be bartered away in the final hours of the negotiations a couple of weeks from this Sunday evening, or whenever that occurs?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, there are no such scenarios. There are no such trade-offs.

Mr. Foster: Premier Bourassa says there are.

Miss Carney: There is no agreement until there is an agreement. So the suggestion that there are trade-offs is simply not true. We have been explicit in this House on our position on these issues of marketing boards. Once again I refer the Hon. Member to the debate which took place in this House on March 16 and the motion we introduced which states:

> That this House supports the negotiation of a bilateral trading arrangement with the United States, as part of the Government's multilateral trade policy, while protecting our policy sovereignty, social programs, agricultural marketing systems, the auto industry, and our unique cultural identity.

Those are the goals of the free trade agreement. Those are the goals we must achieve if there is to be a free trade agreement.

Mr. Speaker: Before proceeding with the ruling which it is my obligation to bring to the House, I want to indicate to the Hon. Member for St. John's East (Mr. Harris) that occasionally a Speaker perhaps does depart from the list. I know the Hon. Member will understand that. I am sure that tomorrow or at another time, I will endeavour—in fact, I will make a commitment—he will be recognized. I know he will understand.

* * *

POINT OF ORDER

COMPLIANCE WITH S. O. 13(2)—EXTENSION OF BELLS—MR. SPEAKER'S RULING

Mr. Speaker: On September 1, 1987, the Hon. Member for Kamploops—Shuswap (Mr. Riis) raised a point of order relating to the circumstances surrounding the taking of a deferred division at six o'clock p.m. on August 31, specifically his concern that the bells had rung for longer than the 15 minute period provided for under the terms of Standing Order 13(5) under which the division was being taken. He spoke of the disruption to "orderly business" when Members expecting a division at a given time were made to wait beyond the appointed hour.

The Chair welcomes the Hon. Member's timely intervention on this important matter and wishes to thank other Hon. Members who offered their views on the same point.

[*Translation*]

The Hon. Member for Saint-Jacques referred to the provisions of the Standing Order which specifically states that the bells must be rung for 15 minutes at the most. He also mentioned the time-honoured tradition of the Whips' simultaneous entrance into the House to indicate that Hon. Members are ready to vote.

[*English*]

The Hon. Minister of State for the Treasury Board (Mr. Lewis) pointed out that "this is one of the rules of the House which works both ways at various times", and that this flexibility was not, in his view, being abused by the Opposition Parties, or by the Government.

[*Translation*]

The Hon. Member for Bourassa (Mr. Rossi) referred to the informal agreement which governs the Whips' entrance.

[*English*]

The Hon. Member for Winnipeg—Birds Hill (Mr. Blaikie) reminded the House of the extensive scrutiny which the special committee on reform of the House had given to division bells.

[*Translation*]

The Chair thanks all Hon. Members for their contribution to this question.

[*English*]

The concept of divisions lies at the very heart of the work of any deliberative assembly. Here in this place, the process whereby the House decides the questions before it has, at various times, been the focus of considerable attention by Hon. Members. Our procedure is, of course, laid down in the Standing Orders, but this codification is mitigated by the practice which has grown up over time. Thus, there is the time-honoured convention whereby the entrance of the Government and Opposition Whips to the Chamber signals to the Chair they are ready for the division to be taken.

This convention is nowhere codified, but it is regularly invoked, and its judicious use provides a practical mechanism for taking into account unexpected circumstances affecting one side or another and for allowing *ad hoc* arrangements to be made by the Whips in coping with these exigencies. The sort of accommodation this tradition permits represents the best traditions of this place in extending courtesies from one Party to another. There is always, however, the danger that in so doing we stray too far beyond the parameters of the rules. This is clearly what happened on August 31 where a 15-minute bell rang for 30 minutes before the Whips entered and the division was called.

A review of the recorded divisions in the second session of this Parliament provides a revealing and, I believe, reassuring glimpse of our current practice. Of 148 designated division bells—that is, bells to be rung for no more than 15 or 30 minutes in accordance with the Standing Orders—60 per cent were rung precisely for the designated time, while the time ran over in some 40 per cent of the cases. It is important to note, however, that in the great majority of these overruns—52 out of 59 instances—the extra time taken was less than five minutes and, in the seven worst cases, the longest overrun was 11 minutes on a 30-minute bell. These figures offer compelling evidence of the good faith of Hon. Members and testify to the even-handedness that has guided the Parties and their Whips in responsibly exercising the flexibility afforded them by convention.

• (1510)

The division on August 31 represents, in the light of these figures, an egregious example. The Chair realizes that, even in this instance, the Whips' decision to delay their entrance was made in a spirit of generosity and courtesy and that there was no intention to thwart the spirit of the Standing Orders. But even if the August 31 incident is an anomaly, and the evidence suggests that it is, the Chair shares with Hon. Members profound misgivings about the direction that such an incident might eventually portend. Since the circumstances of this particular instance are devoid of controversy, it is perhaps an opportune time to step back and examine the larger dilemma that the Chair faces with regard to division bells.

[*Translation*]

While reviewing precedents in this respect, the Chair examined a similar case which occurred on November 2, 1982 when the 15-minute bell actually lasted for 33 minutes. Responding to a point of order, the Chair referred to the agreement between Whips and stated that it felt bound by it and would act accordingly.

[*English*]

By contrast, the McGrath Committee's third report, in discussing the stringent time limitations that electronic voting would impose, took the opposite view, stating:

> Some may feel that this limiting of time for voting removes flexibility from the House. Your committee is of the opinion that the House of Commons can no longer enjoy the luxury of waiting for a few Members to arrive for a vote.

These conflicting approaches neatly summarize two options: rigid adherence to the letter of the Standing Orders versus unflagging support for the Whips' convention. In the opinion of the Chair, under current circumstances and with prevailing attitudes, either option is extreme and each carries with it its own perils.

On the one hand, strict adherence to the terms of the Standing Orders constrains the Whips from exercising their judgment and accommodating circumstances on a case-by-case basis. On the other hand, the surrender of the matter entirely to the Whips' convention potentially leaves the House thrall to the political climate of the moment, and to the possibility of questions not being decided expeditiously.

The Chair accepts the responsibility for ensuring the orderly conduct of House business, but would be reluctant independently to invoke the letter of the Standing Orders when it appears that the House, in its wisdom, has chosen to give itself some leeway. At the same time, as I said on September 1, I deeply regret the incident on August 31. It does seem to me that we cannot permit ourselves to stray so far beyond the bounds of the Standing Orders without incurring grave risks. If the House should choose to direct the Chair to enforce strict adherence to the designated times for division bells, then we would proceed accordingly. But the Chair is reluctant to intervene unilaterally to set aside the Whips' convention which, on balance, has served Hon. Members well. With the continued co-operation of all Parties, and the continued vigilance of all Hon. Members, the Chair is convinced that the House can maintain the delicate balance which fully respects the spirit of the Standing Orders with regard to designated times for division bells without doing violence to the Whips' traditional role.

Having said that, I think that the intervention led by the Hon. Member for Kamloops—Shuswap was a serious one and, under the circumstances, was very much warranted. The Chair will be diligent to ensure that no Hon. Member will feel the necessity to raise the matter again. I thank all Hon. Members.

GOVERNMENT ORDERS

[*English*]

MUTUAL LEGAL ASSISTANCE IN CRIMINAL MATTERS ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Hnatyshyn that Bill C-58, an Act to provide for the implementation of treaties for mutual legal assistance in criminal matters and to amend the Criminal Code, the Crown Liability Act and the Immigration Act, 1976, be read the second time and referred to a legislative committee.

Mr. Speaker: When the House rose at 1 p.m. the Hon. Member for Thunder Bay—Nipigon (Mr. Epp) had the floor.

Mr. Ernie Epp (Thunder Bay—Nipigon): Mr. Speaker, I appreciate the opportunity to pursue the subject matter of Bill C-58 which we all recognize deals with the possibility of mutual legal assistance in criminal matters between Canada and any other country of the world with which Canada has a treaty or, as Clause 6 of the Bill allows, with any other country with which an agreement is made. I suggested that this deserved some exploration in order to clarify the reasons for concern that my colleagues and I in the New Democratic caucus feel about this Bill, and that will lead us later this afternoon, I expect, to oppose it when the question of a vote actually arises.

The Minister of Justice (Mr. Hnatyshyn) in introducing this Bill this morning observed that it was not or did not provide a code of mutual legal assistance. That particular phrase from his speech caught my ear. Because of the dangers involved in relations between countries with different legal systems and different standards of procedure in the areas of policing and the judiciary, Canada may find itself caught up in abuses of the legal process, something which I want to pursue this afternoon.

With the knowledge of Canadians over the last several years there is reason to ask some of the following questions. I was reminded in thinking of this matter of the concern that arose when the royal commission to investigate the alleged presence in Canada of war criminals, the Deschênes Commission, came to the question of whether or not it should consider evidence in its deliberations which was located within the Soviet Union or countries of eastern Europe in which the Soviet Union has a great deal of influence. The reason for that concern was of course easy enough to understand.

The royal commission was empowered to look for Nazi war criminals. It was clear that in the profound ideological divisions that prevailed in Europe in the 1930s and the 1940s there were people in various countries who made alliances with Nazi Germany for their own political purposes without necessarily becoming guilty of crimes against humanity or laying themselves open by their actions to charges of being war criminals. Of course, there was the very real possibility that these nationalistic or right-wing activities which were so repugnant to the Soviet Government, or to the communist party in various countries, might open these persons, if they were resident now in Canada, to the possibility of a hunt by the Soviet authorities or by the Soviet secret police to try to get at them. Of course, the concern was that evidence might be fabricated and put forward for consideration by the Deschênes Commission or, conceivably, by the Canadian Department of Justice for use against these persons.

This was a concern which arose in the deliberations of the royal commission. Given that this was a royal commission headed by a notable jurist of the Province of Quebec, Mr. Justice Jules Deschênes, this was a concern with which the Justice dealt in a most impressive way. Having considered the matter carefully, he put forward a number of points which evidence, testimony or documents, whatever it might be, being put forward out of the Soviet context would have to pass before it would be considered by his commission. One could presumably construct that that is what should be applied before it was considered by the Department of Justice, which is now considering these matters.

I know particularly that the commission required that it be allowed to examine the original documents which were to be the basis for charges against persons of having taken part in war crimes. There was a requirement that witnesses be examined under Canadian rules of evidence. That was a matter of attempting to impose on the proceedings in the Soviet Union or other countries, in addition to countries in western Europe where we may expect the rules of evidence to be more compatible, the rules of evidence that prevail in Canadian courts. Canadian judicial procedure needed to operate there, if there was to be an appropriate and proper gathering of evidence.

• (1520)

Third, there was a requirement that the Soviet judicial authorities allow the video-taping of all the proceedings that may occur in this context.

There were a number of other conditions, but I note these first three particularly as evidence of concern which Mr. Justice Deschênes recognized as requiring response from his commission in order to ensure that any proceedings for the investigation of charges against persons in Canada, or any potential laying of charges against such persons, would be sure to be proper and based on genuine evidence and not based on fabrication.

I expanded on this a little, because here we have a clear case of concern expressed by Canadians in such a manner that most of us, if not all of us, can understand their political concern. It found response from a noted jurist who was operating in the public spotlight, although much of his deliberations were in confidence when it came to individuals. The response by Mr. Justice Deschênes deserves recognition in the House of Commons as we look at the potential operation of Bill C-58.

I wish to turn from this particular instance to generalize the concern that I am expressing by looking at a different situation, or I will let Members judge how different it is. It is the matter of the disputes into which Sikhs have long been drawn, and the proceedings against Sikhs in Canada and in India during the last few days. After all, the activities of our Canadian Security Intelligence Service have been intensely controversial for several days. Those activities have led to an admission by the Crown that untrue statements were used as a basis for obtaining a wiretap order in Canada.

In another situation altogether, a Sikh who is a Canadian citizen from the Toronto area and who was travelling in the subcontinent was arrested and subjected to interrogation, how severe we do not know. He made a confession after five days of intense interrogation. One shudders to think what that may have involved. His family has stated he was preoccupied with his work and too busy to be involved in politics.

When one thinks of those two cases, one where a person may spend two years in detention without any charge being laid—and who knows when he may have legal counsel in those circumstances if it were not for the intervention of the Secretary of State for External Affairs (Mr. Clark)—surely it is reasonable to consider very seriously what the possibilities of Bill C-58 may be.

I wish to bring into this discussion some concerns which I raised earlier this year with the Secretary of State for External Affairs. At the time that the Canadian Government arrived at an extradition treaty with the Indian Government I wrote a letter to the Secretary of State in which I expressed some concern. In part I stated:

> I share the concern of many Canadians that this treaty could lead to abuse of the civil and human rights of Canadian citizens.
>
> I have heard that Canadian immigration officers processing applications in India sometimes have to deal with rather skillful forgeries. One trusts that they spot all the forgeries, although their failure to do so would only "condemn" a person to the desirable fate of a new life in Canada.

I began with that complex of things. I then suggested to the Secretary of State:

> The presentation of fabricated documentation to support an application for extradition of a Canadian citizen or resident could have far more tragic consequences.

I asked the Secretary of State for External Affairs:

> What resources does the Government of Canada possess to unmask forgeries? Will the Government ensure that persons will only be extradited when the charges against them are well-authenticated?

In my concluding paragraph I recognized the sensitivity of these matters, given that I was inquiring about a government of a sister nation of the Commonwealth, and where one would not wish to think that anything of this type could happen. As I said a few moments ago, events in the last days in the Canadian Security Intelligence Service, and in the Indian context, it appears, leave one more leeway to pursue these matters.

Legal Assistance

Several weeks later the Secretary of State for External Affairs responded. At first I was impressed by his statement. He said:

> You are indeed correct in your suggestion that Canadian immigration officers are sometimes faced with forged documents, not only in India, but in many other countries as well. Our officers receive specialized training designed to help them identify the fraudulent documentation.

The Secretary of State then addressed my particular question and stated:

> In terms of your question about the possibility of forgeries being an aspect in extradition requests, I can assure you that such a situation would be highly unlikely. Extradition treaties are a fundamental and valued element in international relations and I would doubt that any country would seek to misuse such arrangements through fraudulent documentation. The treaty with India is reflective of the changes in Canadian law of the past five years, specifically, the Canadian Charter of Rights and Freedoms, and, as such, incorporates greater safeguards for the individual than any of our previous treaties.

I noted those assurances to me. I also obtained from the research branch of the Library of Parliament an assessment of the extradition treaty with India which came into force on February 10, 1987, in order to determine what special features this particular treaty may have. Of course, I was concerned in the context of Canada wishing to increase its trade with India, which is a concern expressed to me by Canadian citizens, particularly those of Indian origin, and the Indian Government for its part wishing to put an end to or suppress the Sikh dissidents that exist in the Republic of India. Much of the treaty is similar to other treaties, but the extradition treaty with India does have a number of novel and unusual features. I wish to note a few of those.

The treaty is silent on the question of whether nationals can be extradited. This is not the only treaty in which that is the case. The treaties with Israel and the United States are similar. The treaties with Denmark and Sweden which the researcher used for comparison do not include that.

There is then the possibility that a Canadian national could be extradited to India. Of course, that opens the possibility that a Canadian of Indian origin may be so extradited. That is one area of potential danger.

There is a further and unusual provision in that all the other Canadian treaties have a specified list of extradition crimes. However, the Canada-India treaty simply states that an offence "punishable by the laws of both contracting states by a term of imprisonment for a period of more than one year", is one under which extradition may take place. There is a very broad sweep here. There is a provision allowing for the extradition of persons for offences relating to taxation or revenue, or an offence of a purely fiscal character.

These two provisions are not unprecedented in terms of the development of extradition treaties these days, including those in Europe, but they are additional novel features in the treaty that the Canadian Government arrived at with the Indian Government and which came into force in February. Incidentally, on the monetary side this treaty is matched in Canada's

other treaties only by one with Finland. In respect of the provisions for bail pending trial, the researcher notes, the limitation here is for six months. She trusts that anyone who would be held longer than that would obtain freedom thanks to Indian press coverage of violations. We have a nice example of an area in which there probably will not be that type of action. Considering the comments of the researcher on the political offences that the treaty covers—

The Acting Speaker (Mr. Paproski): Order, please. The Hon. Member is aware that he should not pass between the Speaker and the Member speaking. I would appreciate very much if I could see the debater, the Hon. Member for Thunder Bay—Nipigon.

• (1530)

Mr. Epp (Thunder Bay—Nipigon): Mr. Speaker, when we come to the section of the treaty that deals with political offences, we have a clause which is so drawn, recognizing the way in which terrorism is treated these days, that there are next to no protections.

In summing up, I want to point out that a careful comparison of the extradition treaty with India and with other treaties Canada has leaves cause for concern. Recognizing that the treaty was arrived at by the Government with the Government of India and that there is a possibility of other treaties being added to the list provided by Section 4 of the Act, I am worried about the way in which Bill C-58 might operate. I want to indicate that my colleagues and I are opposing the Bill. Assuming it receives second reading here, thanks to the action of others, we want to give it the most vigorous possible consideration in committee in order to ensure that the fewest possible dangers arise under the operation of it.

Mr. David Orlikow (Winnipeg North): Mr. Speaker, I want to make a few observations about the Bill and express my concern about the way in which friendly relationship between our country and our neighbours to the south has been misused in the past and may be even more misused in the future as a result of the passage of Bill C-58. We are friends of the United States and we want to continue to be friends. After all, there is no other example of a border between two countries of more than 3,000 miles which is undefended, and we want that to continue.

We know, as the Americans know, that there is no country with whom we have greater and more important trade relations than we have with the United States and they have with us. We try to maintain good a relationship with the Americans, but it becomes obvious when we look at the record that our friendship is misused and mistreated. We want that friendship to continue, but not at the price which we have in the past and may again in the future have to pay, and I do not think we can continue to be friends with the Americans if we have to crawl on our bellies to please them.

When I look at some of the actions which the Americans have taken by using and misusing information obtained from Canadians, particularly from the Canadian security services, I am very dubious about what is proposed in Bill C-58 and what will be permitted under the terms of it. I will not repeat in any detail the information put on the record earlier today by my colleague, the Hon. Member for Burnaby (Mr. Robinson). He referred to the decision by the American Government to forbid Farley Mowat, a very well known and highly respected author who is a Canadian, travelling to the United States because of some comments he made about the foreign affairs approach of the American Government. Similarly, the Saskatchewan professor, Jim Harding, is not permitted to go to the United States because, according to the Americans, he attended a conference in the Soviet Union.

I want however, to speak about a much more serious blot on the record, namely, the tragedy which occurred in the life of a very distinguished Canadian diplomat, one of the best known and ablest that we ever had, namely, Mr. Herbert Norman. He was a very close friend of former Prime Minister Pearson. Mr. Norman worked with Mr. Pearson for many years in our External Affairs Department. He was harassed and maligned in the U.S.A. His reputation was dragged through the dirt in American congressional committees. He was accused of being a communist and of being a spy. Those accusations came from Congressmen and Senators in the United States who would consider anybody to the left of Genghis Khan a communist. On what did they base their claims? They based them on the allegation that when Mr. Norman was young and studying at Oxford he had been a member of a communist cell. They were talking about something Mr. Norman may or may not have done some 30 or more years before the time when these charges were laid.

From where did these Congressmen and Senators get this information? There were only two ways, Mr. Speaker. First, the Americans could have obtained the information if they had had security service agents working in Canada. As far as I know, there has never been any evidence that Americans have agents working in Canada except, I suppose, a few the CIA agents who are here in Ottawa in the American Embassy. Second, the Americans get information, which they get about many Canadians and other citizens of other countries, by the exchange of information between the security service in Canada, previously the RCMP and now the Canadian Security Intelligence Service, and agents and representatives of agencies of the United States, either the FBI or the CIA.

One expects security agencies operating in countries which are friendly with each other to exchange information. One also expects that that information is kept within the walls and files of the respective security agencies, particularly when so much of the so-called information contained in the files is there on the basis of unsubstantiated, unproven, often completely false information given to security agencies. As far as I know, and I have been interested in the subject for a number of years, no information which the Canadian security agencies have on Canadians or anybody else has been leaked or made public in any other way to the media, the radio, TV or newspapers.

However, that is not what happened for so many years in the United States. In the 40 or more years that Herbert Hoover was the Director of the FBI, because of his concept of what constituted communism and whom he believed to be communist, all kinds of information, not just about American citizens but about citizens of many other countries, was leaked by the FBI and perhaps by the CIA when it suited its purposes to media people, Congressmen and Senators.

• (1540)

I do not intend to go through the entire record, but Mr. Norman became a victim of U.S. McCarthyism. His loyalties were questioned. He was accused not only of having been a communist but of having continued to be a communist. In fact, he was accused of being a spy. That allegation made publicly in the United States at meetings of congressional and senatorial committees was of course looked into by Canadian authorities.

I am certain that when Mr. Pearson was our Secretary of State for External Affairs and when he was the Prime Minister, he had the opportunity, the right and the ability to look at the files, and I am certain he exercised that ability. I am certain as well that if Mr. Pearson had any reason to believe that Mr. Norman was all or any of these things of which he was being accused, Mr. Pearson would have taken decisive action. Of course, no action was taken by the Canadian Government because no action was required.

However, these allegations, false accusations and innuendoes were spread so widely that they adversely affected the ability of Mr. Norman to do his work. They affected so adversely his whole life that eventually he committed suicide while serving his country as our representative in Egypt.

That is what happened in the past. I am not saying that I am certain it will happen in the future. However, it can happen and I believe that the provisions of this Bill give our security agencies and the Government a power which could be misused, either wittingly or unwittingly.

I want to take a moment to thank my colleague from Vancouver for his very kind words and for his very detailed and moving description of the mistreatment of nine Canadians, of whom my wife is one, by experiments conducted in Montreal at the Allan Memorial Institute, experiments which went a long way toward destroying or certainly making difficult the lives of the more than 50 people who were involved in those experiments. That is just one illustration of what a security agency acting without supervision and without any real principles can do.

I worry a great deal about what can happen in the future based on the experience we have had in the past with our American friends. My colleague from Thunder Bay discussed possible problems that could arise in our relationship with the Government of India. I am sure the same questions could be asked about our possible relationships with many other countries. For all these reasons, it is my intention to vote against this Bill.

The Acting Speaker (Mr. Paproski): Questions and comments.

Mr. Riis: Mr. Speaker, it is a pleasure to have an opportunity to say a few words on Bill C-58. I must say at the outset—

The Acting Speaker (Mr. Paproski): Order, please. I called for questions and comments. The Hon. Member is not questioning or commenting. Therefore, if there are no questions or comments, the Hon. Member for Kamloops—Shuswap (Mr. Riis) has the floor on debate.

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I suppose I could have used that Standing Order since I do not plan to say much on Bill C-58 in order to allow it to proceed to committee as quickly as possible.

There are obviously a number of serious shortcomings attached to Bill C-58, and it is for that reason that we have been encouraged to co-operate and to facilitate the consideration of this Bill at this stage so that the legislative committee can hear the appropriate witnesses with the appropriate expertise to improve the Bill. I sense a willingness on all sides of the House to improve the legislation. Some serious errors have already been brought to the attention of Members of the House.

Basically, Bill C-58 is an Act to provide for the implementation of treaties for mutual legal assistance in criminal matters and to amend the Criminal Code, the Crown Liability Act and the Immigration Act, 1976. I want to say at the outset that I oppose this Bill in its present form for a whole number of reasons. Some of them have been mentioned already and, as the debate continues, some of the more technical concerns will be brought to the attention of the legislative committee and presumably the appropriate amendments will be moved.

I think it pays to look at the background of this legislation since this is the stage when we have an opportunity to debate the principle of the Bill. For that reason, I think it is appropriate that we look at the motivation behind Bill C-58.

Of course, we go back to the famous Shamrock Summit at which the Prime Minister of Canada (Mr. Mulroney) and the President of the United States met in Quebec City to sing *When Irish Eyes are Smiling* and to come to some agreements on the need for free trade negotiations. At that time, the President made some requests of the Prime Minister, and this Bill basically flows out of the request that the United States be given authority to extend powers of investigation into Canada beyond the existing laws. I think this is the result of one more of the ongoing demands that President Reagan made to the Prime Minister of Canada in order to open the door to some free trade negotiations. It is essentially another concession.

Bill C-58 is a very serious concession. It does not allow only countries like the United States to carry on investigations in

Canada, but it is open-ended so that it provides the Government of Canada with the authority to enter into a treaty to allow another country to enter Canada to carry out police investigations or various other kinds of law-enforcement investigations without ever coming to Parliament for authorization. In a rather extreme case, that would mean that if the Government of Canada wished, it could enter into negotiations with the military junta in Chile and allow the Chilean national police to infiltrate organizations in Canada. That is an extreme example, but it makes the case that the Chilean security forces would be allowed to operate in Canada. That would of course pose a very serious threat to the freedom and well-being of people who have fled the oppressive military regime there and found sanctuary in Canada.

• (1550)

The Bill would allow that regime or any other tinpot dictatorship to enter into an agreement with the Government of Canada without scrutiny, monitoring or even the knowledge of Parliament until after the fact. I do not think that is in the best interests of Canadian security or our concern for those who have fled oppressive regimes. If we are talking only about the United States, then let the legislation express it as being the U.S. and limit it to that country.

Someone might say, if it were only the U.S., would we have any concerns? Yes, we would. You will recall a number of occasions when decent law-abiding Canadian citizens have attempted to enter the U.S., or in some cases simply pass through, and have been turned back. Who are some of these people? I just want to give a couple of examples to indicate how oppressive American law can be when it is applied in cases like this.

You will recall that back in 1985 a Canadian was denied entry to the U.S. This incident received a fair bit of publicity at the time. This dangerous person was none other than Farley Mowat, the famous Canadian author.

Mr. Clark (Yellowhead): I got him in, Nelson.

Mr. Riis: The Secretary of State for External Affairs (Mr. Clark) says he got him in. We appreciate that intervention, but the point is that the U.S. deemed this man to be dangerous. All he wanted to do was to go down to the U.S. and promote his most recent book. Why was he denied entry? I remember speaking with him a few days later at a function here on the Hill. He was still kind of leaping with delight at the fact he had caused so much concern to the American authorities. Apparently he had at one time threatened to shoot down some American bombers with his .22 rifle. He had had enough of their invading our airspace and he was going to take some steps himself and take on the United States' Strategic Air Command.

Mr. Clark (Yellowhead): Did his book sales go up?

Mr. Riis: I suppose they might have increased as a result of this publicity. Knowing Farley Mowat, he would have taken advantage of this rather peculiar event at the American border.

It is peculiar that we would not be concerned about that kind of situation and have taken steps to negotiate with the U.S. so that this kind of silliness does not occur.

Another example occurred last year when Professor Jim Harding from one of the Saskatchewan universities wanted to travel from Calgary to Los Angeles to Mexico City to Costa Rica to participate in a UN conference. When he arrived in Calgary and was about to depart for Los Angeles, the American authorities said they did not want him passing through their country. They considered him to be a dangerous person. The reason was that in his youth he had participated in a peace conference in the Soviet Union. As a student he joined with other students from around the world to discuss peace. He was obviously identified then as a Communist and an undesirable and denied entry.

I could go on with a whole list of similar incidents. Certainly the Minister does not need to have me lay out that list. Perhaps later on he could do us a service and stand up and give us some other peculiar events. That would encourage us, before we fall all over ourselves facilitating the U.S. in carrying out investigations here, to come up with a little bit of balance between the two countries.

Under existing law, U.S. enforcement agencies, before they can come into Canada to carry out investigations, must ensure that charges have been laid in the U.S. against the individual or individuals concerned. This legislation will change that. No, you do not have to have been accused or have charges laid against you. As long as the American investigative authorities believe there is some problem, they can enter Canada to investigate. The FBI can come in at that stage before any charges occur in the U.S. That will place a considerable number of Canadians at risk. Given the activities of some U.S. law enforcement agencies which have become public recently, I am not certain that we can have a lot of faith in the above-board nature of their operations.

Think, for example, of all those individuals who left the U.S. because they refused to serve in that immoral war in Vietnam. They made a very difficult decision and a number of them decided to seek sanctuary in Canada. They came here and are now citizens, and I suspect most of us know a number of them because they often play influential roles in our communities. These people would obviously be targets for this kind of undercover investigative work.

Then we have the people in the U.S. right now who oppose some of their country's foreign policy, particularly that aggressive foreign policy in places like Central America where the administration is bound and determined to fund the Contra movement and overthrow the Government of Nicaragua by force. I am pleased that our Secretary of State for External Affairs has on a number of occasions spoken out and indicated that Canada opposes that intervention. Yet the U.S. administration under President Reagan is doing everything it can to

get arms and explosives to make that attempt more vicious and murderous than ever. Peaceful protesters in the U.S. speaking out against the administration in the U.S. might come under investigation, and if they were to flee to Canada for safety they would, as a result of this Bill, be investigated by those organizations here in Canada.

I do not want to take up valuable time on this legislation because the same points will be made at subsequent stages. Let me say that I believe Members of the House recognize that the few points I have made in the last moment or two are sufficient to warrant voting against this Bill in its present form. Certainly everything I have heard so far indicates that this Bill is inappropriate. We should not pass this Bill. The Government should go back to the drafting board and draft a Bill which is fair, just, decent and compassionate and bring it forward. For goodness' sakes, let us stop this Bill from proceeding and get on with the real business of Canada.

• (1600)

The Acting Speaker (Mr. Paproski): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Mr. Riis: On division.

Motion agreed to, Bill read the second time and referred to a legislative committee.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mr. Paproski): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for York East (Mr. Redway)—Administration of justice—Sentence in Quebec National Assembly murder case—Call for reform of criminal law; the Hon. Member for Winnipeg North (Mr. Orlikow)—Canada Deposit Insurance Corporation—Coverage of registered retirement savings plans—Request for amendment to legislation; the Hon. Member for Ottawa—Vanier (Mr. Gauthier)—The Constitution—1987 Constitution accord—Language minority groups—Representation of language minority groups in public service.

GOVERNMENT ORDERS

[*English*]

ROYAL CANADIAN MINT ACT AND CURRENCY ACT

MEASURE TO AMEND

Right Hon. Joe Clark (for the Minister of Supply and Services) moved that Bill C-46, an Act to amend the Royal Canadian Mint Act and the Currency Act, be read the second time and referred to a legislative committee.

Mr. Ron Stewart (Parliamentary Secretary to Minister of Supply and Services): Mr. Speaker, Bill C-46 is designed to accomplish several specific objectives which I will outline in a moment. When considered in their entirety, however, three general themes are evident. Certain housekeeping measures are proposed to consolidate, within one piece of legislation, and to modernize all technical matters pertaining to coins. Second, several proposals are included to improve financial arrangements for the Mint and to give it more operational flexibility. Finally, several modifications are proposed to provide a framework for new marketing initiatives the Mint may wish to pursue.

Among legislative housekeeping matters relating to coinage, I believe it is desirable to simplify the approval process for minor changes in size and composition of existing Canadian circulating coins. Governor in council authority to effect such changes will allow the Mint to respond relatively quickly to situations of metal shortages and to benefit from new technologies, thereby ensuring adequate supplies of domestic coinage and positive seignorage revenues. As well, all technical matters, some of which are now found in the Currency Act, should be consolidated within the Mint Act while leaving the primary responsibility for matters relating to our monetary system with the Minister of Finance.

Among the second group of proposals to improve the financial and operational flexibility of the Mint is an amendment that would permit the Mint to bank in the private sector. Current practice whereby the Mint conducts its financial transactions through a special account in the Consolidated Revenue Fund distorts the Mint's true financial picture by not recognizing interest which could be earned on deposits. Additionally, most of the Mint's financial transactions are in foreign currencies, and being allowed to make its own direct arrangements for these transactions would be administratively and financially advantageous to the Mint.

To create a proper capital structure the Minister is proposing to permit the Mint to issue $40 million in shares which would be purchased by the Minister of Supply and Services. These shares would be redeemable at face value. This would provide the Mint with a level of capitalization to meet its needs consistent with accepted norms for determining private sector capitalization financing requirements.

Accordingly, the Mint will also be given authority to borrow up to $50 million from the private sector or from the Consolidated Revenue Fund as may be approved by the Minister of Finance. This amount is consistent with the Mint's recent history and with projections for future requirements of its approved five-year corporate plan.

The Mint will also be authorized to seek additional borrowing authority through appropriations in future, if such an increase is required. This would provide further financial and operational flexibility without requiring changes in enabling legislation but would still ensure that the exercise of such authority would remain subject to Parliament's approval. I repeat, Mr. Speaker, that such authority would remain subject to Parliament's approval.

The Minister is proposing that we eliminate the requirement that all corporate profits be paid to Canada at the end of each fiscal year, which has not been done in any event. Rather, earnings should be applied to meet approved investment requirements and, under the capitalization structure, dividends would return a portion of profits to Canada.

The third group of changes are designed to improve the Mint's marketing framework. Governor in council approval should provide authority for the Mint to respond more quickly to market opportunities and imperatives to produce precious metal coins. Moreover, we wish to remove any doubt that the Mint may borrow, rent or lease precious metals for its internal working inventory, thus ensuring its continuing role in stimulating Canada's mining industry.

The existing 1991 sunset clause on production of the very successful gold maple leaf bullion investment coin will be removed to ensure continued world-wide investor confidence in a product with long-term market liquidity. There will also be changes in the public reporting requirements in connection with the production of precious metal coins. Current requirements jeopardize the confidentiality of the Mint's marketing and production programs in an environment of ever-increasing world competition.

Finally, the Minister proposes that the Mint's Board of Directors be enlarged from 7 to 11 members and that the discrimination favouring membership from the Public Service be removed. Both these changes will allow for greater expertise to participate in making direction-setting decisions for an organization that has become highly market-driven. Appointments to the board will continue to be approved by the Governor in council.

These proposed changes are the result of a comprehensive review of the Mint's legislative environment and, if adopted, will constitute the first major revision to minting legislation in the past 18 years.

I would like to conclude my remarks with the hope that the revised legislation will serve to give the Mint an up-to-date legislative environment that will permit it to continue its record of success. That success will rebound to the benefit of the Mint, its many customers and, most important, the shareholders who are, of course, the people of Canada.

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, I am very pleased to be participating in this debate on Bill C-46 which makes certain amendments to the Acts governing the Royal Canadian Mint. Not many Canadians know very much about all the activities of the Royal Canadian Mint. It is a tremendous organization and I think it should have a higher profile in the eyes of the public of Canada.

The Mint has some outstanding people working for it. It certainly has the country's interests at heart and is to be congratulated for the tremendous job it is doing in promoting its business in the international markets of the world.

Following upon what the Parliamentary Secretary has just stated, I think it is important to note that the production of the Centennial coins by the Mint in 1967 was a great step forward and proved to many people what a solid, business-like structure existed within the Royal Canadian Mint. Further things came to light in 1976 during the Olympic Games in Canada. The Olympic Games presented an open opportunity to produce many more coins for the international market and allow the Mint not only to pay its own way or break even, but indeed to make a huge profit. Following 1976, with the experience of the Olympic coins, the Liberal Government of the day put a marketing structure into place, which really started the boom in coins at the Royal Canadian Mint.

• (1610)

As a result of that legislation in 1976, the income at the Royal Canadian Mint is some $990 million, compared to the $50 million in income and business in the early 1970s. The reason for that huge increase in business is that the people at the Royal Canadian Mint and others in government since 1976 not only sold their professionalism and expertise but indeed marketed Canadian bullion which was in serious trouble.

Between 1979 and 1984, Canada exported some one million ounces of gold coins annually. This helped the gold market tremendously in Canada. Last year, 1.5 million ounces of gold were put into coins in Canada, which represents a fantastic growth in a Crown corporation that has demonstrated its expertise.

I want to compliment the people at the Royal Canadian Mint for the work they have done and hope they will continue with the initiatives they have shown.

I must admit that for a number of years as a Member of Parliament I had not paid much attention to our Canadian Mint until I went there to get a briefing. It was a rather pleasant experience to go through the entire plant where everything was described to me. I was shown the various types of coins they were making, including coins for India, Australia and Japan.

People may not think that Canadians would do much coinage business for Japan, but the Royal Canadian Mint does a lot of business making coins for Japan.

As well, it makes coins for Britain and several European countries where the technology is supposed to be so great that one would think they would do it for themselves.

Canada has increased its markets for coinage greatly throughout the Asian rim and Europe, which indeed has been very beneficial for gold production in Canada.

During my visit to the Mint the officials showed me the carts where the gold bars were kept. I was permitted to pick one of them up, but the officials smiled at me when I tried to do it with one hand. One requires two hands to pick up a gold bar which is valued at about $250,000. It is a unique experience to hold $250,000 in one's hand for the first and probably only time in one's life. I only hope that the Mint is not robbed because my fingerprints may still be on that gold bar.

I believe it is appropriate to provide the Royal Canadian Mint with added powers in order to be more flexible in its operations. The change in metal prices in the world is very important to the Mint because it must depend on the low cost of metals to keep its costs down. When the price of silver or gold increases greatly, the cost to the Mint rises dramatically.

It is interesting to note that outside factors over which the Mint has no control account for 94 per cent of its cost of producing coins. The Mint cannot control the price of gold or silver. It has its labour costs and assaying costs, as well as the wages for its professional engineers and tradesmen. Therefore, only 6 per cent of the costs are under the control of the Mint.

What is the difference between the Mint Act and the Currency Act? The Mint Act deals with the production and issuance of coins and gives the Mint the authority to make and sell coins.

The Currency Act deals with the use of coin and paper currency in the money system. Of course, the Currency Act is very much related to the Department of Finance. There are many other areas of government activity which either control or share a certain amount of power within its administration.

I want to refer to one part of the summary of the Royal Canadian Mint corporate plan of 1987, which deals with Canadian circulation coinage. I stated a moment ago that the production of coins makes much money for the Mint. However, the Mint does not make a big profit on the production of Canadian currency in order to keep costs down. Its profits are made on the foreign coinage that it is able to sell. It states under "Canadian Circulation Coinage":

> This product line constitutes the basic "raison d'etre" of the RCM. While all other activities of the Mint are profit-motivated, the overriding objectives with respect to this activity are to produce and supply coins of the currency of Canada, of the highest quality and at the lowest possible cost. Therefore this product is not a significant contributor to the profitability of the Corporation. The Mint must exercise discretion, and take the necessary initiative, to ensure that an adequate supply of coinage in all denominations is available to meet the demand.

With regard to bullion products, it is important to note that in 1979 the Royal Canadian Mint introduced the gold maple leaf bullion coins, as was mentioned by the Parliamentary Secretary. From 1979 to 1984, on average, one million ounces of gold coins were sold annually. In 1985, in an environment of reaction to South Africa, 1.8 million ounces of gold maple leaf coins were sold, making us the market leader. In 1986, 1.5 million ounces of gold coins were sold. A lot of the reason for our being a world leader is the expertise, of the Royal Canadian Mint, the ability to produce, and the ability to look after the markets. We owe it a mark of credit there.

• (1620)

Other countries are going to enter into competition with us on the coin market, undoubtedly with many other coins such as Olympic coins, but with the expertise we have in this field and the experience the Mint people have here in Canada, I do not think we should be overly concerned about its ability to compete. As Britain, Australia and others come on stream, I think Canadians will be able to compete very well in the market-place as far as coins are concerned.

With regard to numismatic products, the report tells us that the major marketing thrust will be in the international collectors' market where the Royal Canadian Mint expects to increase significantly its number of collector customers. As you know, Mr. Speaker, we have great stamp collectors and coin collectors and so on and this market will undoubtedly grow.

The Bill at hand in its provisions withdraws the sunset clause mentioned by the Parliamentary Secretary which called for an end to the gold bullion maple leaf program in 1991 and provided for public accountability of sales. That will give the Mint a chance to go ahead and continue to sell that coin. The approximate total amount of business done by the Royal Canadian Mint up to now is $990 million. I believe that some $800 million of that is due to the sale of the gold maple leaf coin. So this is a very important amendment to this Bill. The elimination of this clause, of course, will enable the Mint to remain competitive internationally. The Mint still remains accountable to Parliament, as has been mentioned, not only through its five-year corporate plan, but it will continue to report annually to the Parliament of Canada.

I think it is important that the appropriate parliamentary committee take those reports and at least extend to the Mint the courtesy of having a couple of meetings or a hearing, if for no other reason than to educate ourselves as Members of Parliament as to what it is doing in the country and on the international scene, and also to give it a profile, telling Canadians what the Royal Canadian Mint is doing. We have a responsibility to get that information out there as well.

The Bill would allow the Canadian Mint to react more quickly to the imperatives to produce coins in certain metals and sizes, giving it more flexibility, and the amendments to the Act would allow changes to be made to the type of metal used

in the production process and to the size of the coins. For example, size changes of up to 10 per cent would be permitted. There are no restrictions on the type of metal used to produce a coin, only that the colour of the coin must remain the same.

The amendments allow the Mint to respond quickly to cost changes in metals, thus guaranteeing a positive seigniorage—the difference between the cost of production and the face value of the coin—to accrue to the Consolidated Revenue Fund. Finally, they would allow the Mint to effect these changes through Order in Council rather than having to come before Parliament in the form of special legislation. Today, with all the Orders in Council that go through, I do not know whether that is speeding up the process. However, we certainly do know that if it had to rely on the House of Commons for flexibility, it might wait a long time with the amount of business and priorities given to particular pieces of legislation.

Because the international market in precious metal coinage is very competitive, the Mint wants flexibility to respond to changes in the market and to mint new precious coins. That in part is related to what I said a while ago, that the Mint has no control over the cost of these metals and, therefore, from time to time it may have to change to another metal or to another coin in order to remain competitive.

The Bill proposes a general authority to go into precious coin production, which is another step forward. It gives the Mint added initiative.

In addition to all of this, we have an increase in the board of directors. At present we have seven members on the board of directors of the Mint, but it is overloaded with public servants. The thrust of this particular amendment is to allow the government of the day to go out into private enterprise and into other industrial areas of Canadian life and pick people to go on that board. I would hope that, since this is the beginning of the increase in the board—and these amendments provide for that increase—serious thought will be given to the appointment of these people now. Those four additional positions on the board of directors of the Royal Canadian Mint should be filled in the future by well qualified, well trained, experienced people. They should not be used as patronage positions for people who are looking for a little fame for the moment. Given the record of the Royal Canadian Mint and its expertise, and considering what it has given to Canada with respect to coins and money abroad, it is very important that these people be well qualified for those positions and that they always have the best interests of the Royal Canadian Mint at heart.

I think this is a good step as a follow-up to 1976. Perhaps the Parliamentary Secretary would have a few more words to say about the $40 million capitalization before we close off debate. The authorized capital of the Mint is $40 million divided into 4,000 shares of $10,000 each. The Government, through the appropriate Minister, is permitted to buy those shares. Under what conditions would that happen? Under what conditions would the Mint want to buy them back from the Government? What triggers these sorts of things? I wonder if the Parliamentary Secretary could give us an example of how this would operate, because I think it is very important. We know that when Crown corporations need money, the Government of Canada is there and it has a certain onus to lend these corporations money.

It also gives the Mint the opportunity to go into the private market-place to borrow up to $50 million. We would like to think, however, given the positive financial picture of the Mint at the present time, that this will not be necessary, especially if the markets of the world continue to treat us favourably, if the Canadian Mint remains competitive to the extent I mentioned earlier, if its expertise is well used, production is on target and quality is good. We certainly must mention quality here. The metals must be absolutely pure, flawless. They are simply not used if they are not. We must compliment the people in the Mint who have implemented quality control as part of their job. Obviously they are doing a very good job in this area.

• (1630)

I leave these questions with the Parliamentary Secretary. What would trigger the purchase of shares from the Royal Canadian Mint by the Government of Canada through the appropriate Minister? What would trigger the Mint to buy them back, other than perhaps their being a bit more flush at that time as opposed to others? Are there any other factors to be considered?

I hope that it will not be a case of the Government buying a number of shares with the hope of having more control over the operations of the Mint since these people have been doing a good job. We want them to be free to exercise their goodwill in the international market-place as well as their ability to sell as long as they keep their good record which they have had until now.

Through you, Mr. Speaker, I would like to congratulate all personnel at the Royal Canadian Mint for the tremendous job they have done over the years. I hope that through this Bill and through other activities they will be able to gain a higher profile in the public domain so that the people of Canada will fully appreciate just what kind of people we have working in that Crown corporation and, indeed, others in our Government who do not always get the just rewards and compliments that they deserve.

Mr. Stan J. Hovdebo (Prince Albert): Mr. Speaker, it is a pleasure to be able to speak today on Bill C-46, an Act to amend the Royal Canadian Mint Act and the Currency Act. As I understand it, the Royal Canadian Mint operates under three Acts, the two Acts to which I have already referred and the Financial Administration Act, an Act with which all organizations in the Government are required to deal.

We in the New Democratic Party have no quarrel at all with this particular legislation. However, we do want it to go to committee. I suggest to the Parliamentary Secretary that with a little preparation we could probably pass it at just one

meeting of the committee. I say this in light of the fact that we have a number of questions that we want to ask and, like the Hon. Member for Renfrew—Nipissing—Pembroke (Mr. Hopkins), we want the opportunity to ask those questions and to receive answers to them.

What we are really wanting to find out is why in many cases in many parts of this Bill the Government has made the moves that it has made. For instance, in which direction does it intend to go? What are its intentions as far as the Mint is concerned? As suggested by the previous speaker, the members of the committee will have an opportunity to take a good look at the operations of the Royal Canadian Mint and understand better than they do at present why the changes are being made.

The clauses of the Bill are straightforward. The Parliamentary Secretary gave us an outline which indicated the main changes being made. However, the reasons for some of the changes are somewhat obscure. We would like those reasons to be aired and to be reported by the Government. The opportunity of going before a legislative committee will allow us to do that.

The Bill itself establishes a very clear and straightforward objective. In fact, the changes to the Acts are more direct and in simpler language than we have had before. The objectives of the Mint are to mint coins in anticipation of profit and to carry out other related activities. We would like to question the officers of the Mint as to exactly what is meant by "other related activities".

Clause 3 of the Bill talks about capitalization. Although we recognize that the Government is bringing the structure of this Crown corporation more in line with the general structure of corporations both private and public, the Mint got along without that structure for a good many years. It will be interesting to find out exactly why at this moment the Government feels that it is important to move in this direction.

The Mint operated from 1908 as an agency of the Government. It was not until 1969 that it was made into a Crown corporation. Even at that time it was given no capitalization since it was recognized that the relationship between the Government and the body that produced parts of our legal currency had to be very close and under strict government control. Consequently, even when the Crown corporation was formed in April of 1969, the need for a corporate structure was not recognized, or was found not to be pressing to the extent that not up until this particular Bill was introduced was a change to its structure considered.

The Royal Canadian Mint has been one of the most flexible Mints in the world. Consequently, besides refining precious metals and treating them it produces coins of all varieties. This change of capitalization is something that we would like to look into. For instance, as the previous speaker suggested, although it is probably just a requirement to tidy up the situation that is presently in place, if one reads that particular clause thoroughly one could ask why we have these shares being put in place since they are all to be purchased by the Minister of Supply and Services. However, Clause 3.2 allows the sale of shares back to the Mint, it would appear, or possibly to some other purchaser, although it is indicated that that cannot happen at this time. That particular possibility is one of the questions that I wish discussed.

• (1640)

Although this Bill does not allow privatization at the moment, the structure being put in place would suggest that at some time it is possible. I do not think that even this Government with its policy and ideology of privatization would move toward privatization of this particular industry. That would seem to be an incredible idea, and one that I hope the Government is not thinking about. It is one that does not make a great deal of sense.

The second area that we may wish to question concerns the board of directors. There are two ideologically different positions in the approach to Crown corporations and boards of directors. In the past the Government has often allowed and even encouraged placing senior public servants on boards of directors. A couple of years ago I was on the public accounts committee which took a good look at the Canadair situation. The committee found that some of the problems of Canadair were no doubt closely related to the fact that the board of directors found itself so closely linked to the Minister responsible at that particular time that some of the members of that board of directors did not feel that they should or could make decisions which would be opposed to the story that they were receiving from the Deputy Minister who was on the board of directors.

That particular position has been questioned. In its weighing it can be suggested that it is a good idea, particularly in this type of corporation which must be close to the Government in its development. I gather that the position taken by the Government in this particular Bill is to set up a board of directors entirely separate from the Government, and through some other process give the instructions which it thinks necessary.

Even under those circumstances, and this is the reason we would like to have an opportunity to question the Government on its position, and even in its precision the Government has taken the step of moving away and then putting in place requirements for relationships with the Minister of Finance and the Minister of Supply and Services, which almost return it to the situation that previously existed.

Under those circumstances we need to question if there is any real justification for raising the number of directors from 7 to 11. Why was this particular change made? Previously the board of directors included the Chairman, the Master of the Mint, and five directors. The board of directors has been changed to include the chairman, the Master of the Mint, and nine directors, but with a further suggested requirement that there will be no "favourites" in the sense of public servants. In

fact, there is an elimination of public servants from the board of directors almost entirely.

The other main changes are mostly housekeeping, but to some extent perhaps we should look at those changes. In the Bill there are a number of things we should look at and question, but probably they will not make any difference in the direction. The removal of the sunset clause for the production of gold coins makes sense. It makes sense for any business organization, which is what the Mint has become in the last 20 years, to have the ability to plan ahead instead of saying that this operation will stop in 1991 and after 1991 we will not have any more maple leaf coins, or else make that decision a month or so before and consequently cause a number of problems. Instead of that, the sunset clause is worth while.

I have a great desire to ask why the idea of Canadian content in coins that will be used in Canada is not part of the Bill. I know that the Bill states that making it a requirement as far as all coins produced by the Mint are concerned would probably cause some problems. I know that the Mint has a policy requiring Canadian content in coins that become legal tender in Canada. But that is not part of the Bill, and it is one of the questions that I wish to ask or even to suggest an amendment which may make that a requirement.

Many of the coins for other parts of the world are produced with metals other than Canadian metals. In fact, the refining of metals has become a fairly large part of the money-making portion of the Mint. I would appreciate the opportunity to find out why that has not been made part of the Bill. The Canadian content as a policy only could leave it open under certain circumstances, particularly where the distance is being increased in the relationship with the Government of Canada. The type of control which the Government will have is being decreased.

Other than that, as I have stated, I have no particular concerns about the Bill. I recognize that the officers of the Mint do an adequate or even an outstanding job in operating the Mint as a business. They have brought in revenues of $1 billion with a $33 million profit last year, or they plan on a profit of $33 million in 1987. The Mint made approximately $16 million last year. The markets of the world have affected the business within the Mint, both positively and negatively. The fact that the United States produced an eagle coin in 1986 possibly has or will cut into sales by the Mint of the maple leaf coin.

In the end the chances are that, as my dad told me many years ago, "If you could make money you would be doing better than the rest of us". This is one way in which Canada and the Canadian Government is making money and showing a profit. I am pleased, therefore, to allow this Bill to go to committee.

• (1650)

Mr. Skelly: Mr. Speaker, is there a question and comment period?

The Acting Speaker (Mr. Paproski): There are no questions and comments.

Mr. Skelly: On debate, Mr. Speaker?

The Acting Speaker (Mr. Paproski): On debate. The Hon. Member for Comox—Powell River (Mr. Skelly).

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, I wanted to raise with my colleague and other Members in the House the concern I have about the activities of the Mint. I hope that in committee the issue can be raised of the nature of Canadian coinage in relation to the corporate structure of the Mint. In this House we have discussed at great length the introduction of the dollar coin by the loonies—

Mr. Nystrom: The loonies?

Some Hon. Members: Oh, oh!

Mr. Skelly: I am sorry, the Conservatives. We have a situation that is serious. It is quite interesting to see people's reaction to the dollar coin. I was upstairs in the cafeteria purchasing lunch when the cashier attempted to give one of the more prominent Conservative Members of the House a handful of loonies as change. The individual refused to accept it. I represent in my constituency an area of senior citizens. There are vending machines in senior citizen residences and it has been found that there is a movement toward dollar coins in machines away from smaller denominations. For example, washing machines which used to cost 50 cents and 75 cents to run, now cost one dollar. It is much more convenient to stuff a dollar coin into a machine, and this has meant a 25 per cent increase in cost to senior citizens in many areas.

Mr. Stewart: You are really reaching.

Mr. Skelly: I hear my colleague on the other side of the House saying that I am really reaching. The people who are reaching are the senior citizens, who are reaching into their pockets more often to respond to a policy of the Government that has harmed them. This 25 per cent inflationary increase is now finding its way into the the operation of other types of vending machines.

The Member on the other side who is smiling at my presentation might himself have been involved in business and would have enjoyed an increase to one dollar, but this is a serious matter, Mr. Speaker.

I had hoped to ask my colleagues a number of questions about the thrust of discussion in committee on this issue. Rarely in the House of Commons does one get an opportunity to discuss the activities of the Mint, the policy direction it strikes and the recommendations it makes to Government. I hope my colleague and other colleagues will consider the inflationary effect of the change in coinage in Canada. I can see there are Conservatives on the other side of the House who hope that we will go to a two dollar coin and so have a 125 per cent increase in inflation.

There are matters where other changes in this House have been seriously inflationary. For example, when the Liberals made the conversion to the metric system of measurement, Conservatives howled about this. Many Canadians were under the whip of the oil companies when that industry converted from gallons to litres, which caused a substantial increase in the price of fuel at that time.

I hope that when this Bill goes to committee there will be a discussion of the inflationary effect of the loonie.

The Acting Speaker (Mr. Paproski): Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed, Bill read the second time and referred to a legislative committee.

Mr. Hovdebo: Mr. Speaker, I rise on a point of order. Could we call it five o'clock and proceed to Private Members' hour?

The Acting Speaker (Mr. Paproski): Is there unanimous consent to proceed with the introduction of the next Bill and then call it five o'clock?

Some Hon. Members: Agreed.

* * *

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

Hon. Elmer MacKay (for the Minister of the Environment) moved that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

The Acting Speaker (Mr. Paproski): The Hon. Member for Scarborough Centre (Mrs. Browes) will be recognized.

It being five o'clock, the House will now proceed to the consideration of Private Members' Business, as listed on today's Order Paper.

PRIVATE MEMBERS' BUSINESS—PUBLIC BILLS

[*English*]

CRIMINAL CODE

MEASURE TO AMEND

Mr. Svend J. Robinson (Burnaby) moved that Bill C-207, an Act to amend the Criminal Code (gun control) be read the second time and referred to a legislative committee.

He said: Mr. Speaker, I am pleased to rise in support of my Private Members' Bill, Bill C-207, which is an Act to amend the Criminal Code with respect to the sensitive and important issue of gun control. I want to emphasize, because I think it is particularly important in the discussion of this legislation, that this is a Private Members' Bill. This Bill is one which I am putting forward not on behalf of the New Democratic Party, not on behalf of the federal caucus of the New Democratic Party, but which I am putting forward as a private Member of this House. Each and every Member of this House is entitled to bring to the attention of the House issues which are of concern to that Member. I emphasize that because I know there are very strong feelings in different parts of the country respecting gun control.

My colleague, the Hon. Member for Skeena (Mr. Fulton), has himself introduced legislation on gun control, but his Bill would move in exactly the opposite direction from mine. I am attempting to tighten gun control in Canada to make gun control more effective. My colleague from Skeena has decided in his Private Member's Bill that he wants to eliminate entirely the requirement for firearms acquisition certificates for residents in northern Canada. I know that my colleague from Skeena will explain to this House and to the people of Canada why he believes that in northern Canada there should not even be the most minimal restriction to ensure that those who have a history of previous involvement with violent crime, those who have a history of being involved in serious indictable offences, those who have a history of psychiatric imbalance, and those who to happen to be living in a Schedule III riding should not be required to obtain a firearms acquisition certificate.

• (1700)

A few minutes ago, we were talking about loonies. I would not characterize this particular proposition as a loony proposition, but I certainly believe that the suggestion that we eliminate entirely in northern Canada the requirement for even the minimal safeguard of a firearms acquisition certificate is not one that I could possibly support. Rather, I believe the time has come to recognize that we should tighten up and make more effective gun control legislation. We should recognize that there are a number of provisions in the present gun control law which should be made more effective. The purpose of my Bill is to do precisely that.

The purpose of my Bill is to heed the call of coroners' juries across the land who time after time have drawn to the attention of Parliament the existing weaknesses and shortcomings of gun control legislation. It is to heed the call as well of the Canadian Association of Chiefs of Police. That association has proposed to Parliament on a number of occasions that we make more effective Canadian gun-control legislation. For example, it adopted the following resolution at a recent annual conference:

> Therefore be it resolved that the Solicitor General of Canada now address these concerns in conjunction with his provincial counterparts and take the steps necessary to end this increase in available weapons.

The Canadian Association of Chiefs of Police has said that Parliament should recognize that it is too easy to buy a gun in Canada and that that results in unnecessary death, suffering, additional crime and suicide. As well, there are more accidents involving children coming across loaded weapons, accidentally discharging them and being critically injured or in some cases killed.

Chief Bob Stewart, the Chief of the Vancouver Police Department and the former head of the Canadian Association of Chiefs of Police, has himself spoken out very strongly on this question. He said, as quoted in a newspaper article:

> "The proliferation of handguns is reason for concern," said Vancouver police chief Bob Stewart—
>
> "If we don't try to control this at this stage, it will get to the point of being like the U.S. problem and there will be no way to turn it around," Stewart said.

There are today at least 850,000 firearms registered in Canada and it is unclear just how many rifles and shotguns are in circulation because, unlike handguns, they do not require any form of registration with local police departments or the RCMP. My Private Members' Bill would recognize that problem and tighten the law in that particular area.

There are other areas of concern as well. A coroner's jury in Toronto was recently very critical of Canada's gun legislation. It pointed out that even after a person has been convicted of an offence involving firearms, as long as he has a firearms acquisition certificate, he can go right back out and buy another gun. That does not make any sense whatsoever. The coroner's inquest into the death of Scarborough musician Alan Boyarski who was shot dead by police on August 11, 1985, made it very clear that there is a serious loophole in the law in this respect.

In fact, the law should require that a person's right to own a firearm following such a conviction would be limited. Surely we should take away the firearms acquisition certificate of a person convicted of such a crime for an extended period of time to prevent similar incidents from taking place in the future.

There are other areas as well that should be looked at in our examination of Canadian gun control legislation, and I would like to touch on two or three of them. There is the question of combat schools in Canada, an alarming recent development. In a number of areas, schools have sprung up to train people in combat techniques. In some cases, this involves the use of guns.

As well, there are concerns about suicide. The Centre for Suicide Prevention in the Province of Quebec has called upon federal and provincial Governments to impose stricter regulations on who can obtain firearms. The centre points out that firearms were used in one-third of all suicides in Quebec between 1975 and 1979.

Another concern is the rapidity with which individuals may obtain a firearm. A person may acquire a firearms certificate, and a matter of a few hours later go into a store and buy a gun. That person may be in a state of extreme anger or in an unbalanced state and may go right out and shoot someone or in some cases commit suicide. Surely there should be a minimum period of time between the acquisition of the certificate and the actual purchase of the weapon in order to ensure that the possibility of death is not as great.

As well, we must look at tighter controls on the use of guns by police involved, for example, in chases. The former Chief of Staff of the Secretary of State for External Affairs, Bill Neville, lost his 20-year-old son Lindsay on an isolated stretch of Highway 38 near Parham, Ontario. He pleaded with the coroner's jury to recommend to the Government tighter controls on the inappropriate use of firearms by the police in certain situations.

Another problem that has been highlighted by a number of police authorities is the problem of the illegal acquisition of firearms. It has been pointed out that in a number of cases, people have obtained very seriously lethal weapons without even going through the procedure of obtaining a firearms acquisition certificate.

Our judiciary may not be applying as rigorously as one would have hoped the provisions of the Criminal Code requiring prohibition orders and mandatory minimum sentences for convictions involving the use of firearms. As well, there is a provision in the existing gun control law requiring that a course in firearms safety be taken before a certificate can be issued.

This particular provision was referred to in a recent evaluation. Decision Dynamics Corporation conducted a very comprehensive review of gun control provisions in Canada and pointed out that the 1977 legislation includes a provision which has still not been proclaimed 10 years later. That is the provision that requires the completion of a safety course or a test in the safe use and handling of firearms as approved by the provincial Attorney General as prerequisite to obtaining a firearms acquisition certificate. Ten years later, that provision has not yet been proclaimed. I would have hoped that the Government would have moved forward quickly on that.

It is important to note that my proposed tougher gun control legislation would in no way impair the rights of those who enjoy hunting in a safe manner. This legislation would in no way diminish their rights. Indeed, many hunting clubs in Canada have been at the forefront of the call for safety courses, and indeed many have educated their members themselves in the safe use of firearms. Those are not the people targeted, if I may use that word in the context of this debate, by this legislation. Rather, the purpose of the legislation is to recognize that far too many people in Canada are dying as a result of the widespread abuse of firearms.

Statistics speak loudly and clearly on this question. Let us compare the situation in Britain with that in the United States. In the U.S. of course it is wide open. We all know about the incredibly high level of crime there involving the use of handguns. Thousands of people are murdered every year as a result

of the proliferation of handguns in that society. The Rambo mentality is alive and well. We do not want to see that in Canada.

• (1710)

By contrast, in the U.K. there are far tougher gun-control laws than we have here in Canada. What are the statistics? Hand guns were involved in 10,728 deaths in the U.S. in 1979. In England it was eight. I think that figure speaks for itself.

I would point out as well that Canadians themselves are calling for tougher gun-control legislation. A Gallup poll conducted in February of 1982 shows that 70 per cent of those questioned believed the gun-control law should be made more effective. I say more effective. Certainly these laws should not be weakened.

Mr. Witer: What about the Hon. Member for Skeena (Mr. Fulton)?

Mr. Robinson: The Conservative Government has indicated that it is prepared to examine gun control laws. The Hon. Member for York East (Mr. Redway) is present and I want to commend him for the work he has done in prodding his Government into taking some action. Yet his efforts have fallen on deaf ears. The Conservative Government has refused to take any action whatsoever to tighten up gun-control legislation. In February of 1986 the Hon. Member for York East asked the then Minister of Justice what action he was going to take with respect to the recommendation of the coroner's inquest into the death of Allan Boyarski. That man had purchased two hand guns less than five months after he was convicted of illegally carrying another hand gun. The Minister, rising up to his full height, said:

> Mr. Speaker, I do not wish to discuss the specific case—but amendments to the firearm control provisions of the Criminal Code—have been under consideration by the Department of Justice—they are to be discussed this week—The hon. gentleman's concerns will be looked into then.

They may have been looked into but no action was taken.

An Hon. Member made reference to the Hon. Member for Skeena. He is reflecting the views of many of his constituents and bringing forward a Private Members' Bill, which he has every right to do, reflecting the serious concerns of the people of Skeena. He does an outstanding job. The fact that I happen to disagree with the contents of his Bill is neither here or there. I say again, he has done a terrific job of representing his constituents on this important question, but it is the Conservatives who are in government. It is not up to the Hon. Member for Skeena to pass legislation, any more than it is up to me. Why has the Government failed to act?

The Hon. Member for York East was at it again in October of 1986. He pointed out that the Minister had said the previous spring that he was going to be reviewing gun-control legislation. He asked the Minister when he was going to take action. What did the Minister say? Indeed, a review was taking place. He hoped to have the recommendations in his hands very shortly. Undoubtedly that would lead to legislation. Since then more coroner's juries have recommended tightening gun-control laws. More people have died through the use of firearms. More children have been killed accidentally through the use of firearms. How much longer is the Government going to wait? How much longer is he going to refuse to heed the plea of the Canadian Association of Chiefs of Police, coroner's juries, members of his own caucus, before the Minister finally takes action to tighten gun-control laws?

In conclusion, I want to acknowledge the contribution made in this area of the law by another Member of this House, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand). He has been subject to a great deal of criticism as a result of the leadership role he took in the search for tough gun-control legislation. The Hon. Member introduced legislation which in no way impinges on the right of hunters to continue to hunt safely as they see fit. Indeed, as Solicitor General he was responsible for the adoption of the original gun control legislation. It is members from all Parties, Members such as the Hon. Member for Notre-Dame-de-Grâce—Lachine East, Members such as the Hon. Member for York East, and myself as an NDP Member, who again appeal to the Government to take action. Let it recognize that the time is long overdue for effective gun-control legislation. The evaluation report of the committee that looked into the existing laws found that the number of firearms charges has increased. The severity of sentences for firearms offences has increased. Most important, murder by firearms as a percentage of all murders has declined since the new legislation came into effect.

As a society which values human life, surely we have an obligation to ensure that we have the most effective gun-control laws in this country. That is the purpose of my Bill and I hope at the very least, if it is not adopted at second reading today, that it will be sent to the appropriate standing committee where the subject matter can be studied carefully and thoughtfully. Canadians can be given an opportunity to appear before that committee to voice their concerns. As a result of that process, perhaps we can adopt effective gun-control legislation.

Mr. Vince Dantzer (Okanagan North): Mr. Speaker, I am very pleased to have an opportunity this evening to speak on Bill C-207. The Hon. Member for Burnaby (Mr. Robinson) talks about loony Bills. This is a loony Bill. However, it does touch on matters of real interest not only to my constituents but to all Canadians. This is so because gun control affects the very fabric of our rights and freedoms in this democratic society. It also touches on issues of public safety, indeed, life and death. It is no wonder that when changes to Canada's gun-control legislation are under consideration, there is a very lively debate.

It remains a controversial subject and continues to inspire sharply divided opinion. Under this Bill, the Hon. Member proposes to toughen the system by replacing acquisition certificates with possession certificates. Just recently, as the

Hon. Member said, Bill C-213 was debated during Private Members' hour. That Bill, sponsored by the Hon. Member for Skeena (Mr. Fulton), proposed to relax gun control in certain parts of the country. It is interesting to note that members of the same Party, the NDP, can have such divergent views. That is typical of their inconsistent and scrambled egg approach to most things of importance. It also illustrates, in all fairness, that this is a controversial subject.

In this country it is difficult to propose measures relating to firearms control. Canada is diverse, and the interests of those major urban centres such as Montreal and Vancouver are not the same as those of more remote communities. The trapper in northern Alberta and the Inuit of Baffin Island have far different interests in gun control than do people in Montreal or Vancouver. For that matter, the people in my constituency have a far different interest in gun control than do people in major urban centres.

• (1720)

One should also not forget the millions of Canadians who safely and responsibly enjoy firearms in sport and recreation. Let us not forget that target shooting is a very important part of the Olympic Games. I think all Canadians were justifiably proud when Linda Thom won the gold medal in pistol shooting for Canada in the 1984 Olympics. When we consider gun control let us also not forget that the use of firearms in sport, recreation, and as a means of livelihood has been part of Canada's heritage for over 400 years. Hunting and target shooting remain legitimate pastimes today enjoyed by millions of Canadians from coast to coast.

It should be emphasized that it is not the concept of gun control which is at issue here. The principles and objectives of gun control designed to prevent criminal and irresponsible use are supported by the vast majority of Canadians and deserve our full support. Any change to the legislation must recognize the legitimate interests of millions of Canadians who own and use firearms responsibly. I believe a careful balance must be struck. It is important that all those affected are carefully considered before the House brings any change in gun-control legislation.

It is as a result of my concern for the millions of honest, law-abiding Canadians who enjoy the use of firearms that I must speak out strongly against the main thrust of this Bill. I am informed that over 6,000 letters were received by the Government when a Private Member's Bill identical to this one was before this House. My own office was flooded with letters on the subject. Typically, they expressed concern about what most people perceived as proposals to place further restrictions on the use and ownership of guns in Canada. The majority of those letters indicated that we already have sufficient gun-control laws and strongly opposed greater restrictions on the use of guns.

People living in rural areas of Canada are dependent on their guns, some for their living and others simply as a means of protection of property and a form of recreation. It is worth remembering that firearms are very important to a large number of Canadians. It is an unusual farm truck in my constituency which does not have a gun rack and guns in the cab which are used daily for the legitimate purposes of sport, recreation, hunting or protection of farms from animals. The people in my constituency of Okanagan North have a strong interest in legislation which proposes to restrict their activities in this area.

Let us consider for a moment the many Canadians who would be affected by Bill C-207. In the Provinces of Ontario and Quebec alone there are over one million hunting licences issued each year. Hunting is a very popular sport and, in many cases, a means of livelihood from coast to coast in Canada. Indeed, hunting is truly a unique part of Canada's heritage. It is a pastime enjoyed by fathers and sons and, I am pleased to note, an increasing number of women are also participating in this sport.

I am talking about law-abiding citizens. Many hunters have had their firearms in their families for many years. All of these people would be required to get firearm possession certificates under this proposal. These many people have presented no problem in the way in which they use guns, and this Bill does not attack the problem areas. This Bill would only unnecessarily inconvenience millions of responsible gun owners.

Experience before 1979 and since then with the firearms acquisition certificate system does not indicate that any problem exists for which more stringent controls would be justified. This system has been in force for just over eight years, and it is still too early to determine how effective the system has been. It is certainly premature to consider introducing even more restrictive legislation.

The objectives of the gun-control legislation seem to have been forgotten when Bill C-207 was drafted. The Bill does not deal at all with the criminal element. It deals with millions of Canadians who use their firearms responsibly.

There are many implications of this Bill which concern me. I would like to make it clear that bureaucratic red tape would ensnarl the many citizens who would be affected under this Bill. First, they would have to get an application form and then present themselves to a firearms officer to make application. This can cause considerable hardship for many people in outlying areas where the nearest police station may be many miles away. They must make application during normal working hours, which would mean that many people would lose wages. This procedure would have to be carried out by millions of people.

My investigations indicate that one million man-hours would be required for the issuance of the certificate to all those who do not now hold one. That represents the equivalent of 645 police officers working full-time for one year. I think the House will agree that the time of our police can be put to better use.

Under these circumstances I urge that Members of this House treat this Bill as the loony Bill it is and reject it in favour of the present legislation.

[*Translation*]

Mr. Maurice Tremblay (Lotbinière): Mr. Speaker, I am very pleased as well to have this opportunity to speak to Bill C-207 concerning gun control.

At the outset, Mr. Speaker, I should like to point out that Canada has long since had legislative measures on gun control and that these measures have been endorsed by a number of previous administrations. The aims of these measures deserve our support and I think they bear repeating. Quite simply, Mr. Speaker, they are designed to prevent potentially dangerous individuals from having access to firearms, to promote—and this is very important—the sense of responsibility among owners and users of firearms, and of course to discourage criminal use of firearms as much as possible.

As I see it, Mr. Speaker, the measures advocated in Bill C-207 fall somewhat short of these aims and do not justify imposing additional restrictions on responsible users. This Bill does not come to grips with the real issue, which is the use of firearms for criminal purposes. All things considered, Mr. Speaker, it is obvious that I will not be able to support the Bill sponsored by the Hon. Member for Burnaby (Mr. Robinson).

The firearms acquisition certificate system set up in 1979 was designed to single out any individual seeking to acquire a firearm by any means whatever. The provision concerning firearms acquisition certificates applies to any person over age 16 who wants to buy a firearm for the first time. It also applies to people who already owned firearms before 1979 and who now wish to purchase additional firearms or to borrow one from a friend. The existing legislation on firearms acquisition certificates already covers a lot of ground.

The Criminal Code now includes additional provisions for another mechanism to identify firearm owners who could be dangerous and prevent them from owning and using these firearms.

First and foremost, Mr. Speaker, these measures include important preventive measures which reinforce the prohibition powers of the court.

In several cases, the court can issue an order of prohibition, which is a court order prohibiting a person from owning a firearm, ammunition or an explosive substance, as its name would indicate.

First, the court must impose a prohibition of at least five years when an offender has been convicted or released under Section 662.1, that is in relation with:

-an offence involving acts of violence punishable by a maximum penalty of at least ten years of imprisonment, or

-an indictable offence covered by Section 83, that is use of a firearm in committing an indictable offence.

Second, subsection 98(2) of the Criminal Code gives to the courts the discretionary power to issue an order of prohibition when a person is convicted or released under Section 662.1, that is in relation with:

-an offence committed accompanied by violence or by an attempt or threat of violence against another person, or

-an offence involving the use, carrying, possession, handling, shipping or storing of a firearm or ammunition.

For neither of these prohibitions is it necessary for the person involved to have used violence. It is enough for that person to have threatened to use it, such as in the case of aggravated theft, or to have attempted to do so.

A third provision also allows for preventive prohibition. If a peace officer has reasonable grounds to believe that public safety justifies it, he can make such a request to a provincial court judge. If the judge of the provincial court agrees to this request, he can prohibit someone from owning firearms, ammunitions or explosive substances for a maximum period of five years. This order can be issued following or without a conviction for an indictable offence.

Finally, the Criminal Code also provides a power of prohibition in cases where the firearms officer is asked to refer to a judge of the provincial court a refusal to grant a firearms acquisition certificate. If the judge of the provincial court agrees to such a refusal, he can prohibit the claimant from owning firearms for a maximum period of five years.

It is therefore obvious, Mr. Speaker, that the courts already have extensive powers to deal with the criminal and irresponsible elements in of our society. It must be emphasized that those provisions only apply, in a very selective way, to persons who, there are reasons to believe, are a danger to themselves or to society. As opposed to the provisions in Bill C-207, prohibition provisions do not decry the vast majority of firearm owners who in the last analysis are honest, law-abiding, responsible citizens, Mr. Speaker. And the available data indeed support that contention.

The annual report on firearms issued by the RCMP Commissioner includes pertinent and interesting statistics. In 1986, more than 184,000 firearm acquisition applications have been filed, of which 1,339 were rejected, less than 1 per cent. The fact that more than 99 per cent of all applications are approved confirms that the vast majority of firearm owners in Canada are responsible and do not endanger public safety.

Prohibition order statistics also are very interesting and revealing. During 1986, 5,378 persons were prohibited from owning firearms, ammunition or explosive substances. By the end of 1986, such prohibitions involved a cumulative total of 20,307 people.

Mr. Speaker, it is my personal view that those data are self-explanatory. Thanks to the current legislative measures which identify all those who wish to acquire firearms and forbid selectively those who are a public security risk from possessing

firearms, Bill C-207 would be superfluous. The purpose of this Bill is not to deal with criminals and irresponsible individuals. It would only impose an unfair and unnecessary burden on legitimate firearm users.

Moreover, Mr. Speaker, I suggest that we would better achieve the true objectives of firearm control by strictly imposing heavy penalties on all those convicted of an offence involving the improper, criminal or reckless use of firearms. In other words, I think that it would be better to punish severely all criminals and irresponsible individuals, and not create new obstacles for law-abiding citizens wishing to possess firearms for legitimate sporting or leisure activities, as would be the case with Bill C-207.

The current legislation includes, in the area of sentencing, a whole series of provisions to dissuade criminals from using firearms. The Criminal Code, as amended in 1977, has reinforced the penalties which the courts may impose. The most significant of these new means provides, under Section 83 of the Criminal Code, in the case of a first offence, for a penalty of not less than one year and not more than 14 years, to every one who, and I quote: "uses a firearm while committing or attempting to commit an indictable offence". This new section, which came into force on January 1, 1978, provides that a sentence so imposed on a person would be served consecutively to any other punishment imposed on him or her.

In the case of subsequent offences, the minimum penalty is increased to three years and should also be served consecutively to any other punishment.

Also, the legislation provides for the following offences and penalties: a fine or imprisonment of not more than two years for permit related offences; a fine or imprisonment of no more than five years for the possession of a firearm by a person who is prohibited from owning one; the possession of a prohibited weapon, pointing a gun at another person, carrying a concealed weapon without a permit; and also an imprisonment of no more than ten years for carrying a weapon or an imitation thereof for a purpose dangerous to the public peace or for the purpose of committing an offence.

In addition to the penalties I have just mentioned, there are safety related offences dealing with the handling, storage and sale of firearms.

Mr. Speaker, I suggest that the whole series of offences and penalties which I have just described may effectively achieve the essential goals of firearm control, which are to dissuade their criminal and ill-advised use and discourage their irresponsible and inconsiderate use.

According to an independent evaluation carried out every three years of the current legislative measures, these provisions have had positive results.

Mr. Speaker, I suggest that the provisions of Bill C-207 are not aimed at facing the true problem which is the criminal and irresponsible use of firearms. It would introduce bureaucratic complications which would prove expensive by absorbing the modest resources of the criminal justice system and represent an unfair burden for millions of honest and law-abiding users. Under the circumstances, Mr. Speaker, I will vote against Bill C-207.

• (1730)

[*English*]

Mr. William G. Lesick (Edmonton East): Mr. Speaker, I am pleased to have the opportunity to speak to Bill C-207, a proposal to amend the gun-control provisions of the Criminal Code.

When I was born in a teacherage in a remote spot in Alberta, we had a gun in the house. We have always had guns and have handled them safely and well. They have given us a great deal of pleasure and have provided a great deal of food.

Guns have not proven to be any problem to us. The only person ever killed violently in our family was my grandfather who died in a car accident in 1929. No one has ever been killed due to the use of a gun in our family.

I have always believed that guns are an essential part of our lives in western Canada, and Alberta in particular.

In essence, the proposed amendments to the legislation would extend the current law in three ways. First, individuals who owned a firearm prior to 1979 and who have not subsequently obtained a firearms acquisition certificate would be required, if they wished to retain possession of the firearm, to submit themselves to screening by police. The purpose of this screening would be to determine if their possession of a firearm constitutes a hazard to their safety or to the safety of others. Second, it would mean that the mere possession of ammunition by anyone who has not passed this screening will be an offence under the Criminal Code of Canada. Finally, the amendment would require anyone who has a firearm or ammunition in a motor vehicle to have a firearms possession certificate. I would like to use the time available to outline some very serious reservations I have regarding these proposed changes.

• (1740)

The current legislation provides the legal basis to deny individuals who wish to acquire a firearm the right to do so if there is reasonable cause to believe, for the safety of the public, that they should not have one. It is intended to prevent convicted criminals who have used violence against another person, or who have used firearms in the commission of their crimes, and individuals who have been treated for mental disorders associated with violent behaviour, or who have attempted or threatened violence against others, all within a previous five-year period, from legally acquiring firearms.

At the time the current legislation was being drafted, a choice had to be made as to whether or not this screening should apply to everyone who possessed a firearm or only to those who would acquire one after the legislation came into

effect. For a number of reasons, and as a result of a delicate compromise, it was decided to follow the latter course.

It is implied in the explanatory notes to the Bill that the current law does not apply these screening provisions to individuals who acquired their firearms prior to its inception, and the proposed change is necessary to correct this lacuna. While it is true that the screening provisions do not apply with respect to individuals who possessed firearms prior to 1979, and who do not intend to acquire another one, there are, however, other adequate existing procedures which are intended to achieve the same end result. I am referring here to the actions which may be taken under the provisions of Section 98 and Section 101 of the Criminal Code.

Section 98 provides the authority under various circumstances for the courts to impose a prohibition order which prohibits individuals subjected to the order from possessing firearms, ammunition or an explosive substance for a specified period of time. In some cases, these orders are mandatory additions to sentences imposed upon convictions for crimes in which violence against a person is used. In other cases, a peace officer or a firearms officer, who has reason to believe that it would not be desirable in the interest of public safety for a person to possess any firearm, ammunition or explosive substance, may apply to a provincial court judge for an order prohibiting that person from possessing any of these items.

Not only do these procedures exist, but they are being used for the purposes intended. I draw to your attention, Mr. Speaker, the latest annual firearms report to the Solicitor General of Canada by the Commissioner of the Royal Canadian Mounted Police. Page 13 of this report states that in Canada, during 1986, there were 3,474 people prohibited from possessing firearms, ammunition or explosive substances pursuant to the provisions of subsection 98(1).

These are mandatory prohibition orders imposed as a result of a conviction of an indictable offence where the offender might have been sentenced to 10 years imprisonment or more. Such orders do not take effect until the offender's release from imprisonment. There were also 951 of what are termed "discretionary prohibition orders" issued in 1986 pursuant to subsection 98(2) of the Criminal Code. Under this subsection the courts have the discretion to prohibit an individual who has been convicted of an offence involving the use, carriage, possession, handling, shipping or storage of any firearm, ammunition or any offence, other than an offence referred to in subsection (1), in the commission of which violence against a person was used, threatened or attempted, and where they believe it is not reasonable for the person to possess firearms.

The courts have made good use of the prohibition orders available to them in the Criminal Code.

In addition to these procedures, I can inform you, Mr. Speaker, that there is another procedure with far-reaching implications which exists in the code for the protection of us all. Under Section 101, a peace officer may apply to a magistrate for a warrant to search for and to seize any firearm, ammunition or explosive substance or offensive weapon which he believes would be dangerous to the public peace if it were to be in the possession or control of a person. Furthermore, a peace officer may carry out a search and seizure without a warrant in circumstances where application for the warrant would be rendered impracticable by exigent circumstances. Such a right, surely, was not conferred lightly. It impinges on our basic desire for freedom from intrusion into the sanctity of our homes.

Law with force such as this does not need the additional restrictions contemplated in Bill C-207. The control of ammunition is also an issue which apparently the Bill's author would like to inject into the Criminal Code. I think it is important for us to realize that more restrictions and controls are not necessarily solutions to all our problems. If firearms are adequately controlled, the question of ammunition should not be a problem.

Furthermore, if it is the Hon. Member's intention to control ammunition, I think Bill C-207 needs further drafting in order to avoid some real problems. Ammunition is not defined. We have in the country thousands of persons using muzzle-loading firearms. Are their black powder or lead balls considered to be ammunition? Other shooters, for economy and quality control purposes, assemble their own ammunition. I have spent hours and hours making bullets. Are ammunition components to be controlled or only assembled ammunition?

I am particularly disturbed by another effect of the amendment which would impose a type of *de facto* carrying permit regime for firearms such as any rifle or shotgun and, worse still, could turn law-abiding citizens into criminals. The Bill would not only require everyone who possesses a firearm to have a possession certificate but would also require that anyone who possesses one, or ammunition for that matter, in a motor vehicle have such a certificate.

Furthermore, the proposed amendment would require any occupant of a motor vehicle, if he becomes aware that a firearm or ammunition is present in the vehicle, to have reason to believe that some occupant of the vehicle is the holder of a possession certificate. The reasonable action of anyone finding himself in these circumstances would be to determine if indeed some occupant did possess a certificate. Ordinary citizens, in consequence of such an obligation, must become involved in the enforcement process, because if they fail to do so, they can be charged with committing an indictable offence. Enough said, I believe, of the possible dangers posed by this type of legislation.

In conclusion, let me say that this Bill does not improve the current legislation. Worse, it encumbers it with unnecessary additions and further unwarranted restrictions. I believe it is not deserving of our support.

Mr. Alan Redway (York East): Mr. Speaker, I appreciate the opportunity to say a word or two in connection with Bill C-

207, which, as you know, is an Act to amend the Criminal Code with respect to gun-control laws and legislation.

The Hon. Member for Burnaby (Mr. Robinson) has pointed out that I have had a great interest in this area of the law, along with other areas of the criminal justice system, since I came here as a Member of Parliament some three years ago. I did not come lacking in interest in this area, I came bringing my interest in this area of the criminal justice system with me when I came to Ottawa.

• (1750)

I recognize as you do, Sir, and as has been outlined in the House this afternoon, that this is a very controversial area in which there is a wide divergence of opinion as to just what should be done with respect to gun control. We have heard this afternoon, and I have heard in the past on many occasions, that in fact rather than tightening gun-control laws we should be loosening them up or, at the very minimum, we should leave them alone.

Mr. Lesick: Hear, hear!

Mr. Redway: The Hon. Member for Edmonton East (Mr. Lesick) has said, "Hear, hear!". Of course, during his own remarks he said that in all his long career in using and having guns in his family none of them have ever lost their lives as a result of the use of firearms. Thank goodness that that has been the case. We would be devastated to learn that the Hon. Member or any member of his family had lost their lives through the use of guns. I am sure that, very fortunately, the Hon. Member has never had the opportunity to walk down the street during a bank robbery or the hold-up of a gas bar. There are people who have had other experiences in this respect, particularly police officers whom we all call upon to aid and to assist us when we are faced with dangerous situations such as people carrying and using firearms in an improper fashion.

As I indicated, I have listened carefully to this debate. I have listened to such debates many times in the past. There are those who feel that we should tighten up gun-control legislation. There are those who feel that we should leave it alone. There are those who feel that we should loosen it up. Surely, we can come up with some laws that deal with all of the concerns and all of the situations that have been pointed out this afternoon, concerns which are pointed out on the many occasions when this subject is raised.

There are certainly legitimate concerns on the part of hunters and target-shooters. That is something which we all understand. However, at the same time there are other legitimate problems that exist with the use of firearms. We have to have some gun-control legislation to deal with those problems. I think perhaps the most pressing of these at the present time are the ones that have been pointed out by the Canadian Association of Chiefs of Police. My friend, the Hon. Member for Burnaby, referred to the resolution dealing with firearms that was passed one year ago in August of 1986 by the eighty-first annual conference of the Canadian Association of Chiefs of Police. At that time the chiefs of police were calling upon the Solicitor General of Canada to address their concerns in conjunction with his provincial counterparts and to take the steps necessary to end the increase in available weapons, as well as to review the present gun-control laws.

In their resolution they pointed out a number of situations with which they are concerned. One concern in particular, that which causes the greatest concern to them—I know it does to the Chief of Police in my own city of metropolitan Toronto—is expressed in the following resolution:

> WHEREAS there is presently a worldwide surplus of automatic and semi-automatic weapons primarily designed for purposes of warfare now finding their way into the Canadian market place—

Obviously, that is the area of greatest concern to the police. What police officer, chief of police or otherwise, would want to see any one of his compatriots or colleagues on the police force face in a show-down someone armed with an automatic or a semi-automatic machine gun when that police officer had in response to defend him or herself a revolver in order to serve and protect the public as they are sworn to do? The growing number and the world-wide surplus of automatic and semi-automatic weapons is an area that really has to be addressed, and addressed seriously by the Government.

In order to try to express my own concerns with this situation, as you will recall, Mr. Speaker, I have raised questions in the House on two occasions dealing with gun control. The first occasion was about a year and a half ago. It came about immediately after the Boyarski case in Metropolitan Toronto in which guns were used, guns that had been used which did not comply with the present gun-control legislation. At that time the Solicitor General, who was then the law officer in charge of this legislation, indicated that there would be some changes made to our gun-control laws, and made very promptly. That was about a year and a half ago.

Subsequently, one year ago, I raised the issue again in a question to the Minister of Justice (Mr. Hnatyshyn) who had then assumed the responsibilities for gun-control legislation. At that time the Minister indicated that there would be prompt action in this regard. Now, almost two years have passed since the Government indicated that we would be seeing something in the way of new gun-control legislation, and we have not seen anything of the sort. I know it is disturbing to the Canadian Association of Chiefs of Police.

Although hunters and target-shooters are content with what we have now, I believe that it is disturbing to the average Canadian. The average Canadian now lives in an urban area and is faced with these potential dangers, not the danger of someone hunting ducks or deer or of someone shooting a clay pigeon or shooting at targets on a range, but with the problems of people running around the streets with weapons that may very well cause problems, and very serious ones.

It is long overdue that the Government start to address this problem and to introduce some legislation to deal with it. I

hope that the Minister of Justice intends to do so, and to do so in the reasonably near future.

I have to say that I have had a research assistant trying to deal with this problem for the past six months and to liase with the Minister. He has been unable to meet with the staff of the Department on this subject because of one problem after another that has presented itself. The time has come to deal with this matter, and to deal with it promptly. I hope that we will not have another delay as referred to by the Minister of Justice in the press just yesterday. He was quoted as saying that he agrees that there is a demand for criminal justice law reform but he feels that it has to be a slow and laborious exercise. Heavens, Mr. Speaker, the time for slow and laborious exercise has certainly passed in the case of gun control.

The Acting Speaker (Mr. Paproski): I would like to read a statement to the House at this time concerning Private Members' Business for Thursday, September 17, 1987.

The Hon. Member for LaSalle (Mr. Lanthier) has withdrawn his Bill, Bill C-259, which, according to the order of precedence, would be scheduled for debate on Thursday, September 17, 1987. It has been impossible to arrange for any other item of Private Members' Business to take its place on that day. Therefore, no notice will be published for Private Members' Hour on Thursday. The House will continue with the business before it prior to that time pursuant to Standing Order 39(3)(b).

The hour provided for the consideration of Private Members' Business has now expired. Pursuant to Standing Order 42(1) the order is dropped from the Order Paper.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ADMINISTRATION OF JUSTICE—SENTENCE IN QUEBEC NATIONAL ASSEMBLY MURDER CASE—CALL FOR REFORM OF CRIMINAL LAW

Mr. Alan Redway (York East): Mr. Speaker, I know that you are well aware of the infamous case of Denis Lortie. You will recall that he is the man who, some three years ago, burst into the Quebec National Assembly carrying two sub-machine guns. Interestingly enough, we were just talking about gun control legislation. Mr. Lortie stormed into the Quebec National Assembly carrying two sub-machine guns, and within the space of some 45 minutes he had killed three innocent government employees and wounded some 13 others.

At that time Lortie was convicted of first degree murder. He appealed that conviction, was granted a new trial, and finally in May of this year he pleaded guilty to three charges of second degree murder and nine charges of attempted murder. At that time he was sentenced by Mr. Justice Desjardins to a mandatory sentence of life imprisonment.

I do not know what you think of, Mr. Speaker, when you hear the words "life in prison". What do they in fact mean in the case of Lortie? Well, in the Lortie case a life sentence means that he can apply for parole after 10 years. Not only can he apply for parole after 10 years, but it has been decided that the three years he has already spent in prison will be part of that 10 years. In fact, he can apply for parole, and will likely be out on parole after seven years at the most, and that for the murder, whether first or second degree, of three people, and a conviction on the charge of attempted murder of nine others.

Is that life in prison? It does not mean life imprisonment to me. I suspect it does not mean life imprisonment to you, Mr. Speaker. I venture to say that it does not mean life imprisonment to the vast majority of Canadians. I suspect that Canadians probably think life imprisonment means what happened in the case of Rudolf Hess. Once sentenced to life imprisonment, he did serve the rest of his natural life in prison. Of course, that is not what life imprisonment means in the case of the sentence of Denis Lortie, even though the judge used the words "life in prison".

I am sure, Mr. Speaker, you will recall another case that occurred very recently, the case of one Yves Trudeau. He has two nicknames. Some people know him as "Apache" Trudeau, and some people call him the "Mad Bumper". Yves Trudeau is a biker. He has confessed to murdering 43 people, and he is believed to have been involved in the murder of 40 others.

In exchange for turning police informer, Yves Trudeau was allowed to plead guilty to manslaughter. And he was sentenced, you guessed it, to life in prison. What does life in prison mean as far as Apache Trudeau is concerned? In his case, it means parole after seven years. This man admitted to killing 43 people and he is suspected of killing another 40, a total of 83 people. His sentence "life imprisonment" is seven years. Can you believe that, Mr. Speaker? Well, I cannot believe it. I know that by and large Canadians cannot believe it either.

Obviously we need something in the way of a major reform, at least in our sentencing in criminal cases and in our criminal justice system. The previous Government thought so too. It appointed something called the Canadian Sentencing Commission to study that problem. The Commission reported in March of this year. It said that there was a lack of public confidence in criminal sentencing, that there were great differences in sentencing for the same offences and that there were too many people being sent to jail for non-violent offences.

• (1805)

The commission came up with a long list of recommendations which basically were aimed at restoring public confidence in our criminal justice system. How can we restore the confidence of the great Canadian public in our criminal justice system? I believe there are certain basic things we should be thinking of here. We should be wanting to make sure that a person who commits a serious offence pays a proper penalty for it by spending a substantial part of that person's life in prison.

I believe that we should be looking at longer sentences for violent crimes, particularly murder. I believe that we should not be trivializing murder and other serious offences, particularly violent crimes, by rapid paroles. I believe that we should be trying to put more certainty into the sentencing procedure. We should limit the discretion that judges have in imposing sentences, not tying their hands altogether, but putting some definite limitations on their discretion and we should make them spell out specifically what sort of sentences they are imposing. We should not kid the troops by saying life imprisonment when we mean only 10, 15, 25 or even 7 years. We should make judges spell out specifically when parole of any sort is applicable and for how long a period. That is the sort of thing we should be doing.

I hope tonight that we will have from the Parliamentary Secretary some specific words on the subject, that he will tell us that that is what the Government will do and that it will do it fast. I hope he will not tell us, as reported in the newspaper yesterday, that although this report of the Sentencing Commission came out in March of this year that the Minister of Justice (Mr. Hnatyshyn) is not going to meet with his provincial counterparts on this until 1988. Surely the Government can do better than that.

[*Translation*]

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I thank my colleague for raising this issue because I must say at the outset that his remarks faithfully mirror the concerns of many Canadians in this respect. As it happens, they often find it hard to understand why an individual sentenced to five years should be paroled after a year and a half under conditions with which they are not familiar.

Mr. Speaker, the Minister of Justice shares the concerns not only of the Hon. Member but of many Canadians, and I think he has made a commitment to take vigourous action to prevent crime, and violent crime more specifically. Perhaps the sanctions provided under the criminal Code ought to be more in line with the seriousness of the criminal act involved.

Last March 27 the Minister of Justice tabled in the House the report of the Canadian Sentencing Commission, a complex document of 592 pages containing 91 recommendations. We must take time to make an in-depth analysis of this report and give it all the attention it deserves. The report recommendations have significant implications concerning every aspect of the criminal justice system, from police work to sentence serving. Its consequences for the provinces are particularly significant because they have jurisdiction over the administration of justice and the enforcement of many sanctions prescribed under the Criminal Code. This is why the provinces must have enough time to analyze the full impact of the report and have an opportunity to express their views at length. The Minister of Justice is therefore planning to have extensive consultations with the provincial Governments.

In addition, in view of the importance of this matter for all those involved with our criminal justice system, the Minister of Justice wants to consult all of them. These consultations should include the judiciary, the associations of defence counsels, the various provinces, the correctional authorities and certain organizations, such as the John Howard Society, which play an active role in the criminal justice system.

Finally, we must not forget the new draft of the Criminal Code prepared by the Law Reform Commission. Major reform proposals such as the new Code and the report of the Commission on sentencing cannot be examined independently. Comments about one must necessarily take the other into account.

However, in view of their importance as far as determining the direction to be given to the Canadian justice system, I can only say, Mr. Speaker, that whatever the time it takes to prepare a responsible reply to the recommendations of the Commission, this time will not be wasted.

• (1810)

[*English*]

CANADA DEPOSIT INSURANCE CORPORATION—COVERAGE OF REGISTERED RETIREMENT SAVINGS PLANS—REQUEST FOR AMENDMENT TO LEGISLATION

Mr. David Orlikow (Winnipeg North): Mr. Speaker, the 67,000 Canadians who entrusted their savings and RRSP funds to Principal Trust and its affiliated companies will lose $191 million as a result of the bankruptcies of these companies and particularly of First Investors and Associated Investors.

Speaking for the Government, the Minister of State for Finance (Mr. Hockin) has denied any real responsibility for this disaster by pointing out that with the exception of Principal Savings and Trust, whose depositors had their funds insured by the Canada Deposit Insurance Corporation, all the other subsidiaries of that original trust company were established under the laws of the Province of Alberta and their depositors were not covered by CDIC. That claim is factually and legally correct.

There is at least one group of people who invested their savings in subsidiary companies and who had every right to expect that their money would be protected. I am referring to the thousands of people who put part or all of their savings into

registered retirement savings plans through these Principal subsidiaries.

These people were encouraged to put their money into these plans by federal legislation which told them that if they did so, they would not have to pay any income tax on that money until after retirement, when the plan would begin to give them an income which, together with the old age assistance and Canada Pension Plan, would permit them to live in relative comfort. Of course, at that time they would begin to pay income tax on that money.

It was not surprising that thousands of people put their RRSP funds into affiliated companies on the advice of the salesmen. The salesmen were paid a 3 per cent commission for making sales in these companies rather than the 1.5 per cent commission they were paid for sales in Principal Trust itself. Naturally they pushed the subsidiaries, and it is not surprising that they often did not warn their customers about the lack of protection in those companies.

Thousands have now had their retirement incomes wiped out. The tax they would have had to pay when they retired will also disappear. Surely it is time to amend the income tax law so that moneys put into RRSPs are required to be put into plans which are covered by CDIC.

The stories of some of the people who were hurt are just unbelievably sad. Let me put on record a few of the cases of which I have heard.

A 71-year-old man and his wife had over $17,000 in RRSPs and $20,000 in term certificates with First Investors. They were hoping for a small monthly income in their old age. Now everything is gone.

A senior citizen had $77,000 in RRSPs and term certificates with Associated Investors and First Investors. He now has only $200 in the bank. His entire life savings are gone.

A senior citizen had $12,000 in term certificates with First Investors. This amount was originally in Principal Savings and Trust Company and was insured. Without permission and with specific instructions not to do so, it was transferred over to the subsidiary companies that had no insurance.

An older gentleman had $15,000 in RRSPs. This represented his savings from over 20 years. He was told that the investment was guaranteed, but obviously it was not and his money is all or in large part gone.

A widower who is over 70 years invested all his life savings with First Investors. That money has disappeared.

• (1815)

I call on the Government to take its responsibilities seriously and act on behalf of ordinary Canadians who have been persuaded, and often duped, into investing in uninsured funds. The money involved was saved with great difficulty in order that they could live with some dignity and comfort in their retirement years. The least the Government can do is to amend the Income Tax Act with respect to RRSPs to ensure that the money invested in that way is covered by CDIC insurance. I call on the Government to take action and not delay any longer. Enough people have been seriously and grievously hurt.

[*Translation*]

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, the purpose of the Canada Deposit Insurance Corporation has always been to protect the deposits of Canadians against the loss of funds they could incur if the institution holding their deposits should go bankrupt.

Until now, full insurance coverage by the CDIC has been limited to certain types of deposits whose total amount does not exceed an amount set in the Act, which amount is now $60,000. The reason for this is that, contrary to small depositors, individuals and corporations having very large deposits or other types of investments normally have the knowledge and capacity to diversify their risks and avoid undue losses which could result from the bankruptcy of a financial institution. In other words, the purpose of deposit insurance is not to guarantee the types of investments made by corporations and wealthy individuals.

Members of this House will certainly agree that this reasoning still holds and applies just as well to RRSPs as to ordinary deposits. I especially wish to remind the Hon. Member that, if the Government maintained the present ceiling of $60,000 for full insurance coverage by the CDIC in Bill C-42, it was precisely because it wanted to make certain that the majority of small RRSP owners, that is those who invest only in regular deposit instruments and guaranteed investment certificates, would still be fully insured.

However, the solution proposed by the Hon. Member for Winnipeg North (Mr. Orlikow) is less than satisfactory. Under the Income Tax Act, Canadians are now entitled to choose among a large number of investment instruments with a savings retirement program associated with a RRSP. Any initiative to limit RRSP investments to insurable deposits under the Deposit Insurance Corporation Act would be too restrictive. It would probably result in the disappearance of self-managed RRSPs and reduce the possibility for RRSP owners of obtaining higher returns thanks to a more diversified investment strategy.

It is also important to provide similar protection when non-member corporations are involved. There is now an investigation in Alberta on the misrepresentations which could have occured in relation with Principal Trust, which is a member institution of the Deposit Insurance Corporation, and its non-member affiliates, First Investors and Associated Investors. In addition, the Government of Canada has already taken certain initiatives in Bills C-42 and C-56 to increase protection of consumers in general, and it is planning to take other such initiatives in the next legislative package on the reform of the financial sector.

We also recognize the need to co-ordinate consumer protection measures in view of the sharing of jurisdiction over financial services. This is why this matter is also the subject of ongoing discussions with the provinces.

• (1820)

THE CONSTITUTION—1987 CONSTITUTION ACCORD—LANGUAGE MINORITY GROUPS—REPRESENTATION OF LANGUAGE MINORITY GROUPS IN PUBLIC SERVICE

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, the question I asked last June 5 had to do with the Constitutional Accord, more particularly with the provisions concerning the protection of the rights of official language minority groups. It will be recalled that the accord was tabled in the House on June 3. On June 4 I put a question to the Prime Minister, and I raised the issue again on June 5.

Mr. Speaker, I have already explained the problem we are faced with, either here in the House or before the Special Joint Committee on the Constitutional Accord. I have had an opportunity to explain the problem facing minorities.

The only thing mentioned in the accord is the obligation of the federal Parliament and the provincial legislatures to protect the rights of official language minority groups. There is no question of promotion. To me, that is insufficient.

Protecting the present situation is tantamount to protecting the status quo, which is just another way of saying that, because of the rapid rate of assimilation which will be threatening us in the coming years, we of the Canadian Diaspora, it threatens with disappearance groups who are important for the survival of this country, our Canada, with two official languages.

We believe that the Meech Lake Accord must be amended so as to include, in addition to the notion of protection of the linguistic duality, the notion of promotion of that duality. This is a crucial aspect, especially for the francophone minorities outside Quebec.

If we are prepared to include in our Constitution the notion of linguistic duality, as suggested in the accord and as a fundamental characteristic of Canada, it seems to me the least we can say is that we must make sure that this fundamental characteristic will endure and be the subject of some kind of promotion on the part of both federal and provincial government levels. This requires the assurance that there will be promotion in addition to preservation.

Yet, notwithstanding all the evidence heard by the special committee to urge the Government to amend the accord, it has been to no avail. The Prime Minister keeps saying that the accord cannot be amended lest it be compromised.

But what was the specific purpose of this new constitutional round? It was to redress the situation where Quebec was not a full-fledged member of the Canadian constitutional family. Therefore, negotiations were based on the five proposals submitted by the Quebec Government: first, the specific recognition of Quebec as a distinct society; second, the guarantee that Quebec's powers in the area of immigration will be widened; third, a limitation to the Canadian Government's spending powers; four, a review of the constitutional amendment process, including the recognition of Quebec's veto right; and five, Quebec's involvement in the appointment of Supreme Court justices.

We in the Liberal Party support all those principles. But as our Leader the Right Hon. John Turner stated last week, and I quote:

> We want to provide better protection to official language minorities by ensuring that the Canadian Government has a responsibility not only to protect, but also to promote the rights of official language minorities across Canada. Provinces also would have an opportunity to commit themselves not only to the protection but also to the promotion of our linguistic duality.

Mr. Speaker, we accept the Meech Lake Agreement because we accept Quebec's five claims. However, I cannot see how the amendment we are proposing on the obligation, at least at the federal level, to promote language duality might conflict with Quebec's demands. In my view, this creates no problem as far as adopting the Meech Lake Agreement is concerned.

Moreover, I cannot see how this amendment can be rejected by other provinces because only those that would want to would be committing themselves. If they do not want to, no problem, they will not have to. The idea would be that the federal level, the Canadian Parliament would undertake to promote official languages across the country and that provinces in due course, when they feel like it, would do the same.

If they are generous enough towards their minority and if they really believe in what they signed when they recognized this language duality as a basic feature of Canada, then they could and should prove their good intentions by becoming promoters of that language duality.

To me, Mr. Speaker, as to many experts we heard here and in committee, there is no problem with that amendment. The Government would have us believe that we want to foul up the Agreement. That is not true! We wholeheartedly want Quebec to join Canada again in an atmosphere of good will.

If there are problems, and I feel that I have just demonstrated that there are none with the addition of the word "promotion", those who are saying that there are problems should provide proof of that: the onus is on them, not on us.

A newspaperman wrote this morning in the *Montreal Gazette*—and I was quite surprised to read that Mr. William Johnson could write anything like that—and I quote in English from the *Montreal Gazette* of September 12, 1987:

• (1825)

[*English*]

> So the come-from-behind Liberals propose to give to Ottawa and all the provinces the responsibility for "promoting" as well as preserving minority language rights and linguistic duality.

[*Translation*]

Mr. Speaker, I do not accept the "come-from-behind" label. The day following the Meech Lake Constitutional Accord, I raised in the House the issue of adding promotion to the Accord in addition to ensuring the protection of minorities.

I suggest, therefore, that Mr. Johnson should read these documents and make sure he realizes that what we want is neither more nor less, and that if we say that there will be protection, Mr. Speaker, it is quite normal to say that there must be also promotion if we are really serious about this Accord.

Mr. Speaker, the Government which resists any amendment refuses to share the legal opinions it has received from many specialists on the real impact the definition of "distinct society" may have.

Mr. Speaker, are the rights of women, natives, linguistic minorities truly subject to the Charter of Rights and Freedoms? I think so, but the Government adds: We have authorities, legal opinions which support this position.

If such legal opinions exist, why does the Government not share them with us and tell us exactly where this difficult question which is the subject of a national debate comes from?

The Government has recognized that promoting a linguistic duality is essential. I simply refer you to the Official Languages Act which incorporates in a Parliament's statute the obligation for the Federal Government to get involved in promotion.

Well, we are all aware that a statute may be amended, but a constitution is strong and resistant. All we want is: Make sure that not only the constitutional concept is accepted and enshrined, that the Federal Government is really committed to preserve the French reality outside Quebec and the English reality inside Quebec, but that it is obligated to promote this concept.

I feel this is not difficult to understand and does not seem to affect the Meech Lake Accord in anyway, except that it will give something very strong and reinforce the obligation for the Federal Government not only in a statutory fashion, but also in a Constitutional fashion, also to promote preservation.

Mr. François Gérin (Parliamentary Secretary to Minister of Justice and Attorney General of Canada): Mr. Speaker, I do not understand anything anymore.

My colleague has been promoting the official languages, his record is impressive in that respect and I commend him for that. But now he is getting mixed up and tripping over carpet flowers. Listen, all he has to do is look it up in the official languages measure which was tabled recently, Bill C-72, which says in so many words that the Government will have to promote this Canadian duality in its institutions. But that is already a fait accompli. Where my friend gets all mixed up is when he starts talking about the Meech Lake Accord. That is where he trips, falls down, and does not know how to get back on his feet. I can understand him to a certain extent because to them and to Quebec, what did distinct society mean in 1982? In 1982, "distinct society" meant that Quebec was being left right out of the Constitutionbal Accord, it simply was not there. What you did was unspeakable, and you signed that without Quebec.

Today we have a Prime Minister (Mr. Mulroney) who gets along with the ten provincial premiers, he comes up with an accord, you admit it is a nice accord but in fact you are saying it lacks this and lacks that. Everything was lacking when you signed the accord because Quebec was left out, half of Canada was missing, one of the founding peoples was missing , everything was missing. And today you are telling us that we ought to add promotion . . . not the other provinces but only Quebec. But it is included in Bill C-72.

Well, make up your mind on this question, make up your mind about the Meech Lake Accord, take a definite position, stop straddling the issue. The Meech Lake Accord is the perfect constitutional accord for 1987. In 1995, in 1992, at the next constitutional round we can amend it, Mr. Speaker. Do not back both horses. It is a perfect accord. It is a perfect accord today, it is endorsed by nearly all Canadians.

The Liberals simply cannot make up their mind. Stop confusing people.

Mr. Gauthier: You do not understand anything!

Mr. Gérin: Be a man, as we say. Be a man. If you are to support it, do so without reservations. After that we will work together to build a better Canada. For the time being remember the very serious mistake you made by leaving Quebec out in 1982. Neither the Conservatives nor the New Democrats did that. You Liberals did that. So remember that and continue to promote linguistic duality, but without bringing in issues which are irrelevant. Congratulations to the Prime Minister for his Meech Lake Accord!

The Acting Speaker (Mr. Paproski): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 2 p.m., pursuant to Standing Order 3(1).

The House adjourned at 6.30 p.m.

HOUSE OF COMMONS

Wednesday, September 16, 1987

The House met at 2 p.m.

Prayers

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

YOUTH

KATIMAVIK TRAINING CENTRE—GOVERNMENT POSITION

Mr. Gilles Grondin (Saint-Maurice): Last Sunday, Mr. Speaker, *La Presse* published an article on the Katimavik training centre. Overnight, Katimavik was cut off from public funding by the Conservative Government and forced to rely on its own financial resources to maintain activities at a recreational centre located near Montreal. So for the last two years the activities of what used to be one of Canada's most popular youth projects have been reduced to a bare minimum.

Yet the people responsible for Katimavik categorically state that the $19 million budget they had under the Liberal administration could be slashed down to $15 million and they would still be able to sponsor a Canada-wide trip for 150 groups of 12 young people, feed and house them during three three-month stages.

Although it seems that the private sector is more than willing to do its share, businessmen rightfully claim that the federal Government must first ante up to finance the program.

It is astonishing and somewhat disconcerting to realize that, although the Conservative Government did pull the rug from under this program, a number of OECD countries are taking a leaf out of this program to launch similar projects.

The Conservatives misled young Canadians by making them believe they would create a replacement program for Katimavik, but in fact nothing has been announced after two years.

Katimavik was once known as the university of life. Sad to say, young Canadians soon found out that the Conservative Government did not want to have anything to do with this kind of education.

[*English*]

ENVIRONMENTAL AFFAIRS

SIGNING OF INTERNATIONAL PROTOCOL ON MEASURES TO PRESERVE OZONE LAYER

Mr. John Reimer (Kitchener): Mr. Speaker, I rise today to offer my congratulations to those countries which have succeeded in the achievement of an international protocol concerning regulatory measures for the protection of the ozone layer.

• (1405)

Earlier this afternoon in Montreal, Canada, represented by the Minister of the Environment (Mr. McMillan), plus more than 50 other nations, as well as the European Economic Community, concluded the Montreal protocol on substances which deplete the ozone layer.

This agreement will see a scheduled reduction over 10 years of 50 per cent of the 1986 production levels of CFCs, or chloroflurocarbons. This chemical is closely linked with the destruction of the ozone layer which protects the earth from harmful ultraviolet rays of the sun.

To succeed in reaching an agreement among so many countries with different economic and production needs and obligations is no mean feat. Canada has been acknowledged for the important role it played in this achievement. Although we are responsible for only 2 per cent to 3 per cent of world production of CFCs, we took other nations to task to respond to the problem of the destruction of the ozone layer. I congratulate the Minister of the Environment and the whole Canadian delegation for their strong leadership, not only in getting the show on the road but seeing it through to its successful culmination.

* * *

[*Translation*]

CANADA CUP

QUALITY OF COMPETING TEAMS

Mr. Iain Angus (Thunder Bay—Atikokan): On behalf of the New Democratic Party and all our constituents, Mr. Speaker, I should like to thank most sincerely all the teams which took part in the Canada Cup tournament—

[*English*]

—for providing hockey fans around the world with the best hockey championship in over a decade.

Some Hon. Members: Hear, hear!

Mr. Angus: Team Canada kept everyone on tenterhooks every night but in the final seconds of the last game they won it, and they won it in style. Showing tremendous courage and skill and making believers out of hockey fans everywhere, they demonstrated that you do not have to be Canadian to play hockey but it sure helps. To the players on Team Canada, thank you. Inside and outside Canada, on and off the ice, you are number one. *Félicitation*!

* * *

NATIONAL PAROLE BOARD

EARLY AND TEMPORARY RELEASE OF PRISON INMATES—TOUGHER APPROACH URGED

Mr. William G. Lesick (Edmonton East): Mr. Speaker, the National Parole Board study found that more than 100 killings over the past 12 years were committed by inmates released early from prison.

Recently a day pass was granted to a convicted killer serving time in the Edmonton maximum security facility so that he could spend his birthday enjoying the thrills of the West Edmonton Mall. Although he was escorted he managed to escape and remained at large for some two and a half months before being recaptured. He has now been charged with two more counts of murder which he allegedly committed during his time at large.

I do not envy the National Parole Board. Their work is the kind where a 100 per cent success rate is impossible, but I must ask how many more innocent victims must pay the price before we toughen our approach to early and temporary release?

I said it on June 30 following the capital punishment vote and I say it again today: let us turn our attention to reform of the penal system. A life sentence should mean exactly that. Let us make the law work to protect Canadians.

* * *

DEPARTMENT OF EMPLOYMENT AND IMMIGRATION

ALLEGED PRESSURING OF EMPLOYEES TO SIGN PETITION

Mr. Sergio Marchi (York West): Mr. Speaker, the scandalous goings-on in the Immigration Department go from bad to worse. Following the Grossmann affair I received an anonymous letter from a department employee which stated: "This note is to let you know that employees of Employment and Immigration are being pressured to sign a petition supporting the Deputy Minister." I also received a copy of that disgusting and intimidating document, together with a copy of a letter from the President of the Immigration Union to the Deputy Minister which says: " . . . we would like to make you aware of our indignation as a result of the pressures which are being exerted upon our members by certain management officials to make them sign these petitions. Believe me, it is extremely difficult for an employee to refuse to sign such a petition when his or her refusal is seen as a refusal to support the Deputy Minister. The action in itself constitutes undue pressure upon our members."

The Government must clean up this ongoing mess. It must dismiss officials who are at the heart of these abusive actions. The Deputy Minister has gone too far and the Government needs to corral him in. More important, the Government must stop the haemorrhaging of public confidence in our institution and immigration policy.

* * *

ENERGY

REMOVAL OF RESTRICTIONS ON NATURAL GAS EXPORTS

Mrs. Barbara Sparrow (Calgary South): Mr. Speaker, a great decision has been made for Canada. The National Energy Board announced on September 9 a new procedure for determining the surplus of natural gas in Canada available for export. This is history being made. This is freeing the natural gas industry from government regulation.

Under the old system producers could not sell to the U.S. market unless they had a 15-year supply of gas available for sale in Canada. The Board has announced it will scrap the surplus test and allow exports to be determined by supply and demand. Market forces will operate freely as long as they are serving Canadian needs adequately and fairly. The Board can intervene if it finds increased exports could cause market difficulty in meeting Canadians' gas requirements.

• (1410)

This decision is a win for everyone. It shows that the free enterprise system can and will work. Congratulations to the Board and to the Chairman of the National Energy Board, Mr. Roland Priddle.

PUBLIC SERVICE

CUSTOMS OFFICER'S INTENTION TO RUN IN NEW BRUNSWICK PROVINCIAL ELECTION

Mr. Mike Cassidy (Ottawa Centre): Mr. Speaker, I want to bring to the attention of the House the case of Mr. Garth Brewer, a customs officer who would like to become a provincial candidate for the Carleton South riding in the New Brunswick provincial election. This week the Public Service Commission informed Mr. Brewer that he can get leave to run provided that he agree, if not elected, to move to Halifax after the election, an intolerable condition upon which to be allowed to participate.

The Public Service Commission informed my staff today that if someone in Mr. Brewer's position living in Ottawa had sought a nomination in the Ottawa area they would have been allowed to run without being required to move. During the 1984 election campaign the Progressive Conservative Party made explicit promises to grant federal public servants the right to participate fully in the political process. I regret that those promises have not been fulfilled. It is time they were because it is not fair that men and women who work for the Government of Canada are discriminated against in the way that Mr. Brewer is being discriminated against in New Brunswick.

* * *

CANADA POST CORPORATION

"I SAT RIGHT DOWN AND WROTE MYSELF A POSTCARD"

Mr. Ted Schellenberg (Nanaimo—Alberni): Mr. Speaker, as Members of Parliament we all get mail, some of it positive and some of it negative. When I was in my riding this summer I received, through my home mail slot, a mailing from the postal union. It contained four separate cards that were to be mailed to the Prime Minister (Mr. Mulroney), the Leader of the Opposition (Mr. Turner), the Leader of the NDP (Mr. Broadbent) and "your own MP" Each postcard demanded that the Government instruct Canada Post to improve and expand postal service and to put an end to privatization measures.

Well, Mr. Speaker, it is not often that I have an opportunity to write to myself, so I filled in my own name on the MP card and wrote across the front: "I think you're doing an excellent job!" On the back I wrote: "I understand what your government is doing to improve postal service". This is a photocopy of that card.

I then mailed the original card in my own riding of Nanaimo—Alberni. Much to my surprise the postcard did not arrive at my Ottawa office the next week, nor the week after that, nor the week after that, nor this week.

Some Hon. Members: No, no!

S. O. 21

Mr. Schellenberg: When, oh when, will Canada Post deliver this positive message to my door? Whatever happened to the great communication with my own MP? I am still waiting, Mr. Speaker. It has been over a month. It should arrive any day now.

Some Hon. Members: Oh, oh!

* * *

POLITICAL PARTIES

PROGRESSIVE CONSERVATIVE PARTY—PARLIAMENTARY NEWS SERVICE

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, is there anything more tragic than the formerly great and historic Conservative Party of Canada so reduced in self-esteem and so removed from the values of a fundamental parliamentary democracy than to see this same Party stoop to the propaganda tactics which have historically been the hallmark of the zealous or the desperate?

The Conservative Party's Parliamentary News Service is an affront and insult to any self-respecting news organization in this country. As a former regional news reporter I want to say, on behalf of all regional news reporters, that this Tory pap will be received with the scorn, cynicism, and contempt it deserves when it comes over the satellite at four o'clock every day.

* * *

[*Translation*]

POLITICAL PARTIES

ALLEGED STRATEGY OF LIBERAL PARTY CAUCUS

Mr. Clément Côté (Lac-Saint-Jean): While watching the *Le Point* program last night, Mr. Speaker, we heard from the mouth of Senator Jacques Hébert that the Liberal caucus strategy was for Liberal senators to do their utmost to boycott the work of the elected Members of Parliament.

The Senator even went so far as to say and I quote: The truth of the matter is that all the recent actions taken by Liberal Senators have always been discussed with the national caucus, that is to say, in the presence of the Liberal Members of the House and the Leader of the Official Opposition (Mr. Turner); moreover, the Leader of the Official Opposition and the Liberal Leader in the Senate keep in touch at all times. He added that the Leader of the Official Opposition never asked the Liberal Senators to keep quiet and that the actions of the Liberal Senators while dealing with Bill C-22 and soon with Bill C-84, had his full support.

Mr. Speaker, I am very disappointed with such behaviour on the part of Liberal elected Members of the House who are conspiring with appointed Senators to unduly delay the

business of the House, and I think that the Leader of the Official Opposition will have to come clean with the Canadian people.

* * *

• (1415)

[*English*]

ENVIRONMENTAL AFFAIRS

SIGNING OF INTERNATIONAL PROTOCOL ON MEASURES TO PROTECT OZONE LAYER

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, the adoption of an international protocol on ozone in Montreal is a historic step for all humanity and indeed all creatures of our planet.

Canadians can be justly proud of the role of our experts and officials in the difficult negotiations to reach this end.

[*Translation*]

As an Arctic country, Canada has more reasons than any other country to want the production of substances which are destroying the ozone in the atmosphere to be reduced or all together stopped. Our farms, fisheries, health and cities along the shores are the most quickly affected by the erosion of the ozone layer.

[*English*]

While we can be pleased with the adoption of a protocol, we would be fools to be satisfied with it.

Already much damage has been done and the CFCs which cause ozone destruction have a life span of 100 years.

Further vigorous measures will be required for our survival. May Canada continue to play a leading role in taking these next vital steps.

* * *

SCIENCE AND TECHNOLOGY

ESTABLISHMENT OF SCIENCE WORLD IN VANCOUVER

Mrs. Mary Collins (Capilano): Mr. Speaker, last year when millions of people visited Expo 86 in Vancouver, they were delighted by a glittering golf ball. I am pleased to commend the federal Government for its decision to provide $5 million to transform that Expo Globe into a world-class science centre for British Columbia.

It is appropriate that the spherical structure which was a symbol for Expo 86 will now become home to Science World. Science World will be a showcase of British Columbia's and Canada's achievement in science and technology, and as a hands-on facility will offer a unique opportunity to learn about the world of science.

Science World will also provide significant economic benefits. As a major tourist attraction it will attract thousands of visitors to thrill and wonder in the marvellous setting of the Expo Globe.

I want to pay special tribute to the efforts of British Columbia's Arts, Sciences and Technology Society which has developed this project and will operate Science World when it opens in May, 1989.

Science World is an excellent example of how all levels of government and the private sector can work together to advance the interests of British Columbia and create delights for young and old alike.

* * *

[*Translation*]

HOUSE OF COMMONS

LANGUAGE USED BY CONSERVATIVE MEMBERS FROM QUEBEC

Hon. Jean Lapierre (Shefford): Mr. Speaker, yesterday the Tory Members from Quebec, in the absence of the Prime Minister (Mr. Mulroney), played truant and travelled by bus to Montreal.

Mr. Speaker, how frustrating and humiliating it was to see those Members holding a press conference and using such foul language—

An Hon. Member: A howling swarm!

Mr. Lapierre: Mr. Speaker, you know that it has been a degrading example set for our children and I think that such abusive language is due to the panic prevailing among the Tories. My grandmother would have said that they are ill-mannered, especially in their criticism of the legitimate action taken by parliamentarians in this House.

Mr. Speaker, I should like to say to the Tory Members from Quebec that this is not the way to improve their standing in the polls and they are only downgrading their own situation. And if, Mr. Speaker, that is the level of courtesy which the Prime Minister has advised Canadians to maintain, he should tell his Tory Members to learn how to improve their manners.

[*English*]

HOUSE OF COMMONS

APPOINTMENT OF CLERK, DEPUTY CLERK, AND CLERK EMERITUS

Mr. Speaker: I have the honour to inform the House that the Governor General in Council has appointed Robert Marleau, Esquire, as Clerk of the House of Commons in the place of Charles Beverley Koester, Esquire, C.D., M.A., Ph.D., who has been appointed Clerk Emeritus.

Some Hon. Members: Hear, hear!

[*Translation*]

Before joining the House in 1975, Dr. Koester, who holds a Ph.D. in history from the University of Alberta, had distinguished careers as a naval officer, scholar and teacher, and Clerk of the Legislative Assembly of Saskatchewan.

• (1420)

[*English*]

As Clerk Emeritus, Dr. Koester will constitute a unique resource of parliamentary insight and procedural knowledge. He will direct a critical research undertaking aimed ultimately at publishing an original comprehensive manual of procedure and practice in the House of Commons to serve as a definitive reference document for the Speaker and Members of the House of Commons. This project, known as the "Bourinot Project", was initially launched by Dr. Koester and involves an in-depth review and update of procedural reference material which has not been updated since 1916. The Project also involves the development of an extensive computerized database of procedural decisions of Speakers of the House of Commons going back to 1867.

[*Translation*]

Robert Marleau who succeeds Dr. Koester as Clerk of the House has, since joining the House staff in 1970, served in various positions in the procedural sector. In addition to Mr. Marleau's appointment as Clerk, the Governor in Council has also appointed Mary Anne Griffith as Deputy Clerk of the House of Commons.

Some Hon. Members: Hear, hear!

Mr. Speaker: She also has served the House for the past 17 years, in a variety of different positions.

[*English*]

I am also pleased to introduce to Hon. Members two new Clerks at the Table, Audrey O'Brien and William Corbett. Ms. O'Brien will perform the duties of Principal Clerk of the Table Research Branch and Mr. Corbett the duties as Principal Clerk of the Committees and Private Legislation Branch.

I am sure that Hon. Members will join with me in wishing the former Clerk of the House, Dr. Koester, every success in his new duties and in congratulating the new appointees and wishing them well in their new responsibilities.

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I wish to join with you in paying tribute to Dr. Koester whose devotion to this House has been an inspiration to all of us.

Institutions are above all what individuals make of them and this place, Mr. Speaker, this House of Commons, owes a part of its special character to the dignity, the selflessness and devotion Dr. Koester brought to the difficult position of Clerk. As a relative newcomer to this House I have special reason to thank Dr. Koester, in particular for his great assistance in preparing me to assume the parliamentary responsibilities of Leader of the Opposition and of Prime Minister.

I must confess there were moments during Question Period, to be precise, that I thought to myself: "Dr. Koester never told me there would be days like this", but I cannot fault a teacher of Dr. Koester's stature for these few thoughts. In fact, I suspect the accelerated circumstances of my parliamentary apprenticeship are more likely to be blamed, although some credit must be given to the enthusiasm demonstrated by colleagues on the opposition benches.

[*Translation*]

Mr. Speaker, I have also had opportunities to appreciate the personal qualities and professional skill of Mr. Robert Marleau, and to him I extend my best wishes of success in his duties as Clerk of the House of Commons.

I want to assure Mr. Marleau that he can count on my full co-operation and that of my political Party in the discharge of his very delicate duties.

[*English*]

With your permission, Mr. Speaker, I wish to move, seconded by my friend, the Right Hon. Leader of the Opposition (Mr. Turner):

> That the House, desiring to record its deep appreciation of the distinguished and faithful service of Charles Beverley Koester, Esquire, as Clerk of the House of Commons, designate him an Honorary Officer of the House of Commons with an entrée to the Chamber and a seat at the Table on ceremonial occasions.

Some Hon. Members: Hear, hear!

• (1425)

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

Some Hon. Members: Agreed.

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I am delighted, as are all Hon. Members on this side of the House, to second the motion and to advise the Deputy Prime Minister (Mr. Mazankowski) in passing that we will not take advantage of the fact that it is debatable, something

which might well influence the future course of the next few days in terms of what we might be able to say.

It is appropriate that the House indicate today its appreciation of Dr. Koester's services by awarding him a unique honour in his appointment as an honorary officer of the House. It recognizes not only his eight years as Clerk of the House, preceded by four as Assistant Clerk, but almost 30 years of service to the parliamentary institutions of the Commonwealth, and 45 years of service in other capacities to his country.

[*Translation*]

As you pointed out, Mr. Speaker, Dr. Koester was not even 20 years old when he began serving Canada as a naval officer during World War II. He was then Reserve Officer for a number of years. A learned man, distinguished educator, he had also been Clerk of the Saskatchewan Legislative Assembly and the Parliament of Westminster before coming to Ottawa.

[*English*]

We can recall when Dr. Koester was being mooted for the appointment here at the Table of the House of Commons how impressive and varied was his support. When someone receives the support simultaneously of Allan Blakeney, Otto Lang, and the late John George Diefenbaker, then we know we have something. That certainly impressed us on this side of the House.

Dr. Koester has served the House at a time when, after much struggle and much debate, both its procedural and administrative services have been moved up to truly professional standards. It was in pursuit of such professional standards that Dr. Koester made one of his principal goals the establishment of a firm career pattern for officers of the House. It must have been satisfying for him, then, that the Government appointed as his successor the first career-long employee of the House of Commons to become Clerk of the House.

[*Translation*]

Although he is still young, Mr. Robert Marleau has been serving the House almost constantly over the past two decades. He began his career here after university graduation and has worked in all major procedure sectors. The knowledge and experience he has gained over years of practice will serve him well in his new duties. He knows and understands Parliament and, perhaps more important still, he knows and understands parliamentarians. He has both the vigour of youth and the wisdom of a man of experience.

[*English*]

I want to add my congratulations to Ms. Griffith, Ms. O'Brien and Mr. Corbett, and to wish them a fruitful time in service at the Table.

We in the Opposition join with the Prime Minister (Mr. Mulroney) in wishing Dr. Koester a long, happy and healthy retirement. We are looking forward to seeing him here from time to time. We congratulate him on his service to Parliament, his service to the Commonwealth and, more important, 45 years of service to his country.

• (1430)

We welcome Mr. Marleau and look forward to working with him in his new role, which is a very important role, at the Table of the House of Commons.

Some Hon. Members: Hear, hear!

Hon. Edward Broadbent (Oshawa): Mr. Speaker, on behalf of the New Democratic Party I wish to indicate our complete support of the motion moved by the Prime Minister (Mr. Mulroney) and seconded by the Right Hon. Leader of the Opposition (Mr. Turner).

First, I wish to say that we offer our best wishes and cooperation to the newly appointed Clerk of the House of Commons, Mr. Marleau. He is no stranger to those of us who serve in this Chamber. We welcome him warmly, and look forward to his guidance for many sessions to come.

Some Hon. Members: Hear, hear!

Mr. Broadbent: Today, on behalf of my Party, in particular I wish to say farewell and express our appreciation to Dr. Koester on the occasion of his retirement after eight years of exemplary service as Clerk of the House. Dr. Koester was appointed Assistant Clerk in 1975. He has served as a valued colleague ever since that time.

Dr. Koester has been seen, not only by Members of the House but by those outside who follow proceedings, as an outstanding officer of the House, a man who could be relied upon for accurate and fair counsel at all times. He was ever helpful, always prepared to sit down and take the time to explain decisions in detail to many of us who have what could be called less than complete expertise in terms of knowledge of the rules. He acquitted himself with honour, dignity, and a deeply held commitment to the democratic traditions of Parliament.

Dr. Koester has a long record of distinguished public service to Canada. He is a native of Saskatchewan, and was Clerk of the Legislative Assembly in his home province for some nine years. His interests and contributions to Canadian life have been wide-ranging; as a teacher, decorated member of the Canadian Navy, historian, university professor, author, and, of course, as one of the country's leading parliamentary experts.

Dr. Koester has written extensively about one of Canada's most fascinating politicians, the first MP for Assiniboia, Nicholas Flood Davin.

If I may add a particular note on behalf of the New Democratic Party, we have a special appreciation for his extensive work on the political history of his home Province of Saskatchewan, including his book, *The Measure of the Man: Selected Speeches of Woodrow Stanley Lloyd.*

Dr. Koester will assume new duties here. We thank him for his great contribution in the past, and wish him well for the future.

Some Hon. Members: Hear, hear!

Hon. John W. Bosley (Don Valley West): Mr. Speaker, perhaps you and the House would indulge me for 30 seconds.

The House may not know, Sir, that there have been some 32 or 33 Speakers, and almost as many Prime Ministers. But Mr. Marleau makes only the ninth Clerk of the House of Commons.

Perhaps the House would allow me to express—as one who knows, as only you know, Sir, the importance of the Clerk of the House of Commons—my personal best wishes to Dr. Koester, to the new Clerk, and to the new Deputy Clerk, all of whom have and will serve this institution nobly and well.

Some Hon. Members: Hear, hear!

Motion agreed to.

ORAL QUESTION PERIOD

[*Translation*]

TRADE

FREE TRADE—AUTOMOTIVE ISSUE—GOVERNMENT POSITION

The Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister is denying Canadians the right to know the most basic facts on the free trade negotiations. This Government's attitude is not open, it is even undemocratic. Now that the Prime Minister, under pressure from the Opposition, has asked Canadians to believe that the Auto Pact is not on the table but the automobile issue is, I would like to ask him what automobile issues that are not included in the Auto Pact are being considered by the Canadian and American negotiators? The Prime Minister will have to skate faster than Wayne Gretzky and Mario Lemieux to answer that question!

The Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I will try in due time—not today but in due time—to do as Gretzky and Lemieux, and I think I will shoot and score, but in due time—

Some Hon. Members: Hear, hear!

Mr. Mulroney: Thank you, Michel!

Mr. Speaker, the Leader of the Opposition says there is an undemocratic attitude with respect to international trade, but that is not the truth as suggested yesterday by Mr. Bourassa, Quebec's premier. Quebec's Liberal Premier says that everything is proceeding in the most democratic way. He is quite pleased with the Canadian Government's position. Premier Bourassa says that free trade is in the best interest of

Quebecers and Canadians, and such a negative attitude on the part of the Leader of the Opposition is passing strange.

As far as automobile matters are concerned, we have been informed that the Americans intend to refer to them and raise the question, as it is their right. On our side, our right and duty is to continue fighting, as we have been since the beginning, for Canadian interests in that area.

[*English*]

NEGOTIATED ISSUES

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, vague as that response is, I can only interpret it as an admission by the Prime Minister that the Auto Pact is on the table.

Some Hon. Members: Oh, oh!

Mr. Turner (Vancouver Quadra): The Prime Minister has neglected every opportunity we have attempted to give him to say no.

Mr. McDermid: You're flogging a dead horse.

Mr. Turner (Vancouver Quadra): It appears that the arrangement that the Prime Minister has with the Americans is that they can put on the bargaining table anything that they want, and they can take off the bargaining table anything that they do not want.

Why did the Prime Minister allow the Americans to take off the subject of American Government procurement policies when the Americans wanted that off the table, and why allow the Auto Pact on the table because they want that item on the table?

Would the Prime Minister answer that question and explain the manner in which his priorities on these negotiations are arranged?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, it is well known that the Leader of the Liberal Party is against a free trade arrangement with the United States of America.

It is also well known that this Party and this Government are in favour. We are seeking to secure better access and the benefits that come from a free trade arrangement with the United States. That fact is well known.

At an appropriate time the people will decide whether the Leader of the Official Opposition and the Liberal Party were correct in adopting this attitude, or whether the attitude demonstrated by the Government was an appropriate one.

Ms. Copps: Call an election.

Mr. Mulroney: Yesterday the Liberal Premier of Quebec, Mr. Bourassa, said in supporting the concept of free trade:

Mr. Bourassa told reporters before the hearings got underway. "It's not a question of a party against another party. It's a question of economic common sense."

That is exactly what we have been doing from the very beginning. We have refused to become the apostles of a *status quo* that is diminishing. We have refused to preach protectionism. We have had the vision and the courage to take initiatives on behalf of Canada that speak to the potential of this nation and the growth that is possible. That is what we have been doing.

Some Hon. Members: Hear, hear!

PRIME MINISTER'S POSITION

Right Hon. John N. Turner (Leader of the Opposition): During the course of these negotiations the Prime Minister has also allowed our nation to sell out on energy, to sell out on lumber, to sell out on potash, to sell out on our book publishing industry, and to sell out on shakes and shingles.

I think Canadians will want to have an opportunity to say something about this. When the Prime Minister states that we will only strike a deal if it is in the national interest, Canadians are asking right now, which nation?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, we all have our moments of ambition. I hope that the Leader of the Opposition will ensure that, in the future in his moments of ambition, he does not impugn the integrity and the motives of other Members of the House.

It is well known that patriotism, to coin a phrase, is the final refuge of a scoundrel. That is being proved here today.

Mr. Broadbent: No one would ever accuse you of that.

Mr. Blackburn (Brant): Have you read any of your own speeches?

• (1440)

Mr. Mulroney: My right hon. friend stands up every day and begins this litany of sell-outs, and he always begins with the question: "Did you sell out energy", presumably by getting rid of the NEP. Absolutely we got rid of the NEP, because the NEP was destroying Canada's interests, and it was very much in the interest of western Canada and the nation that we did it.

That is the kind of attitude of openness and courage that the Government will bring to the table in trying to bring about a comprehensive trade arrangement with the United States.

DURATION OF POSSIBLE AGREEMENT

Hon. Herb Gray (Windsor West): Mr. Speaker, I have a question for the Prime Minister. Did Canada originally ask for a free trade deal with a term from 10 years to 20 years, and has it dropped that demand in the most recent stage of discussions with the United States?

If so, why has the Government caved in, yet again, to the United States without getting anything of value in return? In short, why isn't the Prime Minister willing to be a patriot? Why isn't he standing up for Canada?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker—

Mr. Riis: Pat is standing up for Canada.

Miss Carney: —I think the Hon. Member is confusing the duration—

Some Hon. Members: Oh, oh!

Miss Carney: If they do not want to hear an answer, I am not obligated to give one.

Some Hon. Members: Oh, oh!

Miss Carney: I think the Hon. Member—

Mr. Speaker: I know that Hon. Members would want to extend the appropriate courtesies to Ministers when they are responding to questions asked by Hon. Members.

Miss Carney: Mr. Speaker, negotiations are still continuing on a number of issues. I think it is important for the House to understand that there is a distinct difference between the duration of an international agreement and the termination clause.

For instance, the Auto Pact, as we have said in the House, has been with us for the duration of 22 years. It has a one-year termination clause.

NORAD, which will be with us for as long as we need it, also has a termination clause of one year.

We expect that the free trade agreement will be with us as long as it benefits both countries, should we successfully negotiate one, and the matter of a termination clause will be a technicality.

BINDING DISPUTE SETTLEMENT MECHANISM

Hon. Herb Gray (Windsor West): Mr. Speaker, it is strange that what the Minister used to mention as a flaw in the Auto Pact, its one-year termination clause, has now suddenly become a virtue for a general free trade pact, even though the Auto Pact is not free trade and it deals with only one sector.

Has the Government now also given up its basic demand for a trade dispute settlement mechanism whose rulings would be binding on both the United States and Canada, apart from U.S. trade remedy laws, without getting anything in return?

If that is the case, why is it continuing these talks which, each day, are leading Canada further and further into disaster for its people?

Hon. Pat Carney (Minister for International Trade): Mr. Speaker, the Hon. Member is saying that termination clauses

are "a virtue" or "a flaw". I am saying that termination clauses are a reality.

In response to his question about whether we are giving up our position on a binding dispute settlement mechanism, which is a way of settling disputes between both countries in an impartial manner and in a binding way, of course the answer is no.

* * *

ROYAL CANADIAN MOUNTED POLICE

ALLEGED COUNTER-TERRORIST ACTIVITY

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Solicitor General. According to a news report today, the RCMP has been running its own counter-terrorist activity in apparent contradiction to the mandate given to CSIS.

This is being done, according to the source, because the then Commissioner "decided to gather his own intelligence in this area".

Is this allegation true? If it is true, when did the Minister become aware of it, and what did he do about it?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am quite happy and pleased to be able to advise the Hon. Member that I became aware of this allegation this morning when I read the article in *The Ottawa Citizen.* So I did the normal and natural thing—I phoned the Commissioner—and asked him, and he categorically denied it.

Mr. Broadbent: Mr. Speaker, I say quite sincerely to the Minister that I hope that that denial turns out to be accurate—

Mr. Clark (Yellowhead): Oh, oh!

Mr. Broadbent: Poor Joe is at it again.

Mr. Clark (Yellowhead): What are you accusing the superintendent of? Take a look at the record, Ed.

An Hon. Member: Take a deep breath, Joe.

Mr. Speaker: Perhaps the Hon. Leader of the New Democratic Party and his colleague and friend, the Secretary of State for External Affairs, could continue this private discussion after Question Period.

Some Hon. Members: Hear, hear!

Mr. Speaker: In the meantime, perhaps the Hon. Member could put his question.

MINISTER'S POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a supplementary question for the Minister. Considering that this serious allegation has been denied by the RCMP, is the Minister going to leave the matter there and accept completely, on the say-so of the person with whom he has consulted, what has been said?

The evidence, I say to the Minister as he knows, in terms of conflicting obligations and allegations of interference about which we have some evidence in other matters between the two services, is quite serious.

I want to ask the Minister: Does he intend to let the matter rest there?

Mr. Clark (Yellowhead): That is shameful.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, let me say at the outset to the Right Hon.—

Some Hon. Members: Right Honourable?

Mr. Kelleher: —I am sorry, to the Hon. Member and any other Member in the House who has any doubt about the integrity of the RCMP or the new Commissioner, that I do not have any doubts whatsoever in that regard.

Some Hon. Members: Hear, hear!

Mr. Blackburn (Brant): You never read the McDonald Commission report.

An Hon. Member: Let's hear you make an accusation, Ed.

Mr. Kelleher: Since I have denied it on the advice of the Commissioner, if the Hon. Member happens to have any information that is inconsistent with the answer I have given, I ask him please to advise me of it immediately, and I will take appropriate action.

Some Hon. Members: Hear, hear!

MINISTER'S ANSWER

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister knows that we had the resignation of the head of CSIS before the weekend and that there has been, in the long and notable tradition of the RCMP, some incidents which have been anything but noble. The Minister knows that as well as I do.

Considering that the Minister wants to maintain a service which is beyond reproach in terms of concern with civil liberties—

Mr. Clark (Yellowhead): Always against the Mounted Police.

Mr. Broadbent: —I want the Minister to be quite clear. He is saying that he has no reason to pursue this matter any further; is that what the Minister is saying?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, what I am saying—and I will repeat it—is that I am prepared to rely upon the integrity of the RCMP and the new Commissioner. If the Hon. Member has evidence to the contrary, any innuendoes or suggestions—

Mr. Broadbent: Come on!

Mr. Kelleher: —then it is his duty and obligation as a Member of the House to bring that information to me, and I will see that it is properly dealt with.

Some Hon. Members: Hear, hear!

Mr. Speaker: The Hon. Member for York South—Weston.

Mr. Mazankowski: Get out of the gutter Ed; you are too nice for that.

Mr. Clark (Yellowhead): Shameful.

Ms. Copps: Down, boys.

Mr. Broadbent: Take the McDonald Commission report home and read it tonight.

Mr. Speaker: Perhaps it would be helpful if the Chair remarked that in the event that this line of questioning is continuing—and the Chair has been listening very carefully to the questions and the answers—the Chair, of course, would not want questions or answers to exceed the bounds of propriety in respect of the honour of any person. If any suggestions are to be made that reflect on that, then, of course, there are other more appropriate places to make them and there are ways to do so. I am sure Hon. Members would want to keep that in mind.

* * *

• (1450)

CANADIAN SECURITY INTELLIGENCE SERVICE

REQUEST FOR RESIGNATIONS OF MINISTERS

Mr. John Nunziata (York South—Weston): Mr. Speaker, the Solicitor General's Department is in an absolute mess and he knows it. Today Canadians are outraged that a serious criminal case involving attempted murder is not proceeding in British Columbia because of a so-called technicality. That so-called technicality is the incompetence and negligence of Ministers of this Conservative Government.

My question is directed to the Prime Minister. Will the Prime Minister, on behalf of the Government, admit responsibility for this miscarriage of justice and seek the resignations of the Ministers responsible? In the name of justice, will he do that?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I wish the Hon. Member would get his facts straight. In the first case, the miscarriage, as you allege it, is not with respect to charges—

Mr. Speaker: I know that the Hon. Minister is engaged in a lot of work during this Question Period and perhaps forgets that we do not refer to other Hon. Members as "you". I see the Hon. Minister is nodding. I know he will restrain himself.

An Hon. Member: Jerk would be more appropriate.

Mr. Kelleher: I will not listen to the advice of some of my colleagues, Mr. Speaker.

In the first instance, the charges were not attempted murder. The four people charged with attempted murder were convicted and sentenced to prison for 20 years. The charges are with respect to conspiracy to murder. The charges have not been dropped. The proceedings have been stayed. In other words, it is an "adjournment".

The charges have not been dropped. The charges have not been dismissed. There is a stay of proceedings for one year. At any particular time the Attorney General of British Columbia can continue on with the case. I spoke to the Attorney General of British Columbia this morning and he advised me that it is his intention to continue to pursue the investigation vigorously and hopefully that will enable him to continue the case.

Mr. Nunziata: Mr. Speaker, I call on the Prime Minister to take charge and put that Minister out of his misery.

Some Hon. Members: Oh, oh!

FORTHCOMING COMMONWEALTH CONFERENCE—SAFETY OF INDIAN PRIME MINISTER

Mr. John Nunziata (York South—Weston): Mr. Speaker, my supplementary question is directed to the Prime Minister. Prime Minister Rajiv Gandhi of India is scheduled to attend the Commonwealth Conference in Vancouver next month. Can the Prime Minister guarantee the safety and security of Prime Minister Gandhi during his scheduled visit to Canada?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, if the Hon. Member has any evidence to place before Canadian authorities that would cause that to be a genuine question rather than a grasp for headlines, he has a duty to make that evidence available. It is about time that Hon. Member began to perform his duty.

Some Hon. Members: Hear, hear!

AGENT RESPONSIBLE FOR WIRETAPS—REQUEST FOR PARLIAMENTARY INQUIRY

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I want to ask a question of the Solicitor General concerning evidence which is indeed available. Is the Solicitor General now aware that on May 17, 1986, and on May 24, 1986, CSIS agents intercepted telephone communications which clearly indicated

that a visiting Punjabi Minister would be on Vancouver Island and might be subject to threat? In light of the fact that there is clear documentation of these wiretaps, why is the agent who was responsible for these wiretaps still working for CSIS? Why will the Minister not accept his responsibilities, order a full parliamentary inquiry into the activities of CSIS and finally make some sense out of the bungling of this very serious investigation?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, the Hon. Member well knows that the four people convicted of attempted murder and sentenced to jail for 20 years each are presently appealing their convictions and their sentences. Second, the Hon. Member well knows that the nine people including the four already convicted of attempted murder have been charged with conspiracy to attempt murder. Those charges have not been dismissed. There is a stay. The matter is still before the court. The investigation is proceeding and there is no way that I, as Solicitor General, given the importance of the case of a visiting cabinet Minister from another country being wounded, can discuss at this time the evidence concerning that investigation without jeopardizing a trial on a matter that is very, very important to this country.

Mr. Robinson: Mr. Speaker, it is absolutely appalling that this Minister does not recognize that the fundamental issue is the bungling of CSIS and the fact that Ministers of the Crown rose in the House to state that the Government of Canada did not know that this Minister was in Canada, when CSIS was well aware of his presence because of wiretaps. This Minister does not understand that.

REQUEST FOR DISMISSAL OF MINISTER

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, I would like to turn to the Prime Minister. In view of the history of incompetence within CSIS and in view of the fact that this Minister clearly does not recognize the seriousness of the problems within CSIS, does the Prime Minister not recognize that one of the biggest threats to the security of Canada and to the civil liberties of Canadians comes from the Solicitor General of Canada? Will he not do the honourable thing by firing this Minister and ordering a full parliamentary inquiry into the actions of CSIS?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I would like to remind the Hon. Member that, first, the information with respect to the false affidavit was brought to me by CSIS itself. As soon as it discovered the error in the affidavit, it came forward. The director came to me within 24 hours. Within another 24 hours I had launched three or four investigations, investigations by the Inspector General and by the Osbaldeston committee, an independent inquiry by the Ministry itself, and also an investigation by the Security Intelligence Review Committee. Give the checks and balances a chance to work.

In conclusion, if I may, let me just briefly state what the Security Intelligence Review Committee has said about CSIS. It has said that it "is an important national institution worthy of continued public support"—

Some Hon. Members: Order.

DIRECTOR'S RESIGNATION

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is also for the Solicitor General. The Minister said the other day that he felt justified in accepting the resignation of Ted Finn, the former head of the Security Service. Ted Finn held Deputy Minister status and the resignation was submitted, we are told, because of mistakes if not outright wrongdoings by someone else in the Minister's Department. The good faith and competence of Ted Finn have not been questioned at all.

When, in our parliamentary tradition, does a Deputy Minister resign because of wrongdoings or mistakes in the Department? If the Minister feels that a resignation is justified, and he said that he felt that a resignation was justified, why should that resignation not be his own?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the Hon. Member well knows, Mr. Finn was the Director of CSIS. He had the control and management of its operations. There was obviously a breakdown. He did the honourable thing. He accepted his responsibilities. He tendered his resignation and it was accepted.

PARLIAMENTARY ACCOUNTABILITY

Hon. Bob Kaplan (York Centre): Mr. Speaker, it is certainly true that the Director of the agency who is a Deputy Minister has control and management of his agency but it is part of the Minister's Department and the Minister is the one who is accountable to Parliament. When a resignation is in order, and the Minister obviously felt that was the case, how could he accept the resignation of a Deputy Minister? Where is the precedent? What happens to parliamentary accountability when Deputy Ministers are looked to by their Ministers as scapegoats when the individual Minister is accountable to Parliament?

• (1500)

Hon. James Kelleher (Solicitor General of Canada): As the Hon. Member well knows, Mr. Speaker, the incident in question occurred several years ago. I first learned of it August 27 of this year. As I said on many occasions and will say again, upon learning of it I immediately took action. I launched approximately four different investigations. I have already instituted interim procedures to tighten up on the warrant process. I have accepted in principle the appointment of devil's advocates to further strengthen the warrant review process.

We have done everything required of us. We did it quickly and efficiently.

HOUSING

AFFORDABLE HOUSING FOR WOMEN

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, my question is directed to the Minister responsible for the status of women.

[*Translation*]

Yesterday, the Minister expressed the hope that the International Conference on Housing for the Homeless will help improve the housing situation as concerns women.

[*English*]

Women and children suffer the most from the lack of affordable housing. The Minister has expressed her concern about the lack of affordable housing for women. Therefore, will she be proposing a specific program to her cabinet colleagues in order to relieve these women of the suffering they are enduring?

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, I would like to thank the Hon. Member for her first question to me. This is something of great concern to this Government. I am fortunate to have colleagues responsible for housing who recognize the significance of housing to women. That is one of the reasons we increased the co-operative housing program. We know that is the way women can participate.

Housing is related as well to our other policies to give women more economic independence, including training for women which will enable them to earn better salaries. All those things are related to the needs of women to participate more fully.

MINISTER'S POSITION

Ms. Marion Dewar (Hamilton Mountain): Mr. Speaker, does the Minister not see some conflict in her role of Minister responsible for privatization when we know that private developers are not building affordable housing—

Some Hon. Members: Oh, oh!

Ms. Dewar: —and the Government is not increasing its quota for affordable housing? Would the Minister please tell the House whether she is willing to work with the Minister responsible for CMHC to see there are more units on the market?

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, as I said in this House before, that is one of the things that differentiates this Government from the former Government and other Parties, that is, the Ministers in this Government do work together and do have the support of the housing department in developing housing for women. We have the support of the Prime Minister in all our efforts for women, and that is going to continue for many years to come.

Some Hon. Members: Hear, hear!

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

MATANE PAPERMILL—GOVERNMENT ASSISTANCE—REQUEST THAT GOVERNMENT ACT IMMEDIATELY

Hon. Jean Lapierre (Shefford): Mr. Speaker, my question is for the Prime Minister. Yesterday, he ridiculed the legitimate demands of the people of Matane who want to ensure the creation of nearly 900 jobs in their region and consolidate 1,200 jobs in the sawmills.

The federal Government has been considering the Matane papermill project for months, while the province has been ready to provide assistance immediately.

My question to the Prime Minister is as follows, especially today since the Matane delegation is in Ottawa: Can the Prime Minister order the Minister involved to provide immediately the assistance required to carry out this most important project for the Matane region?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, there was nothing in my statements yesterday that can be interpreted as ridiculing the proposals of the Matane people. On the contrary! The people of Matane requested federal assistance for their region from the Liberal Government for 19 years. For nearly two decades, the Liberal Party refused to provide such assistance for a major project.

I am, therefore, rather surprised to hear today such comments from a former Liberal Minister who could have done a lot more at the time to help the people of Matane.

A project was submitted by the private sector to the Quebec Government, discussions are now going on with the federal authorities to examine this proposal, and in spite of the lack of action during the two previous decades, we shall do our best to help the Matane people with these concrete proposals.

ASSISTANCE FOR MATANE PAPERMILL—GOVERNMENT POSITION

Hon. Jean Lapierre (Shefford): Mr. Speaker, the statements of the Prime Minister are not very reassuring for the workers who are now on the unemployment lists in Matane and who are waiting for jobs.

Let me ask the Prime Minister this. Such a concrete project has not been on the desk of the Minister for two decades. There is now a group willing to get moving. The provincial Minister of Energy has accused Ottawa of dragging its feet. What I am asking the Prime Minister is not to give me a history lesson, but to think about the present and the future right now as he is responsible for the management of public funds and for helping the have-not regions. Why is he still

dilly-dallying instead of announcing immediately some assistance for the Matane papermill project as this would create jobs?

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development): Mr. Speaker, it is too bad that the Quebec Liberal caucus is not as virulent in promoting the adoption of Bill C-22 which would create jobs in Quebec.

Mr. Speaker, the Minister of Regional Industrial Expansion is now examining the Matane project. We are analyzing all the data, and this naturally includes a feasibility study which has to be completed by the promoter before a decision can be made.

* * *

[*English*]

PORNOGRAPHY

PASSAGE OF LEGISLATION

Mr. John Reimer (Kitchener): Mr. Speaker, my question is addressed to the Minister of Justice and concerns a lead story in Monday's *Globe and Mail* which revealed the findings of an American study on pornography to be presented today to the U.S. House Select Committee on Children, Youth and the Family. The study found that all forms of pornography, not just violent pornography, have a negative impact on society. In view of these findings, when can we expect the Minister to bring to second reading and speedy passage this Government's tough legislation on pornography?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I would like to thank the Hon. Member for his continuing interest in this very important topic. It is of great concern not only to his constituents but to people across the country. I read with interest the findings of the report and I know this Government wants to proceed with this legislation at the earliest possible date. My colleague, the Deputy Prime Minister and Government House Leader, will be discussing the timing of this legislation with his opposition counterparts. I know I have had calls from Members on both sides of the House to proceed with it forthwith and I hope it will be at an early date.

* * *

ENERGY

PRICE OF NATURAL GAS IN MANITOBA

Mr. David Orlikow (Winnipeg North): Mr. Speaker, in the absence of the Minister of Energy I would like to direct my question to the Right Hon. Prime Minister.

As of November 1 this year natural gas from Alberta, after passing through the pipeline across Manitoba, will be sold in Minnesota for $1.80 per 1,000 cubic feet while it will cost Manitobans $3.00 per 1,000 cubic feet. Given the promise the Prime Minister made at Prince Albert during the election campaign that Canadian gas would never cost Canadians more than it does Americans, how does he explain this situation? What steps will the Government take to ensure that the promise will be kept?

• (1510)

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the National Energy Board has just made a recommendation with respect to the pricing and export policy of natural gas which is consistent with the market oriented policies of the Government. There are clearly provisions within the ruling which provide adequate protection for consumers while at the same time stimulating the exploration, further development, and sale of natural gas.

My understanding is that there are negotiations going on between the Province of Alberta and the Province of Manitoba with regard to this. It is my view that this will be resolved on a bilateral basis between the two provinces.

GOVERNMENT POSITION

Mr. David Orlikow (Winnipeg North): Mr. Speaker, according to the first official monitoring report released two weeks ago British Columbia gas users are paying more for B.C. natural gas shipped to the western United States than are U.S. buyers. Does the Government believe that Canadian users of natural gas, either in their homes or their businesses, will believe that the Government's deregulation of the energy industry is working in their favour?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I think we all know the position of the New Democratic Party. It would like to control market prices and production and phase out any export of natural gas or oil from the country.

Mr. Broadbent: Another lie. Keep it up. Do you ever tell the truth? Just once tell the truth.

Mr. Riis: It is not true.

Some Hon. Members: Oh, oh!

Mr. Broadbent: You'll go down to 20 per cent. Keep it up.

Mr. Mazankowski: Just keep attacking the RCMP and you know where you'll go. You'll be right down.

Mr. Speaker: I would like to advise the House that due to the tributes and announcements which were made, which took up a good deal of time, Question Period will be extended to 18 minutes after three o'clock.

CANADIAN SECURITY INTELLIGENCE SERVICE

DIRECTOR'S RESIGNATION—MINISTERIAL RESPONSIBILITY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I will take advantage of your indulgence and direct two questions to the Prime Minister.

A senior public servant, indeed a man of deputy ministerial rank, resigned in honourable fashion accepting responsibility for improper action within his Department. Is it the Prime Minister's understanding of ministerial accountability and is it the style of his Government to allow senior public servants to take the heat when Ministers should take the heat?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the Solicitor General has been fully accountable to the House of Commons and the people of Canada. He has been responsive to all questions in the House and has answered fully any questions and suggestions that have been raised.

Mr. Guilbault (Saint-Jacques): It takes a lot of nerve to stand up and say that.

Mr. Mulroney: If my right hon. friend has any doubt about that and would like to be more specific, I will be happy to try to respond. However, the responsibility of the Minister is to the people of Canada and the House of Commons and the Minister has fulfilled it very well.

SIGNING OF APPLICATION FOR WIRE-TAPPING WARRANT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the admission of improper action within the Department was recognized by Mr. Finn who resigned, taking responsibility for that. At issue here is the second highest ranking law officer of the Crown, ranking only after the Attorney General. That law officer of the Crown signed an application for a warrant which misled a judge.

Mr. Clark (Yellowhead): You're inventing a new theory.

Mr. Turner (Vancouver Quadra): In the opinion of the Prime Minister is that not grounds for a resignation?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I am not going to comment on some of the allegations which were made by my right hon. friend. I would want to ask the security service, the Solicitor General and others whether they are in fact all in keeping with the requirements of accuracy.

With regard to the issue, I have responded that ministerial responsibility has been adequately and faithfully discharged by the Solicitor General at all times and in all circumstances.

The head of an independent agency decided to submit his resignation and the resignation was accepted. The Minister of the Crown has fully and faithfully responded to all of the requirements of ministerial responsibility in a manner totally consistent with the highest traditions of Parliament.

TAX REFORM

CONSULTATION WITH MUNICIPAL REPRESENTATIVES

Mr. William G. Lesick (Edmonton East): Mr. Speaker, my question is directed to the Minister of Finance. Recently the Board of Directors of the Federation of Canadian Municipalities expressed concern over the possible impact of adopting a two-stage approach to tax reform on the new system of municipal services and costs.

The Minister of Finance has emphasized the importance of extensive consultation in developing and implementing the new sales tax for Canada. Does the Minister plan to include representatives of Canada's municipalities in his discussions on the second stage of tax reform?

Hon. Michael Wilson (Minister of Finance): Mr. Speaker, the simple answer to the question is yes. I have consulted with the Federation prior to each of my Budgets and look forward to consulting with them prior to any implementation of tax reform. It is still early days, as the Hon. Member knows, in the process leading up to stage two, the sales tax reform. There is ample opportunity for me to hear the views of the Federation of Municipalities.

* * *

CANADIAN SECURITY INTELLIGENCE SERVICE

ALLEGED AIR CANADA SABOTAGE THREAT

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I have a question for the Solicitor General. Press reports indicate that documents filed with the Ontario Supreme Court suggest that senior Canadian air security officials were notified of a sabotage threat against Air India about two weeks before the June, 1985, crash.

Did the senior air security officials notify either CSIS or the RCMP? If they did, what action was taken to determine whether or not the threat was valid or to ensure that nothing happened?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I am met with a rather difficult situation at the present time. As the Hon. Member may or may not be aware, there is civil litigation presently pending in the courts in which the Government of Canada has been named as a defendant along with a number of Ministers. The matter is, therefore, *sub judice* and I cannot comment on it.

However, I would be more than pleased to receive those allegations. If the Member has any information to give me in that regard I will arrange for RCMP officers to be at his office within hours to obtain the necessary information and I will follow up on anything which is improper or illegal.

REQUEST THAT INQUIRY BE CONDUCTED

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, it seems that CSIS is not communicating with the RCMP or the Government. We do not even know if it is talking to officials in air security. Is this not yet another reason for a full parliamentary inquiry into the whole area of security in this country? Would the Minister not agree that it is about time that he takes his responsibilities and calls a public inquiry?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I have two things to say in response to the supplementary question. First, immediately upon taking office I was concerned about the lack of co-operation, as it has been termed, or the lack of liaison between CSIS and the RCMP. Within weeks of taking office I met with the parties. I have instituted new procedures. Liaison officers are now within each other's force and a liaison committee has been set up. I am satisfied today that there is a satisfactory working relationship.

I can also advise the House that as soon as the various investigations which I have instigated are completed I will be pleased, upon invitation, to appear before the Standing Committee on Justice and Solicitor General to discuss the whole incident.

• (1520)

ROUTINE PROCEEDINGS

[*English*]

SPORTS

CANADA CUP WON BY TEAM CANADA

Hon. Otto Jelinek (Minister of State (Fitness and Amateur Sport)): Mr. Speaker, last night Canadians witnessed what I believe to be a new high in international hockey, if not in international sport. Of course, I am referring to the final game between Team Canada and the team for the Soviet Union in which Canada retained the Canada Cup.

Some Hon. Members: Hear, hear!

Mr. Jelinek: I want to take this opportunity on behalf of the Government of Canada first to congratulate Team Canada for that smashing victory. I also want to thank and congratulate the team from the Soviet Union for providing us with the highest quality competition. In fact, had the competition been even a little better than it was last night, many Canadians today would be suffering from cardiac arrest.

In any event, the game itself—in fact the last three games—provided an example of sportsmanship at its best and an inspiration to all, particularly to the youth of this nation and around the world. They were hard-hitting games, yet they were fair. They were emotional games, yet they were controlled. They were entertaining to say the least, yet competitive.

I have always said that sports, perhaps more than anything else, transcends differences between nations and between peoples. Last night, without any doubt, this fact came home in spades across this great nation and around the world. As a result, today Canadians are a bit happier and a lot prouder.

We thank organizer Alan Eagleson and all of those associated with bringing us the Canada Cup series for giving us the opportunity to share with each other the pride in Canada and Canadians. We thank them, we thank all the teams that participated, particularly those great heroes from Team Canada.

Some Hon. Members: Hear, hear!

Ms. Sheila Copps (Hamilton East): Mr. Speaker, what a great year it has been for Canada in sports—first Ben Johnson, now Team Canada.

As usual, *The Toronto Star* said it right: "Team Canada rules the world". Permit me for a moment to share my personal pride as a Hamiltonian in the show that I think our city gave to Canada and the world, in a fantastic coliseum which happens to be named after my father, for which I am of course very proud.

Some Hon. Members: Hear, hear!

Ms. Copps: Last night the eyes of the world were riveted on that game, on the team on which not only Mario Lemieux and Wayne Gretzky but all the Canadians, as well as the Russians, showed us the finest brand of hockey we have ever seen. We did not see the penalties or the violence, we saw class hockey.

As the Minister said, sport is one thing that joins us from coast to coast and country to country. I only hope that yesterday's final game in what has been an incredibly exciting series not only for Canada and Russia but other participating countries will be the first of many that will precede the establishment of an NHL hockey franchise in my great community and our great coliseum in the City of Hamilton.

Some Hon. Members: Hear, hear!

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I wish the Hon. Member well, because I do not think Thunder Bay is quite ready to go after that kind of venture.

I want to continue the remarks I made earlier today and congratulate Team Canada and, in fact, all the teams that participated; the Soviet Union, the United States, Sweden, Czechoslovakia and Finland. I believe it is a great credit to us all that people who perhaps have ideological differences are able to put them aside and be brought together to show us what hockey is all about. I know there are not many television sets in the country that were not tuned into those games during the entire series.

I am pleased that Canada did so well. I want to congratulate the coaches Mike Keenan and Jean Perron, and the players, particularly the two stars of the series, Mario Lemieux and

Wayne Gretzky. We always hear about the great star from out west, but he showed clearly how much of a team player he is by making sure that he was passing to others so they could put the puck into the net. I believe that is symbolic of the series we saw and the hockey players we have.

I also want to congratulate the Soviet Union team for its fine sportsmanship and display of hockey. To Victor Tikhonov, we say "thank you" and also look forward to seeing in future years the Makarovs, Fetisovs and Laronovs fighting it out on the ice with Canada, when hopefully we will come out victorious again.

I also want to thank the NHL and the various clubs that allowed their players to participate in this series, as well as the organizers of the event.

In conclusion, let me repeat to the players on Team Canada: "Thank you. Inside and outside Canada, on and off the ice, you are number one".

Some Hon. Members: Hear, hear!

* * *

REVOCATION OF LOUIS DAVID RIEL CONVICTION ACT

MEASURE TO ENACT

Mr. Nelson A. Riis (Kamloops—Shuswap) moved for leave to introduce Bill C-265, an Act to revoke the conviction of Louis David Riel.

Mr. Deputy Speaker: Shall the Hon. Member have leave to introduce the said Bill?

Some Hon. Members: Agreed.

Mr. Riis: Mr. Speaker, it is my pleasure to introduce a Private Members' Bill calling for the conviction of Louis David Riel for the offence of high treason to be revoked.

I want to make a brief statement about a man who, for a variety of reasons, is recognized as the founder of Manitoba. He is a man who struggled for French language rights, western rights, the rights of Métis people, provincial rights, religious rights, and indeed for Métis land claims. The issues for which he fought in the 1870s and 1880s must not be forgotten. Unfortunately, to a certain extent these issues remain even to this day.

This Bill attempts to undo a deed that was in fact conferred by the House of Commons in the 1880s and suggests that the offence of high treason be revoked.

Motion agreed to, Bill read the first time and ordered to be printed.

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, pursuant to Standing Order 106, it is my duty to present another petition concerning the proposed tax on food. Your petitioners humbly shew that:

Whereas since September, 1984, the federal Government has imposed on Canadian taxpayers 25 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food;

And whereas food constitutes a vital element of day-to-day life and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low income taxpayers, youth and students;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

* * *

• (1530)

[*English*]

QUESTIONS ON ORDER PAPER

(Questions Answered orally are indicated by an asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Deputy Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

MOTIONS FOR PAPERS

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, I ask that all notices of motions for the production of papers be allowed to stand.

Mr. Deputy Speaker: Shall all notices of motions stand?

Some Hon. Members: Agreed.

THE ROYAL ASSENT

[*English*]

Mr. Deputy Speaker: Order. I have the honour to inform the House that a communication has been received as follows:

Rideau Hall
Ottawa
September 16, 1987

Sir,

I have the honour to inform you that the Honourable Gérard V.J. LaForest, Puisne Judge of the Supreme Court of Canada, in his capacity as Deputy Governor General, will proceed to the Senate Chamber today, the 16th day of September, 1987, at 4:30 p.m., for the purpose of giving Royal Assent to a Bill.

Yours sincerely,
Anthony P. Smyth
Deputy Secretary, Policy and Program

* * *

BUSINESS OF THE HOUSE

Mr. Lewis: Mr. Speaker, there have been discussions back and forth among the Parties and I believe that you would find it in order for the House to proceed to Government Bill C-52 prior to dealing with Bill C-74 as listed on the particular order of business.

Mr. Caccia: No, no. I am sorry.

Ms. McDonald: Why?

Mr. Caccia: There are four speakers on Bill C-52, not just one.

Mr. Lewis: I can go with either one.

Mr. Deputy Speaker: I am sure the Hon. Member for Kamloops—Shuswap (Mr. Riis) will shed some light on this point of order.

Mr. Riis: Mr. Speaker, I do not know if I will shed any light on this matter, however, while there have been some discussions, the understanding has been for a number of hours that we would begin Bill C-52, and when we complete debate on Bill C-52 then we will begin the debate on Bill C-74. That has been the understanding all along. It was the understanding before Question Period began. Since that is the order in which they appear on the Order Paper, that is the reason we approach it in that way. We are anticipating at this point that we will begin debating Bill C-52.

Mr. Caccia: Mr. Speaker, in oral conversations with the Minister yesterday, it was understood that we would proceed this afternoon right after Question Period with Bill C-74. We have discussed the reasons for that. It is my understanding, in addition, that there will be more than one speaker from each Party on Bill C-52, There may be even as many as four from one Party. Therefore, we urge the Minister to return to the original agreement and understanding and proceed first with Bill C-74.

Mr. Lewis: I regret, Mr. Speaker, that subsequent to my discussions, when the Hon. Member approached me yesterday, there were discussions among the House Leaders and also among the officials. It was felt that this was the most reasonable arrangement of the business in order to accommodate the most Members of the House. Obviously, the Government is in a position to go with either Bill. However, since it is on the Order Paper in this manner, we will proceed with Bill C-52.

Mr. Deputy Speaker: I wish to inform the House that because of a Ministerial statement, this day's sitting will be extended by six minutes.

* * *

COASTING TRADE AND COMMERCIAL MARINE ACTIVITIES ACT

MEASURE TO ENACT

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)) moved that Bill C-52, an Act respecting the use of foreign ships and non-duty paid ships in the coasting trade and in other marine activities of a commercial nature, be read the second time and referred to a legislative committee.

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I am pleased to rise on Bill C-52, which is a Bill with which most Members will not be familiar, with the possible exception of the Hon. Member for Papineau (Mr. Ouellet) who will be sitting on the legislative committee. I suspect, with his long experience in the House, he has run across this Bill because it goes back to the early times of Canadian history.

I know members of the committee will find it to be a fascinating Bill and I can assure members of the Opposition from both Parties—I believe they have already had delivered to their office complete briefing books with the same information I have as Parliamentary Secretary—that there is no intent at all that this be a partisan-type Bill. I think over-all it is in the best interests of the country. I can give Hon. Members the unreserved commitment that we are prepared to have any witnesses the Opposition Parties would like, as well as some of our own government Members, on parts of the Bill in order to have a clear explanation as to why any particular exception may be listed in the statute. I believe at committee stage we can have a full explanation of the Bill, all the same briefing information, and we will make whatever changes are appropriate at that time.

Provisions concerning the Canadian coasting trade are currently contained in Part XV of the Canada Shipping Act which goes back, I believe, to the turn of the century. Recently we adopted Bill C-39 which amended part of the Canada

Shipping Act to allow the Governor in Council to make regulations concerning the granting of waivers to foreign ships and the prescribing of terms, conditions and circumstances for the granting of those waivers. These amendments did not include, however, the substantive changes which are included in Bill C-52.

The purpose of this Bill is to reserve what is commonly known as the coasting trade and other commercial marine activities to Canadian ships in waters over which we have jurisdiction. Within the 12 mile territorial sea, all commercial marine activities will be reserved to Canadian ships in the offshore. Beyond the 12 mile territorial sea, all commercial marine activities related to the exploration and exploitation of non-living resources will be reserved to Canadian ships.

In my briefing, I wondered why it said: "non-living" resources. It means minerals because there is another law, the law of the sea, which applies, while the Fisheries Protection Act and other statutes apply to living resources. All of this can be clarified for any Member of the House who is interested when we get to committee stage.

I should point out that the Canadian Government recognizes the usefulness and, indeed, the necessity of allowing foreign flag ships to enter the Canadian coasting trade and the offshore to carry out work when no suitable Canadian flagship is available. Accordingly, a waiver system to ensure the availability of adequate shipping services under such conditions is an integral part of the new legislation. This waiver system reflects current practice under Part XV of the Canada Shipping Act and it is expected that no disruption to the industry will occur in the transition to the system proposed.

At the present time, Mr. Speaker, you will be delighted to know that approximately 99 per cent of Canadian coasting trade is carried in Canadian ships.

"Coasting Trade" is defined in the Canada Shipping Act as including the carriage by water of goods or passengers from one port or place in Canada to another port or place in Canada. This Bill will expand this definition to include all commercial marine activities in the territorial sea and to cover resource related activities beyond the territorial sea to the edge of the continental shelf, or 200 miles, whichever is greater. I gather that there was some uncertainty in the existing statute as to whether dredging and the laying of cables could be said to be moving from place to place within Canada. This Bill has a more clear definition bringing these matters within the scope of the law.

• (1540)

With respect to the waters beyond the 12-mile territorial sea, Hon. Members will know that international law allows nations to legislate only with respect to the exploration and exploitation of natural resources. We have addressed this issue in the following ways.

Bill C-52 will reserve in this area all commercial marine activities related to resource exploration or exploitation to Canadian ships, always keeping in mind that the waiver system which I described earlier in the case of there being no adequate or appropriate Canadian ship available, with the exception of hydrocarbon production platforms. Hon. Members will note that the exception is not for drilling rigs, drill ships or other vessels in the exploration phase, but only for production platforms used in the exploitation phase.

Being interested in this industry I wondered why we would have that exception. I think that other Members will also want to have a clear explanation at the committee stage in this respect. We will come prepared to give such an explanation. If it is not adequate, then we may well make changes, if that is appropriate.

Our extension of coasting trade provisions to the continental shelf is intended to make the flag regime generally compatible with the tariff regime, which has been in effect since June 30, 1983. There are three exceptions to this. They are, production platforms, large cruise ships, and seismic ships. In addition, the inclusion of activity on the continental shelf will ensure maximum employment of the Canadian supply boat fleet, which has grown in anticipation of the development of Canada's offshore oil and gas activities. For we laymen, that means more jobs for Canadians and Canadian seamen—good news for us all.

Within the 12-mile territorial sea all commercial marine activities are reserved to Canadian ships. This makes it clear that ships carrying goods or passengers from one port or place in Canada to the same port or place in Canada are part of the coasting trade.

As an example, a cruise ship with overnight accommodations for fewer than 100 passengers which leaves from Montreal and returns to Montreal will be subject to the provisions of this Bill. In the previous statute under Part XV that was not clear. The Bill specifically exempts large cruise ships, those with overnight accommodation for 100 passengers or more from its application. This exemption recognizes that international cruise ships must carry on their business in a world-wide context and not exclusively in a Canadian one.

On the matter of exemptions to the legislation, a specific exemption is made for fishing vessels covered by the Coastal Fisheries Protection Act, and for ships engaged in ocean research activity commissioned by the Department of Fisheries and Oceans. Similarly, exceptions are made for ships owned by foreign Governments wishing to conduct marine scientific research in waters over which Canada has jurisdiction, if they have been authorized by the Secretary of State for External Affairs. This will ensure that conflicts with other legislation are minimized.

I know that Members opposite, like myself, will be seeking a clear explanation as to how all of these statutes fit together so that we do have a clear understanding of how this Bill fits into the whole scheme of legislation dealing with the sea.

In both offshore and Canadian waters ships assisting ships in distress will not be subject to the provisions of this Bill. This, of course, is normal international maritime practice.

The Bill will also eliminate the historic anomaly in Canadian legislation of referring to "British" ships rather than "Canadian" ships. Currently, only three British ships remain in the coasting trade.

I wish to address briefly the tariff implications of this Bill. At present, all tariff matters are the responsibility of my colleague, the Hon. Minister of State for Finance (Mr. Hockin). It therefore follows that the new coasting trade Bill contains no direct tariff provisions of any kind. This Bill will make flag requirements for ships compatible with the Canadian customs regime. These two regimes while not identical are very closely aligned. In fact, this Bill will ease the situation for those wishing to operate ships in waters under Canadian jurisdiction by clarifying the flag requirements which must be observed. The tariff schedule requirements are already well known.

Department officials have consulted the provinces on this Bill and I am advised that they support its thrust.

To summarize, the proposed coasting trade and commercial marine activities Bill will extend the jurisdiction of the existing coasting trade laws to include all commercial marine activities within 12 miles, with the exceptions I have already noted, and all commercial marine activities related to resource exploration and exploitation out to 200 miles, again with the exceptions I have noted.

This Bill will protect operators of Canadian flagships wishing to work in Canadian waters and on the continental shelf. As a consequence, jobs for Canadian seamen will be protected. As markets improve more job opportunities will be created for seamen and those in related industries.

[*Translation*]

Hon. André Ouellet (Papineau): Mr. Speaker, I am pleased to rise on second reading of Bill C-52, also known as the Coasting Trade and Commercial Marine Activities Act. Technically speaking, this Bill will enable us to update the Canada Shipping Act, Part XV, concerning the coasting trade in Canada. As a result of the adoption of this Bill, old Part XV will be repealed and replaced by a new legislation dealing specifically with coasting trade.

The basic aim of this measure is to modernize and update a piece of legislation which has not been revised for 50-odd years. It is obvious that a law reflecting post-war realities no longer meets the needs of Canada's merchant marine. I am therefore very pleased to join this debate today, and I can say that in this respect we are going through what I would call a very acceptable and even worthwhile exercise.

I commend the Parliamentary Secretary to the Minister of Transport, (Mr. Thacker) for keeping in mind that, before proceeding with the consideration of this Bill, Opposition Members would appreciate receiving the kind of background information which will certainly help us gain a better understanding of the legislation. Such consideration on the part of the Parliamentary Secretary cannot however make up for the absence of the Minister of Transport (Mr. Crosbie) who seems to make it a point to stay away from the House whenever we are considering a measure which concerns his department. Again I must deplore this fact, but since I have had opportunities to get to know the Parliamentary Secretary even better and to appreciate his availability and competence, I will not hold it against the Government and the ever absent Minister.

But things get somewhat sour when, over and above the mere technical provisions of this Bill, we get to the basics of this legislative endeavour which, all things considered, is aimed at promoting the use of Canadian ships for coasting trade. I must say, Mr. Speaker, that this is getting interesting. It is interesting because we can now examine more closely the whole shipbuilding policy of the Conservative Government, and I shall come back to this later on.

If I may go back a bit and look at Bill C-52 now under consideration, we find that the whole substance of this Bill resides in Clauses 3 and 4. Clause 3, for instance, prohibits any foreign ship or non-duty paid ship, except under and in accordance with a licence, to engage in the coasting trade or, and I quote:

> (a) in Canadian waters, engage in any marine activity of a commercial nature; or
>
> (b) in waters above the continental shelf of Canada, engage in any marine activities of a commercial nature relating to the exploration, development, production or transportation of the mineral or non-living natural resources of the continental shelf.

• (1550)

[*English*]

In order to obtain a licence to operate in Canada, a foreign ship must meet certain requirements set out in Clause 4, the most important being that the Canadian Transport Commission must have determined that no Canadian ship or non-duty ship is suitable to provide the service or perform the activity described in the application. In other words, it is to give priority to Canadian ships in the coasting trade of Canada.

We of the Liberal Party welcome this initiative. Indeed, we accept that it is an appropriate objective for the Government of Canada. On this side of the House we welcome any initiative which will strengthen Canada's shipping and shipbuilding industry. To ensure that this objective could be met, we had hoped that the Bill would have gone further in protecting Canada's interest in this crucial economic sector. Had the Minister read the American Jones Act of 1920, perhaps he may have been tempted to strengthen the Canadian legislation. He may have wished to fashion it in order to be more in tune with what the Americans have done to protect their shipping and shipbuilding interests.

As it presently stands, Americans will be able to do business in our waters on American-built ships while Canadians do not have the same cabotage rights. While we welcome the legislative initiative, we had hoped that it would have been more in tune with American law which states that domestic trade between United States ports must be carried out by vessels which are registered in the United States, owned by Americans, built in the United States, and the employees of the shipyards and the crews must be American citizens.

We had hoped that the Conservative Government, while still hungry for a free trade deal, would have had sufficient courage to say to the Americans, enough. We had hoped that the Government would have found the vision and sufficient commitment to Canada to say to the Americans; we gave you our railways through the deregulation act, Bill C-18, we gave you FIRA in the early stage of the Conservative administration, and we just gave you our pharmaceutical industry. All of this was attempting to placate you and convince you that Canadians are good sports. Enough is enough. Our shipbuilding industry is ours, and we will protect it. Ease your barriers to trade in this area and we will ease ours.

[*Translation*]

Unfortunately, the Minister of Transport and this Conservative Government did not have the courage to do so. The Minister of Transport chose the middle ground. He provides some protection, but the Americans and other foreign shippers will still be able to operate in Canada at the expense of our own Canadian industry.

Mr. Speaker, I shall not dwell on this issue for too long. I presume that there will be ample opportunity to come back to it when the Bill goes to committee, where we shall be examining closely each amendment and each clause of this Bill.

However, I would like to come back to the weak commitment of this Conservative Government as concerns the Canadian shipbuilding industry. Hon. Members will probably remember that the Conservative Government approached Mr. Pierre-Paul Saunders, President of Versatile Davie Shipyard, which operates a shipyard in Lauzon, and required, in return for a contract, that he rationalize the operations of Quebec shipyards and, in particular, that he close the Montreal shipyard.

I see the Minister of Trade has just left his seat. I wish he had stayed in his place because I wanted to ask him if he was doing a serious thing when he called on the president of a company which owned a number of shipyards in Canada for the purpose of pressuring him and telling him: We as a Government will give you a contract, provided you rationalize your operations and close down one shipyard, because we in the Government feel there are too many shipyards in Canada and it has become difficult to get enough contracts to go around, in order to meet the needs of a few thousand workers in the various shipyards across Canada.

The evidence is there, clear and undeniable, that this Tory Government has attempted to close down shipyards in Canada, and more especially the Montreal shipyard. The Hon. Member for Montreal—Sainte-Marie (Mr. Malépart), my colleague, rose in vain on a number of occasions in this House to defend the interests of workers in the Montreal shipyard.

I must therefore suggest that, speaking of commitments to Canadian shipyard workers, that one is no great shakes. Because last year, Mr. Henry Walsh, who at that point was Chairman of the Canadian Shipyard Association, had this to say:

> "Our recommendations, requests and appeals to the Government during the past 17 months have remained unanswered". "Shipowners keep on buying abroad, taking advantage of subsidies and favourable financing terms that they do not find here in Canada". "Since the 1984 elections,

since this Tory Government was elected,

> we have on a number of occasions called the Government's attention to our desperate situation, but in vain"

added Mr. Walsh, who at the same time published a number of letters and telexes sent to this Tory Government. And to quote him again:

> "Those one-way communications show how much the Government has failed to honour its commitments, is looking for excuses and going back on its word—

Mr. Speaker, that suggestion is not mine, it came from the Chairman of the Canadian Shipyard Association, who says this Tory Government

> "—has failed to honour its commitments, is looking for excuses and going back on its word. It is time the public was informed of the situation before a larger number of shipyards and related industries are forced to shut down. The industry is going down the drain while the Conservative Government remains inactive and unconcerned".

> "Canada is the only shipbuilding nation not to offer attractive financing facilities and not to reserve Government contracts to its own industry. Our nearest neighbour, the United States, totally forbids importing foreign-built ships". "The Government should realize that the ships we need should be built in Canada, so that our shipbuilding firms may survive the world crisis the industry is now in."

Mr. Speaker, it is clear that the Conservative Government has chosen to ignore these pressing requests from the President of the Canadian Shipbuilding Association.

We have heard the silly statements made by the Hon. Member for Lévis (Mr. Fontaine) who managed to convince his constituents that under a Conservative Government, they would all become affluent and that the Lauzon shipbuilding yards would be awarded a whole series of contracts, while in fact there are fewer and fewer workers at the Lauzon yard.

Recently, my colleague—for the information of the public which is watching us, I had better give the name of his riding, for our Standing Order does not allow me to call him by his name—the Hon. Member for Cape Breton—The Sydneys (Mr. MacLellan) rose in the House to direct a question to the Minister of Public Works (Mr. McInnes) and also to ask the Government why it was not keeping the promises it had made to the workers of the Maritime shipbuilding yard. Our colleague the Hon. Member for Cape Breton—The Sydneys could bear witness to the fact that the number of workers

presently employed by the Atlantic shipbuilding yards had considerably decreased. In spite of the promises made by the Conservative Government, the situation had not been remedied. Well, two Liberal Members of Parliament, namely the Hon. Member for Montreal—Ste-Marie and the Hon. Member for Cape Breton—The Sydneys rose quite recently in the House to make representations to the Government on behalf of the workers of the Atlantic and Quebec shipbuilding yards who have been abandoned by this Conservative Government which, again, in this area as in many others, has not kept its promises.

May I add that as recently as June 16 last, in a press release, the new President of the Canadian Shipbuilding Association indicated that the Government should develop immediately a national shipbuilding policy. Mr. Clarke, the new President, mentioned the promises made by the Conservative Party and urged the Government to develop as soon as possible a national shipbuilding policy.

He emphasized that the shipyard order books for ships ordered or being built at the end of 1986 indicated a total of 40,350 tons, that is less than half the figure for 1985, which had been itself a record low for the nearly 25 years during which the Canadian Shipbuilding Association had kept detailed records. In other words, for the past 25 years, the Canadian Shipbuilding Association has kept data on the number of workers and the number of contracts awarded by the Canadian Government or the private sector to the various shipbuilding yards in Canada.

Well, the very worst record is that of this Conservative Government.

As President Clarke emphasized, and I quote:

> As demonstrated by the closing of several shipbuilding yards and related businesses in 1986 and the fact that the labour force was down to 6,948 workers, the situation in our industry at the end of the year was the most serious.

• (1600)

[*English*]

This is a clear indictment of the Conservative Government's shipbuilding policy or lack thereof. It is also a clear reflection of the dismay of Canadians at the broken promises which have characterized three long years of Conservative Government. It has been three long years for workers in the shipbuilding industry who, like many other Canadians, had high hopes when the Government obtained its mandate in 1984. They are now very disappointed, discouraged, and fed up with a terrible Government which cannot get its act together and work constructively in the interest of Canadians.

The shipbuilding industry is in a terrible mess. The Government has done nothing to alleviate the situation, except to talk with the presidents of a few companies and ask them to close shipyards. This was a shameless act on the part of some Ministers of the Government. Indeed, they tried to convince these businessmen to reduce their operations, on the backs of workers, to put some order in the shipbuilding industry.

I very much regret the actions or lack of action on the part of the Government. I certainly hope that it will wake up to its commitments and fulfil some of its promises at last.

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, I am pleased to participate in the debate on Bill C-52 respecting the Coasting Trade and Commercial Marine Activities Act.

Let me say at the outset that the concept of restricting coastal trading to Canadians is obviously one we support. We have argued for years for the need in the marine sector and in other sectors to enhance the ability of Canadians to build, to operate, and to improve the country. The same applies to coastal shipping.

This applies not only to coastal shipping, but to shipping within Canada. Although we talk about the Great Lakes as the fourth sea coast in terms of maritime law, we cannot describe it as such. However, I understand that the Bill will clearly deal with that matter as well. Therefore all our coasts are involved.

I think it is important to put on record some of the components of the Bill so that we develop an understanding of the steps through which we go. Let me start with the definition of "Canadian ship". In part Clause 2 reads:

> —"Canadian ship" means a ship
>
> (a) registered in Canada in respect of which all duties and taxes under the *Customs Tariff* and the *Excise Tax Act* have been paid, or
>
> (b) built in Canada and exempted from registration pursuant to section 8 of the *Canada Shipping Act*—

That sounds great. What it really means, though, is that it does not have to be built in Canada. It does not have to be owned by Canadians. It does, however, have to be crewed by Canadian citizens and it must be registered.

• (1610)

Let us compare that with the American Jones Act of 1920. When we see a good thing, I wonder why we are sometimes so slow to pick up on it. The Jones Act was enacted 67 years ago. It requires that domestic trade between U.S. ports must be carried by U.S.-registered vessels. There is no difference between that legislation and our legislation in that respect. The American legislation goes on to say that the ships must be owned by Americans and built in U.S. shipyards. Our legislation is different in those respects. The American legislation says that the boats must be crewed by American citizens and there is no difference there with our legislation.

The American law gives the maximum protection to American workers and maritime industries including shipbuilding and ship-repair facilities. We in this Party believe that we should do whatever we can to reach that same ideal. We should give the workers the maximum protection and the maximum incentive.

We all know that the Canadian shipbuilding and ship repair industries are in a crisis. The Government of Canada is making a conscious effort to rationalize the shipyards because their capacity is in excess of the contracts that exist.

Legislation is a tool that may be used for economic purposes. My colleagues and I believe that we should use this particular Bill as a tool to improve the lot of those people who work in our maritime industries, particularly those whose jobs and whose very existences depend on the ability of the industry to create new vessels, whether they be lakers, salters, icebreakers, fishing vessels or tugs.

We as a country have a responsibility to do what we can to help maritime facilities in Atlantic Canada, Quebec, Ontario, British Columbia and even Manitoba which has a small shipbuilding sector. All these facilities would be enhanced by a piece of legislation that would maximize our ability to build Canadian ships, to crew Canadian ships, to own Canadian ships and not to bring vessels and crews from offshore. We should not allow vessels of other countries to trade between Canadian ports unless they get an exemption.

Let me deal with the regulations that would allow exemptions for foreign ships and for what are called non-duty-paid ships. First let us define a foreign ship. It means a ship other than a Canadian ship or a non-duty-paid ship. What is a non-duty-paid ship? It is a ship registered in Canada in respect of which all duties and taxes under the Customs Tariff and the Excise Tax Act have not been paid.

If the powers that be have been told that there is not a Canadian vessel available or in fact even in existence to carry a certain commodity from one Canadian port to another Canadian port, an exemption can be sought. That exemption allows those ships to trade within our waters for a set period of time after paying certain dues or tariffs, I would suspect. However, this means that in the short term, that income is not available to Canadian vessels and workers.

I understand that in certain cases, there may not be vessels capable of carrying some unique cargoes. Over the last number of years, I have been aware of one such vessel that has been plying the Great Lakes during the winter months. It comes from overseas and is specially equipped to deal with icebreaking. It carries a chemical of sorts. It has been allowed an exemption for at least two years and perhaps for longer. I am not aware, though, of any attempt on the part of any arm of the Government to see an opportunity for a shipyard. Obviously there is a market for the movement of this commodity. The Government should see if it can put something together, perhaps totally under the private sector or under a mix of public and private sectors, to build such a vessel in Canada so that it can be crewed and owned by Canadians.

The situation could go on and on. It is kind of like imposing quotas to protect an industry that is either fledgling or does not yet exist in Canada. I can think of at least one industry that did not exist in Canada a few years ago, in one of the sporting goods fields. However, we never took the second step which is to build up that fledgling industry so that it could compete not just in Canada but in the world market-place.

Let me deal with some of the other exemptions. I wish to express some concern about them. I appreciate the comments made by the Parliamentary Secretary earlier today about looking at this Bill in detail when we get into a legislative committee, and I look forward to that.

Clause 3 contains a list of exemptions to this particular clause. The clause does not apply to any foreign ship or to a non-duty-paid ship that is used as a hydrocarbon production platform. For those who are unfamiliar with the nuances of the search for oil and gas in the coastal areas of Canada, a drilling rig goes in first and then once whatever energy substance being sought is struck, the drilling rig is replaced with a platform. This exemption provides permission to bring a platform to Canada from some other country. It does not force the companies to build platforms here in Canada and to create jobs here in Canada.

I understand that the kind of platform that is used in the Atlantic is made to a certain extent out of concrete and can in fact be constructed in Newfoundland. Perhaps that is the case. I hope that testimony before the legislative committee will offer us the evidence we need to tell the Government that this exemption is no longer appropriate and must be removed from the Bill so that we can create jobs in Atlantic Canada and particularly in Newfoundland.

• (1620)

Another area I want to deal with is one I am less sure of because I have not had the opportunity to compare this Bill with previous legislation. However, some of my colleagues have expressed concern to me, and I hope during their presentations today they will be in a position to more forcefully and more knowledgeably explain those concerns. That area is with respect to Clause 3(2) which says in part:

> (3) Subsection (1) does not apply to any foreign ship or non-duty paid ship that is
>
> (b) used as a fishing vessel, as defined by the *Coastal Fisheries Protection Act*, in any activity governed by that Act and that does not carry any goods or passengers other than incidental to any activity governed by that Act;

The fear we have is that that kind of exemption would allow the continued importation of fishing vessels in excess of 100 feet. I gather if they are less than 100 feet they have to be built in Canada. However, the paying of duty on vessels over 100 feet does not create jobs on the West Coast, the East Coast, in Quebec or Ontario. It is important that we look at this exemption to make sure we are not continuing a loophole which, quite frankly, I think the Government would not want to continue.

I am not talking about a vessel which might come in for a month to replace a Canadian vessel under repair. I do not think any of us would suggest that. However, when we talk about additional capacity for harvesting of our marine

resources on an ongoing basis, then clearly those vessels should be constructed here and the jobs created here.

The other exemptions I think make a lot of sense, although perhaps there might be some reason to use a particular exemption as a triggering mechanism. For example, exemption (c) deals with a ship, as it states:

> engaged in cruising, where the ship has overnight accommodation for one hundred passengers or more;

Again, it is a balancing act.

I will give you an example. The City of Thunder Bay has applied to host the Commonwealth Games. Part of its proposal is to use cruise ships to provide 5,000 beds in order to accommodate the influx of tourists to watch the games. Part of the package involves a possible cruise up to Thunder Bay, perhaps from St. John's, bringing people to the games. Those people would then leave Thunder Bay by air, rail or bus. We probably do not have available in Canada enough vessels so we would have to get an exemption. If, on the other hand, should it happen that we rekindle the days of the *Noronic* and other passenger vessels which plyed the Great Lakes and the St. Lawrence, and it became apparent that this was going to be a permanent arrangement, then that is when we say we must have a Canadian built, Canadian manned, and Canadian registered vessel. Some lead time would have to be allowed for financing and construction and you would not want to interrupt the ongoing service, but once the ships were ready we could say thank you to the people who loaned us the vessel or vessels and get on with doing our own job. We think that kind of thing is worth looking at.

Exemption (d) and (e) states:

> engaged in any ocean research activity commissioned by the Department of Fisheries and Oceans;
>
> (e) operated or sponsored by a foreign government that has sought and received the consent of the Secretary of State for External Affairs to conduct marine scientific research;

I assume that is the Jacques Cousteau clause. Exemption (f):

> engaged in salvage operations, except where such operations are performed in Canadian waters.

I suspect that means within the 200-mile limit. We might want to look at those once we get this into committee. I say to the Parliamentary Secretary that there may be a need to allow for some additional protection. We have an ever growing industry in Canada that deals with robotics, underwater research, underwater manipulation of equipment, mini-subs and what have you. Perhaps we have to look at that as well to see whether we should be using this legislation as a tool to enhance that fledgling industry.

I do not want to continue dealing with this Bill clause by clause. I have made my point. Hopefully I have been able to plant some seeds in the minds of officials who I know are watching this debate and who will be appearing before us in committee, as well as the Parliamentary Secretary and his Minister. I recognize that the Minister is not in Ottawa, but is out performing his duties. We will take those things into account.

Let us come up with an even better Bill. Let us improve this so that when we finish third reading we can say we have done our share to promote the shipbuilding and ship repairing industry in this country. We have done it for Canadians, with Canadians. That is the goal we have to aim for.

One or two of my colleagues will want to add their comments. I think the Hon. Member for Comox—Powell River (Mr. Skelly) will give us the perspective of the Pacific Coast and the impact there. The Hon. Member for St. John's East (Mr. Harris) will of course want to deal with Newfoundland and Atlantic Canada. Perhaps we will even hear from the Hon. Member for Skeena (Mr. Fulton).

I do not want to prolong the debate because I think it makes sense to get this Bill into committee and give time for those concerned and who have not yet seen the legislation, which is unfortunate, to have a chance to indicate what improvements we can make. I look forward to the rest of the debate and the improvements that will ensue over the next little while.

Mr. Ray Skelly (Comox—Powell River): Mr. Speaker, it is a pleasure to participate in the debate on the coasting trade in Canada. I would like to make the linkage between this legislation and the necessity for strengthening shipbuilding in Canada, and comment on some of the things we can do to improve this Bill in order to strengthen that industry. However, before I commence my remarks, I would like to comment on the remarks of the Hon. Member for Papineau (Mr. Ouellet).

When that Member was part of the Cabinet in previous Liberal Governments, those Governments visited a disaster on the shipbuilding industry and coastal trade in Canada. I sat in my seat amazed at the speech he gave in this House criticizing the Government. That criticism was absolutely ridiculous. The people who heard it must have been amazed. I met with delegations from regions of the country where shipbuilding was absolutely flattened, which delegations the Member for Papineau (Mr. Ouellet), his Cabinet colleagues, and many elected Liberal Members of Parliament refused to even see. They refused to consider in any way, shape, or form the appeals they made to have some attention paid to the industry in order to have it strengthened.

• (1630)

The record of that Government was extremely bad with regard to the shipbuilding industry. It ignored and treated with contempt delegations from the industry, the communities which depended upon shipbuilding, and the workers who were laid off from the shipyards. Quite frankly, the record of that Government was disgusting.

During the election campaign of 1984 there was a great deal of optimism which was underpinned by Conservative promises

made from one end of the country to the other. Those promises were not fulfilled. There was great optimism and enormous support for Conservative candidates during the election campaign. The people in the shipbuilding industry and the communities which depend upon it feel betrayed. There is, however, still time to honour the hard and fast commitments which were made.

THE ROYAL ASSENT

[*Translation*]

A message was delivered by the Gentleman Usher of the Black Rod as follows:

Mr. Speaker, the Honourable Deputy to the Governor General desires the immediate attendance of this honourable House in the chamber of the honourable the Senate.

Accordingly, Mr. Speaker with the House went up to the Senate Chamber.

And being returned:

Mr. Deputy Speaker: I have the honour to inform the House that when the House went up to the Senate Chamber the Deputy Governor General was pleased to give, in Her Majesty's name, the Royal Assent to the following Bill:

Bill C-71, an Act to amend the Criminal Code, the Immigration Act, 1976 and the Citizenship Act—Chapter Nos. 37.

• (1640)

GOVERNMENT ORDERS

[*English*]

COASTING TRADE AND COMMERCIAL MARINE ACTIVITIES ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. Crosbie that Bill C-52, an Act respecting the use of foreign ships and non-duty paid ships in the coasting trade and in other marine activities of a commercial nature, be read the second time and referred to a legislative committee.

Mr. Skelly: Mr. Speaker, I was about to comment on the treatment of the shipbuilding industry by previous Liberal Governments. I wanted to point out, as have many of my Conservative colleagues, the misdirection of the decision that Canada could acquire its shipping, its ships and marine platforms more cheaply from other countries. That Liberal government policy badly wounded shipbuilding in Canada.

It is clear that that attitude on the part of Liberal Governments, from the Prime Minister (Mr. Mulroney), the Minister of Transport (Mr. Crosbie), the Minister of Energy, Mines and Resources (Mr. Masse) to the Minister of Regional Industrial Expansion (Mr. de Cotret), has seriously harmed many communities in eastern Canada, western Canada, the Great Lakes region as well as the Arctic coast which they ignored as a site for marine development and technology.

There was great optimism when the Conservatives came to power that shipbuilding and the marine trades would gain an ally with a government and a group of individuals who would act in a strong, effective and consistent manner to get that sector of the industry back on its feet and moving in the right direction.

Canada, with one of the longest sea coasts in the world, is a maritime nation. Most of the small vessels and some of the larger ones in our coasting trade are Canadian built and operated. However, there are some notable exceptions. It was our hope that the new Government which made such firm promises would break those exceptions and create an atmosphere of expansion for Canadian maritime operators and seamen. That has not happened.

The new legislation today is riddled with exceptions. When this Bill goes to committee it must deal with those exceptions and allow those to whom the Government made its promises to come before the committee and say why the continuance of those exceptions will deny them employment and economic benefits. They must be allowed to explain why the removal of those exceptions would allow Canadians to build vessels and obtain the technology that will lead to a position of strength in the future.

The Government made promises about the coasting trade. While we will support all the positive aspects of this Bill, we want the exceptions removed. Furthermore, we want the Government to expand its involvement and interest in this sector.

Canada needs a deep sea fleet. Conservative Members who have been in the House a long time have said that a deep sea fleet must be developed for Canada. Where are they today? Where are the provisions in the Bill to develop that deep sea fleet?

The Government is quite prepared to allow major shipping interests in Canada to take their vessels offshore and register them in Great Britain, Bermuda and Third World countries to avoid paying decent salaries to the men and women who operate those vessels and to avoid the requirements of proper safety and health conditions on those vessels.

We must build, refit and maintain those vessels in Canada in order to provide that work to Canadians and ensure that our shipyards will have a sufficient volume of work to keep the technology of shipbuilding alive and thriving in this country. This is necessary so that the shipyards can remain economically viable and the communities that depend on those shipyards can continue to thrive rather than disappear, as has happened to so many single-industry towns in this country.

When this Bill goes to committee we will ask the Government what it will do about its promises of a nationally based deep sea fleet of ships that are built in Canada. Canadian

Pacific, while not alone, is one of the most disgusting companies in this country in terms of the operation of an offshore fleet. That must be corrected.

The majority of Canadians want action on the Government's promises. The only ones who benefit from offshore operations are companies like CP which operate seagoing sweat-shops and forest companies that make large profits by taking advantage of those seagoing sweat-shops. We have to stop that practice so that the benefits will accrue to the people who work in those shipyards and the communities in which they live.

When the House debated the national energy policy under Bill C-48, we dealt with a major part of industrial benefits accruing to Canada. During that stage of development in Canada, many rigs involved in exploration and many of the vessels that supplied those rigs and production units of oil companies operating in Canada were built abroad. The opportunity for Canadian companies to participate in the increasing volume of business gradually declined.

The previous Liberal Government, in its wisdom, decided that it would be cheaper to obtain that equipment offshore because there was not enough in the Canadian market to supply the demand. While an office was developed to determine where Canadian industrial benefits would be derived and to co-ordinate the effort among government Departments to ensure that some of the benefits accrued to Canada, those who looked at it seriously recognized it as the farce it was. That office did not produce the benefits that Canadians should have expected.

The Liberal Government implemented a provision to allow for the acquisition of material and platforms on the basis that Canada did not have the capacity to build them. The reason we lost the capacity is that we permitted the companies to go offshore in the beginning. Those shipyards that had been in the business began to lose it and gradually went under. Then, of course, there was not sufficient business to sustain shipbuilding, so they acquired ships offshore. What happened because of the failure to protect that area was that instead of encouraging and developing growth in the industry to a point where it could stand on its own, harnessing and using the technology of marine platform development, the companies could not afford it and they shrank, and so the whole industry imploded. This was done at the hands of a Liberal Government that was callous and certainly did not care about that particular industry. There were louder voices saying: "It is more important that we profit rather than Canadians as a whole" and they caught that Government's attention.

• (1650)

I think we have to expose that wrong-headed logic that guided the previous Government. We have to indicate to the people who come before the committee that the present House and the present Government, which made so many promises, will in fact listen to them and will remove the exceptions from this legislation. We must prove that we will expand the potential for Canadians in the operation of a deep sea fleet, that there will be an improvement of the shipbuilding industry and the allied industries along with it, that we will indeed pay careful attention to see that Canadians build the offshore exploration and production units to harvest our resources offshore, and we will build the supply ships that service that industry and the infrastructure which supports it.

We are looking at major initiatives in the coming years. At the present time we are going through a depressed price situation with natural gas and petroleum, but that will certainly turn around. We have perhaps found ourselves lucky from the marine industry's point of view that we have some breathing time, that the pace of development offshore has slackened somewhat. However, we know that the pace will pick up again, and when that pace begins to drive forward, the question which must be asked is, will Canadians benefit from the increased activity in the Arctic Ocean and the offshore in the Atlantic? In order to benefit from the increased activity that will take place in the decades to come, the legal infrastructure has to be in place. We need to have a coastal trade legislation that models the Jones Act, that says, you cannot build, you cannot operate coasting ships that have not been built in Canada, and you cannot crew those ships with anyone other than Canadians.

We must move forward now to improve the legislation before us. We must ensure that Canada has a national deep sea fleet. We must also ensure that the offshore development that goes on, exploration, supply and production, not include but be composed of Canadian content, Canadian workers and the Canadian communities which benefit from it.

If the Government is going to live up to its promise to strengthen that sector of industry in Canada, to harness the employment available and the economic opportunity, this Bill is only the first step. The first step with this Bill is to remove the exceptions that exist, the same exceptions that the Liberal Party held to for years and years with such callous contempt for that industry.

I look forward to working in the committee and testing the resolve of government Members in facing the people who work in the shipyard industry and who represent the communities in which those industries are based, the shipowners and shipbuilders who come before the committee.

Let us see the Government's commitment now, three years after the election, to the promises it made. Let us see the Government convince those people that it does in fact have concern, that it will in fact live up to the promises made in the 1984 election campaign. We do not want to hear that those promises will be maintained in some other Parliament. At the present level of honouring promises, the present Government will not exist in another Parliament at least in the form of the Conservative Party of Canada. One of the reasons is that people who live in shipbuilding communities will not be voting for the Conservatives on the basis of their track record to date.

That can be changed, however. We will assist this Bill to move on to committee so these things can be examined in detail.

Something else that is important is the question of treatment by the Government of the marine industries. Items of safety were put into the Canada Shipping Act, but with respect to the cost recovery program, and I think that in opening up this Bill with the coasting trade and allowing it to move to committee, we should begin to look at the Government's treatment of marine industries. We should be encouraging that infrastructure and assisting people who operate coasting vessels to supply small communities. I would take as an example a community such as Bella Bella on the coast of British Columbia which my colleague, the Hon. Member for Cariboo—Chilcotin (Mr. Greenaway) knows well. He is from the central coast, a native of the area, a person who has demonstrated serious concern over the years. The outfit that services the coasting operation which services that community has been hampered by extremely large cost-recovery programs which are going to continue to increase. All that does is to harm the communities such as Bella Bella. All that essentially comes out of that kind of short-sighted cost-recovery program is that the cost of living in Bella Bella and other communties, which was inordinately high to begin with, becomes even worse.

What I probably should have at this point to show the direction is a short note giving an indication of intention. However, what we have is something that involves the safety of the operation of coasting vessels. When we go to committee I, for one, will be raising the issue of lighthouses on the coast of British Columbia. For short-sighted cost-recovery and the desire to cut out public servants, the Government is going to shut down a number of lighthouses in the sense that the operators will be removed. Mark my words, this is going to be a loss in the safety of operation on the coast of British Columbia. This is going to create a situation where the available information to mariners will be limited.

The short-sighted attitude that a lighthouse in this day and age of modern technology is simply a light and a horn is absolutely wrong. It is an important part of weather information. It is an important part of communication. It is an important part of search and rescue and, indeed, it has become an integral part of the operation of marine and air safety on the coast of British Columbia. The Government's intention to shut those lighthouses down, to remove the operators and put in an automated process with which we will only gain a light that works some of the time and a foghorn which works some of the time, reminds me to a large degree of the front bench of the Conservative Party. It is of very limited use to anyone and certainly a detriment to the safety of Canadians.

In conclusion, I would like to deal with the area of sovereignty in the north and what that has to do with the coasting trade. What we are concerned about is the idea of putting nuclear submarines under the icecap. Someone suggested that the Cabinet had been smoking its running shoes the day it came up with that decision. What we have is a situation that is completely irrational, if in fact we were looking at developing Canadian communities and assisting Canadian companies to operate in the north. We have Americans and international operations there, but restricting that operation strictly to northern Canada, would certainly be far ahead of providing the nuclear submarine idea to northern Canada. The construction of ice-breakers, the development and retaining in Canada of the ice-hardened hull and the ice-breaker technology is an absolute must.

• (1700)

We have a situation in which the Government could launch Canadians on a path of critical stupidity with respect to the nuclear submarine issue. At the same time we have a golden opportunity, if the Government is willing to expend that much capital on something that will provide absolutely no benefit to Canada, no benefit to the security of Canada, North America, or to the world, to expend it in marine technology, shipbuilding and securing the communities that are based on shipbuilding. This would give us tremendous benefits.

I suggest that the Government should not only not follow the destructive path that the Liberal Government took in previous years but, indeed, it must fulfil the promises which made sense, the promises of the 1984 election campaign. It recognized the flaws of the previous Government. It was aware of what was required by the shipbuilding industries, the people who worked in that industry and the communities which depended on it. It was keenly aware of this and made the appropriate promises. Three years have now passed and nothing has happened—absolutely nothing.

When this legislation goes before committee those groups which depend on the coasting trade, shipbuilding, the deep sea fleet and the development of northern transportation in northern communities must be allowed to come before the committee, not only to provide the information that the committee needs to bring this Bill up to speed but to hear from government Members on the committee why their promises have not been kept to date. They must be told why the proposed exceptions in the Bill today are being allowed to continue, to continue the negative, wrong-headed policy of the previous Liberal Government. That has to be explained. My colleague, the Hon. Member for Thunder Bay—Atikokan (Mr. Angus), nods his head in agreement, as does the Hon. Member for Simcoe North (Mr. Lewis), who is an intelligent and perceptive individual. As his head drops off to the side, he says that it is this kind of a nod. That was his standard procedure in the House for many years. But I notice that his interest picked up when the shipbuilding subject came up.

This is a critical and serious subject. I for one will be participating in the deliberations of the committee. Other colleagues here today wish to speak further on the matter. I am prepared at this point to relinquish the floor to hear others.

Mr. Deputy Speaker: Are there questions or comments? The Hon. Member for Scarborough East (Mr. Hicks).

Mr. Hicks: Mr. Speaker, I listened to most of the Hon. Member's comments. I listened to his criticisms. We all want Canadians to develop a greater fishing fleet, a first-class fishing fleet. The Hon. Member took a great deal of time to criticize the Government and its lack of commitment to the development of the shipping industry in Canada which would, in turn, create jobs. Surely, the Hon. Member is forgetting two or three things. He is forgetting that the Government has created 900,000 jobs since it was elected three years ago.

With respect to the shipbuilding industry in Canada, I think the Hon. Member alluded to the Class 8 ice-breaker that is being built, which will be one of the leading ice-breakers in the world. It will be built in Canada.

He also alluded to the 10 submarines, which involves a $7.5 billion program to take place over the next few years. They will be developed in Canada. One cannot say that the Government is ignoring the shipbuilding industry. He called it irrational because the submarines will go under the ice. I hope the Hon. Member realizes that this is a three-ocean country with a two-ocean navy and that these nuclear-powered submarines will have the capability of defending Canada in all three oceans at any one time.

The Hon. Member forgot to make reference to the six Canadian patrol frigates that are being developed in Canada. The first six Canadian patrol frigates are being developed at a cost of, I believe, about $5 billion, and there will be another six additional patrol frigates built after that.

The Hon. Member forgot the reference in the White Paper that was tabled in the House on June 5 to the fact that Canada would develop mine-sweepers.

I make reference to these matters to point out that at no time has the Government turned its back on the shipbuilding industry. It is developing the shipbuilding industry, and it will continue to develop it.

Canada does not have any mine-sweepers. If our harbours were to be mined, we would find that we do not have the capability of clearing the mines out. This is why that commitment was made in the White Paper. This is why many items were overlooked, and I hope Members of the House and all Canadians realize that the Government is doing everything it can at the moment for the shipbuilding industry and that it will continue to do so.

Mr. Skelly: Mr. Speaker, I will take the Hon. Member's comments in sequence. He first referred to the Conservative Government having created 900,000 jobs. The only response to that, one which most Canadians are giving, is one of shoulders shrugging and saying: "Truth like beauty is a phenomenon that occurs only in the eye of the beholder". I do not think that anyone seriously and credibly accepts that. The method of tallying jobs and employment has been so doctored in the country by the present Government and in the dying days of the past Government that one cannot recognize adequate job statistics. Quite frankly, most people say: "Nonsense".

The Hon. Member's second comment was with respect to the ice-breaker and the patrol frigate program. These are previous Liberal programs.

Mr. Mayer: I think you have been smelling your own running shoes to make statements like that!

Mr. Skelly: Come on, Charlie—

Mr. Mayer: What a goof!

Mr. Skelly: I suggest that the Minister relax. He should take a look at who is at the 24 per cent mark in the polls, if we are talking about goofs.

I hope that the Minister responsible for the Canadian Wheat Board will take a more responsible position when he appears in Cabinet and begins to look at the communities. When the individuals come down from communities such as Vancouver, Saint John and various other places to demand that the Government live up to its promises, hopefully he will be there to explain to them, not to me, why the Government has failed to live up to its promises. Perhaps he will be able to explain why the exceptions are in this legislation, the exceptions that we have been fighting for years. The Minister does not have to explain or comment on my comments. These are the comments put forward by the people who live in those communities and work in those yards.

Mr. Mayer: He does not think that 900,000 jobs is important.

Mr. Skelly: We do not believe the Government, yet it believes its own rhetoric. I am prepared to admit that truth like beauty occurs in the eye of the beholder. If that is what the Hon. Member sees, it is not what other people see. It is not what is reflected in the Gallup polls or in other polls.

Mr. Mayer: The NDP does not care about jobs!

Mr. Skelly: I wish the Minister would relax, Mr. Speaker, and let me deal with the other two comments.

I think that if we go to the people and say: "Look, do we want nuclear-powered submarines? Do we see that as one of the first priorities in the country?" The people will say quite clearly: "Nonsense".

We do have a sovereignty problem in the Arctic, and it is an important one. The question we must ask is whether or not Americans will begin to drill for oil and gas and other resources in territory that Canada claims. It has done that. Will it completely run the northern seaways unfettered by Canadian regulations in waters that we believe are Canadian? Will nuclear submarines do anything to deal with the basic bread and butter sovereignty issues that we have? The answer to those questions is no. The ice-breaker was a positive move. Announcing the ice-breaker in western Canada was a positive move, and I say that not just because I am from western Canada. The use of some major technology in the Arctic is a start in the right direction. We have to recognize what those

priorities are to establish an effective operation by Canadians and the ability to work and operate there, not with nuclear submarines, but with equipment that services and develops the communities.

• (1710)

Why is the Conservative Government at 24 per cent in the polls? The reason is that it has not read the wishes of the people. It has moved in a direction diametrically opposed to where the people want to go. I can appreciate the excitement, concern, and distress of some Members who have spoken today, but it is not an attack on me or the NDP; it is a closer listening to the wishes of the people.

Mr. Deputy Speaker: On debate, the Hon. Member for St. John's East (Mr. Harris).

Mr. Jack Harris (St. John's East): Mr. Speaker, I wish to join in the debate and it gives me pleasure to have an opportunity to speak on the Bill. I wish to commend the Government for providing the opportunity for a debate of this nature.

In looking at the Bill itself, the primary reasons, as suggested by the Minister of Transport (Mr. Crosbie), are to replace our current legislation which provides for coastal trade being reserved to British ships, and to change that to Canadian ships.

I suppose one may say that that is progress. It does sound good. As a result of this Bill, we will Canadianize our fleet and have a great upsurge in activity of Canadian ships and trading. That is not the case. In suggesting that this be changed, the Government has told us that the policies that it has been pursuing, which I presume includes its predecessors, has led to a situation where 99 per cent of the Canadian coasting trade is done by a domestic fleet.

What will this Bill do? Where is the beef? Where is the action? On this issue, if we compare ourselves to our American neighbours, we see a different approach taken by the Americans in the Jones Act of 1920. In order to protect its coastal trade, shipbuilding industry, and jobs for its seafarers, the Americans said that their coastal trade must be carried out by American registered vessels, built in the United States, owned by American interests, and crewed by American citizens. Since 1920 that Act has protected American coastal shipping and trade in a strong manner.

In Canada we have Canadian registered vessels now required to carry out the coastal trade. I am told that all but two vessels that are involved in the coastal trade in Canada are presently registered here. I am also told that we have two or three British ships involved in the coastal trade. We are forcing them to change their registration and perhaps pay a duty in order to continue to be involved in the coastal trade.

In economic terms this does not provide any real progress. It does sound good. We now say that all of our coastal trade must be carried out by Canadian registered vessels. We are throwing off the motherland and the British ship notion. We are throwing away our ties, our dependence, our connections to Britain, and our favouritism towards British ships as opposed to Canadian ships. I say, let us do it, yes, but let us not beat our breasts and brag about what wonderful things we are doing to change the economy of Canada.

We have a desperate situation in this country, as was brought forward in the debate the other day on a motion moved by the Hon. Member for Montreal—Sainte-Marie (Mr. Malépart). His motion was to set up a special inquiry on the shipbuilding industry in Quebec. I spoke in that debate and reiterated the concerns about the shipbuilding industry.

When the Government was seeking a mandate from the people of Canada, it promised the Canadian people that it would put together a shipbuilding policy for Canada. We have not seen action on that. There have been piecemeal bits of legislation which are window-dressing. By requiring Canadian registered ships to engage in coastal trade when 99 per cent of the coastal trade is done by Canadian registered ships is merely window-dressing and is fooling the people of Canada, particularly those people who are in such desperate need of employment in this economically unsafe industry.

For example, the two shipyards operating in Newfoundland are in a very precarious situation. There have been lay-offs in the dockyard in St. John's, and further lay-offs are predicted. The shipyard in Marystown is experiencing more satisfactory performance in this last little while, but this industry is precarious all over the country. The Government, and the former Minister of Supply and Services have suggested that we ought to have one shipyard closed down in Atlantic Canada.

Instead of having a window-dressing policy such as changing the registration, there ought to be a vigorous policy which will lead to the development and the stability of the shipbuilding industry.

The last speaker from the government side spoke about the frigates and the procurement program of the Canadian Government. It is right and just that the procurement program of the Canadian Government ought to have ships built in Canada. That is only what we expect. It is certainly not satisfactory to have only government procurement as part of the Government's policy on shipbuilding. There is not a comprehensive policy, or a policy that ensures stability in that industry.

I hope that the committee stage of this Bill will provide an opportunity for amendments to be made to strengthen the Bill, the opportunity to discuss the exemptions, and the very problematic exemptions if some of those are removed that may have an effect and bring about some change.

As the Bill presently stands it brings about no real change in the economy and no real change in the desperate situation of shipbuilders and the shipping industry. I would also suggest that it brings about no significant improvement for the thousands of Canadian seafarers who are unemployed and desperately seeking work.

We need leadership from the Government, not a limp-noodle approach which suggests changing the names on the registration of a ship with no Canadian ownership requirements and no insistence that the ships be built in Canada. We need something strong which will be a real initiative for shipbuilding and seafarers in this country.

I wish to advise the House of one of the most outrageous things that I have heard concerning shipping and the care that we have for the Canadian seamen's involvement in shipping and shipping under Canadian control. My colleague, the Hon. Member for Comox—Powell River (Mr. Skelly), mentioned that Canadian Pacific was a great offender in the area of using foreign ships in what he called "a force of seagoing sweatboxes". I heard from an organization which is concerned with providing jobs for seafarers. I was told a story of a Canadian seaman who was out of work and looking for a job with Canadian Pacific Ships. He was told that the jobs on CP ships were being handled out of England, so he made it his business to contact the people running these Canadian-owned ships, the shipping agent in London, and was told the following: "Sorry, we can't hire you; we don't hire foreigners". That must have come as a very great shock to that Canadian seaman who was looking for a job on a Canadian ship.

• (1720)

It was the policy of that company not to hire Canadians. The shipping agent, charged with staffing and crewing vessels, regarded that Canadian as a foreigner and, therefore, no job was available to him.

If that is the state of the Canadian Government's interest in the shipbuilding industry and concern about jobs for Canadians in the Canadian shipbuilding industry, we need more than a Bill or a measure which will change the registration of two ships. We need more than window-dressing with a list of exemptions, which leaves us with the *status quo*.

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

Some Hon. Members: Question.

Mr. Deputy Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

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CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed from Tuesday, September 15, consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. Lewis: Mr. Speaker, I rise on a point of order. There have been discussions among the Parties in order to try to assist the Hon. Member for Davenport (Mr. Caccia), the environment critic of the Official Opposition.

We are proposing that the Parliamentary Secretary to the Minister of the Environment (Mrs. Browes) continue from the other day and immediately thereafter the floor be granted to the Hon. Member for Davenport. We would suggest that the House not see the clock in order to allow the Hon. Member for Davenport to complete his remarks.

Mr. Riis: Mr. Speaker, I rise on the same point of order. I just want to indicate that there have been some discussions in an effort to ensure that the Parliamentary Secretary has an opportunity to complete her remarks and that the environment critic of the Official Opposition has an opportunity to complete his remarks. We have agreed not to see the clock.

Mr. Deputy Speaker: Is the unanimous consent to that effect?

Some Hon. Members: Agreed.

Mr. Deputy Speaker: Agreed and so ordered.

Mrs. Pauline Browes (Parliamentary Secretary to Minister of the Environment): Mr. Speaker, on behalf of the Government and the Minister of the Environment (Mr. McMillan), I am honoured and pleased today to be able to speak on Bill C-74 respecting the proposed Canadian Environmental Protection Act.

In the Speech from the Throne on October 1, 1986, the Government clearly acknowledged the essential relationship between a clean and healthy environment and the quality of Canadian life. We recognize the interdependence of environment and the economy. A clean and healthy environment is essential to the survival of Canada's resource-based economy.

The Government then signalled the high priority that it attaches to protecting and preserving the Canadian environment and made a commitment to introduce a new comprehensive federal environmental protection Act, to improve our country's capacity to deal effectively with pollution, particularly from toxic chemicals.

The very title of the Act tells Canadians what it will do—protect our environment. That is one of the most important challenges facing our society today.

Environmental protection involves each and every one of us. No one has a priority on the air we breathe or the water we drink. Our environment is a precious and delicate balance between human activity and nature. Unfortunately, human activity is tipping the scales in a dangerous direction.

Every year the Province of Ontario alone produces 1.5 million tonnes of wastes. The Great Lakes contain some 800 highly toxic chemicals. Rivers such as the St. Clair and Niagara contain a deadly mix of pollutants. Air pollution is threatening our wildlife, lakes, and forests.

This week in Montreal over 40 nations gathered to discuss the growing problem of the depletion of the earth's ozone layer. Canada is proud to host this major international environmental conference, and the Minister of the Environment has taken a leading role in getting the conference to reach a binding protocol.

Chemicals like chlorofluorocarbons, PCBs, Mirex, and ozone are all around us. From the clothes we wear to the food we eat and to the very paper I have in my hand, these chemicals and thousands of others play an important role in our daily lives.

There are over 100,000 known chemicals in use in the world today. How we develop, market, distribute, and dispose of them is vital to the proper protection of our environment. As new chemicals come into use, Canadians deserve to know what effect they will have on their environment. Canadians also deserve effective laws which punish those who deliberately pollute our air, land, and water.

Two years ago, 11,000 litres of dry-cleaning fluid were dumped into the St. Clair River, causing what has come to be known as the blob. Underwater disposal sites have left toxics seeping into our waterways. Uncontrolled smoke-stacks dump thousands of tonnes of sulphur dioxide into the air, causing acid rain which is killing our forests, lakes, and rivers. The Windermere Basin and the Sydney tar sands also present severe strains on our environment.

The Government has acted to clean up each of these spills with effective programs, but we need legislation in place which prevents this kind of thing from occurring. We need laws that concentrate on prevention and not on reaction. The Canadian Environmental Protection Act will do just that.

Industry wants this legislation in order to improve credibility with its workers, its clients, and the public. Industry is also looking forward to the predictable regulatory process which the Canadian Environmental Protection Act will provide. Labour wants it because, coupled with the workplace hazardous materials information system recently enshrined in law by this Government, the Canadian Environmental Protection Act will increase protection for workers who are often exposed to the highest concentration of chemicals, biotechnology products and radio-nucleides and the like.

• (1730)

Environmental groups also want to see this legislation in place because it strengthens the federal environmental legislative base. Bill C-74 is good news for all Canadians. It is a tangible response to the public's concerns and those of industry, labour and environmental groups as well as other sectors of society.

In view of the importance of the Canadian Environmental Protection Act as a legislative initiative, we regret that the Minister of the Environment is unable to be here with us today. However, the House will be pleased to know that the Minister of the Environment is indeed heading the Canadian delegation to the United Nations environment program diplomatic conference on the ozone layer in Montreal. I know I speak for the House in congratulating the Minister of the Environment on his efforts in reaching this major international agreement. Getting over 40 nations from every corner of the world to agree on a program that will reduce the threat to the ozone layer is indeed, as the Minister said, an historic event.

The ozone layer is crucial to the very survival of this planet. Its shield protects our agricultural crops, our wildlife and ourselves from the very harmful effects of the sun's rays. Bill C-74 will give us the legislative tool we need to meet our international commitments. We can stop depletion of the atmospheric ozone through stricter control of the manufacture, importation, use and export of CFCs and other ozone-depleting substances. We are indeed pleased about this and we congratulate the Minister.

The proposed Canadian Environmental Protection Act is not an omnibus Bill which will consolidate all the environmental protection authorities of the federal Government. It was never intended to do so. Environmental protection provisions are found and will continue to exist in other federal statutes that address and regulate activities in such sectors as agriculture, transportation and energy.

The environmental considerations in these statutes are an integral part of the over-all regulations of these sectors and cannot be separated from the other aspects. The Canadian Environmental Protection Act will, however, provide the framework to enable federal Ministers to integrate environmental considerations more effectively into their policy-development activities and programs.

Bill C-74 represents the outcome of a consensus-building process that began two years ago with the creation of the Environmental Contaminants Act amendments consultative committee and of the multi-stakeholder group that produced the report entitled *From Cradle to Grave: A Management Approach for Chemicals*. The tabling on December 18, 1986, of a draft Environmental Protection Act for discussion and consultation followed.

The consultation process that took place following the December tabling that brought us the Canadian Environmental Protection Act has been both extensive and intensive. Information and consultation sessions were held across the country. Bilateral and multilateral meetings included representatives from provincial and territorial Governments, industry, labour, environmental groups and indeed the general public. These meetings resulted in over 300 briefs being

submitted to the Minister of the Environment for consideration.

The culmination of this consultation process was the national consultation meeting that was held in Ottawa on March 22 and 23 of this year at which there were over 200 participants. The Minister listened and acted. A short six months and seven days after releasing the draft Bill, on June 26 the Government introduced for first reading in the House of Commons Bill C-74, the Canadian Environmental Protection Act.

The proposed Canadian Environmental Protection Act will stand us in excellent stead through the closing years of this century and into the next one. It is a forward-looking piece of legislation with a firm foundation for a nation-wide approach to environmental protection in Canada.

Bill C-74 will plug the gaps identified in *Cradle to Grave: The Management Approach for Chemicals*. It will require industry to provide an assessment of a substance's potential for environmental and health impacts and the ways of containing them before they introduce the substance to Canadians.

The Bill will provide greater information-gathering powers and clean-up provisions for those chemicals suspected of adverse environmental or human health impacts so that Canadians will not be left at risk from those substances. The Canadian Environmental Protection Act will control the processes and products of biotechnology. The new Act will be vigorously enforced and will reverse the belief of Canadians that industry freely pollutes the environment and is allowed to continue to do so.

The first steps to achieving comprehensive management of substances are the compiling of a priority substance list identifying chemicals and other materials requiring urgent assessment and evaluation and the preparation of a domestic substances list naming all substances governed by the Act in commercial use in Canada. The latter list will likely include more than 30,000 substances.

An important area for extensive federal-provincial territorial-industrial co-operation is the requirement for the Minister to develop environmental quality guidelines and codes of practice. The federal teamwork approach to environmental protection will be pursued with the provision in the new Act of authority to develop regulations and guidelines to govern activities and operations on federal lands and for federal undertakings. The Minister has emergency powers under this Act to act immediately where an urgent response to an environmental problem is called for. He is also empowered to order recalls of any product containing a prohibited substance.

• (1740)

The opportunity for public participation in the enforcement of the Canadian Environmental Protection Act is extensive. Some examples are: The right of a person who has or may sustain a loss or damage as the result of action prohibited by the Act to seek an injunction in the courts to stop or prevent the action; the right of 12 persons to petition the Minister to investigate any alleged violation—the Minister must respond with his findings; the right of a person to have his or her identity kept confidential when reporting an alleged violation to an inspector or other official; the right to petition the Minister to have a substance included on the priority substance list—the Minister must respond with his decision; The right of a person to appeal a decision not to regulate a substance as toxic—the appeal will be considered by a board of review.

Public participation in the enforcement of CEPA will be crucial to its success. Canadians are well aware of the pollution problems around them. They deserve an opportunity to bring those concerns to the Minister's attention for action. Public involvement in enforcing this Act can and will work. A community group in Scarborough recently brought their concerns about a factory in the city to the attention of the company involved, and after several meetings between the North Bendale Community Association and the A.G. Simpson Company, the company agreed to install a thermal incinerator that will reduce the fumes from that plant and recover some heat loss which will help to lower their operating costs. With Bill C-74, more and more Canadians will be able to bring those kinds of concerns to the attention of the Minister for prompt consideration.

Maximum penalties under the Act are the stiffest ever in any federal environmental protection statute. The most serious violations involving death of a person can be prosecuted under Canada's Criminal Code with a maximum penalty of life imprisonment; unlimited fines or up to five years' imprisonment or both following conviction for recklessly causing an environmental disaster or wantonly risking the death of or harm to another person; fines of up to $1 million or up to three years in jail or both for failing to provide requested information on a substance that may be toxic; fines of up to $1 million or up to three years' imprisonment or both for manufacturing or importing a prohibited substance; fines up to $200,000 or up to six months' imprisonment or both for failing to assist an inspector or for knowingly providing an inspector with false information. As well, each day of a violation can be considered a separate offence and corporate officers can be held personally responsible for actions of their companies.

One of the most important features of this new Act is the authority given to the federal Government to sign agreements with the provinces and territories for administration of the legislation. Responsibility for jurisdiction over environmental protection in Canada is shared between the federal and provincial Governments. Bill C-74 recognizes that shared responsibility. First, in Clause 5, the Bill authorizes establishment of a federal-provincial advisory committee to provide counsel to federal Ministers on regulatory initiatives under the legislation. Second, other provisions of the Bill obligate the federal Government to consult with the provinces and territories before undertaking regulatory action in such areas as release and disposal of substances. This mechanism will afford

provincial and territorial Governments an opportunity to provide important input in advance of final regulations. Third, the administrative agreements permitted under Clause 90 of the Bill will provide for explicit specification of how the federal and provincial and territorial Governments will work together to administer this very important legislation. These provisions are designed to avoid overlap and duplication with the administration of provincial environment statutes.

Bill C-74 incorporates major improvements to much of the environmental protection legislation administered by the Minister of the Environment. However, good legislation alone and of itself is not enough. There must be proper and effective yet fair and predictable enforcement. There must be commitment of financial and human resources to support and enforce the legislation. On June 26, the Minister of the Environment released a draft enforcement and compliance policy for public review and discussion. The policy explains how the Government intends to encourage co-operation and compliance with the law, and that enforcement officials will deal severely with those who violate this new Act.

The Canadian Environmental Protection Act is central to this Government's total environmental program. With this in mind we have already announced that Cabinet has approved $37 million in new funding over five years to implement, achieve compliance with, and enforce the Act effectively. This final allocation will allow for the hiring of the necessary inspectors, chemical toxicologists, and other personnel.

It is clear, I am sure, to all Members of the House that the Canadian public wants and deserves better environmental protection. This Government is committed to ensuring that Canadians receive better environmental protection.

• (1750)

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, we heard the assessment of Bill C-74 from the government side, and I submit that it was an Alice in Wonderland rendition of what this Bill will do. Unfortunately, the measures on paper in this Bill are not backed up by the political will required to enforce them. In my remarks I will touch upon these aspects because it is very important that Canadians understand what is going on here.

First, let me put the Bill before us tonight in the context of the process. This is the fourth year that the so-called Progressive Conservative Party has been in power, and this is the first time that we are debating, at second reading, an environmental measure. In this period of time a number of non-environmental measures and Bills have been introduced. I mention, for example, taxes on gasoline which favour the sale of leaded gasoline over unleaded, changes in the Arctic Waters Pollution Prevention Act, and other fiscal measures which do not take into account environmental values and considerations. The list goes on at some length.

Until today the only time environmental issues or measures were debated in this House was on opposition days. The record of the Government on protection of the environment from chemical products is not one to be proud of taking into account what has happened since 1984. In November of that year, a number of cuts were made by the Minister of Finance (Mr. Wilson) which affected research in the field of environmental protection *vis-à-vis* chemical products.

I am sure the Parliamentary Secretary will remember the cancellation of the Guelph-Toronto Toxicology Centre in November of that year. There were several incidents of muzzling of scientists in Environment Canada who were engaged in matters related to toxic chemicals. There was, first, the cancellation of and then the changes in publication of storm warnings. At the present time there is limited consultation on the renegotiation of the Great Lakes Water Quality Agreement.

If you put all these measures together and include the cuts to the Canadian Wildlife Service in the branch which is engaged in measuring the impact of chemicals on wildlife in order to draw conclusions on the impact of chemicals on human health, you come to the conclusion that the record of the Government is abysmal in the field of the protection of human health from the presence of chemical products.

It is important, therefore, that as we debate Bill C-74 we remind the Parliamentary Secretary and, through her, the Minister about the record to date before they get too carried away. Contrary to the claims made this afternoon by the Parliamentary Secretary this Bill will not clean up the St. Clair River, this Bill will not clean up the Niagara River, this Bill will not stop daily emissions into the air or the water, and this Bill will not clean up the Sydney tar ponds.

In her speech today the Parliamentary Secretary tried to create the same impression which her Minister tried to create when he announced this Bill last year, that being that this Bill would be the cure-all of all our problems in the environment. In December of last year the Minister called it the toughest pollution legislation in the western hemisphere. By June of 1987, after consultations, the description of the Minister had become a little more realistic. He called it a first step toward cleaning up the environment.

We welcome that, because if the description of the Bill is honest it will not raise false expectations in Canadians and will strengthen rather than weaken the credibility of the Minister and the Department on this very important matter of public protection. The wording was toned down because this Bill does not do the great things which the Parliamentary Secretary suggested in her speech that it would.

The Minister also promised an environmental Bill of rights. Instead he was forced, I suppose, to deliver a preamble to the Bill in which, in elegant prose, certain principles are stated which have no legal status. None of the "whereases" that we see on page 2 of the Bill refer to compliance and enforcement. That is a very serious shortcoming for reasons upon which I will touch in a little while.

There are presently 24 federal Departments which administer some 57 environmental laws. The Minister claimed that Bill C-74 streamlines this situation.

The reality is that Bill C-74 includes the Clean Air Act, the Ocean Dumping Control Act, the Environmental Contaminants Act, and parts, albeit not all, of the Clean Water Act and the Department of the Environment Act.

Through this consolidation, when this Bill is given final approval, instead of 57 environmental laws we will have 55. We will, however, have the same 24 federal Departments administering separate legislation. If this is the Minister of the Environment's (Mr. McMillan) concept for untangling a mess in the environment, I submit that we are in trouble.

Although the preamble to the Bill is not a Bill of rights, it is at least an expression of intention and sets a tone which is better than nothing at all. In all fairness I must also say that it has been commented upon by people who are knowledgeable in the matter of an environmental Bill of rights, which has been discussed in this House for many years.

• (1800)

In the case of the Canadian Environmental Law Association, the House ought to note that Toby Vigod of that organization pointed out that while preambles may provide a limited aid to the interpretation of the meaning of the provisions inside this Bill, that preamble does not confer any rights on citizens to protect their environment. There should not be any illusions about that.

At the national consultations in March of this year, all parties, including industry, agreed that if a bill of rights could not be included in the legislation, there should be at least formal guarantees for a greater degree of public input at key decision-making points. So far, these guarantees have not been given. We are waiting for them because that commitment is very important.

Proceeding to the Parliamentary Secretary's reference to information, the amount of information required in this Bill by government for the assessment of toxicity of a new chemical in order to decide whether a chemical should be regulated or even banned is determined by the quantity of chemical used or manufactured or imported into Canada.

The information to be given to the Government should not be guided by the quantity of chemicals. It should be the same regardless of quantity. The initiative of bringing on to the market-place a new product should be enough to require all the information possible and should not be geared to the quantity that that particular producer wants to market.

One can do a lot of harm with very small quantities, or very little harm with very large quantities. Therefore, the information should not be triggered by the quantity to be put on the market, but on the merits of the product and whether or not it should enter the market at all. That is a very serious shortcoming in the Bill.

Let us turn to export notification. I hope the Government will consider amendments in committee because what is being proposed here is bad legislation. If a chemical is banned in Canada, according to Bill C-74 it can be exported to another country, provided that the Government of Canada notifies the receiving nation. I am sure that this is not a position with which the Secretary of State for External Affairs (Mr. Clark), who I am pleased is in the House tonight, would be in agreement. If a chemical is too toxic to be used in Canada, it is surely too toxic to be used anywhere else.

I hope the Parliamentary Secretary will agree that we should not engage in the export of products which we ourselves do not want to be used in Canada. The Bill should be amended so that the Minister will have the power to ban the export of chemicals that have been banned in Canada. This would be consistent with the report by the World Commission on Environment and Development, which I am sure the Minister endorses. The Government will probably endorse that next month at the General Assembly of the United Nations and, therefore, the necessity of being consistent on that front is even more urgent.

There is another aspect of the Bill which we would like to raise tonight. It concerns the inclusion of other Acts. It seems to us that the Minister and the Government missed an opportunity to improve existing legislation which is now being rolled into Bill C-74. The Ocean Dumping Control Act, which is currently the subject of a Supreme Court challenge by Crown Zellerbach and the British Columbia Government, could have been strengthened instead of simply added.

It is also important to raise the question of ministerial discretion in this Bill. There are several clauses which ought to be the object of examination in the committee because there is a potential for bad decisions. The Minister will have the power to deal with toxic chemicals in a manner that may be contrary to the public interest. I am not referring to the Minister in particular, but to the fact that there are certain ministerial discretionary powers which should not be given to the Minister of the day, particularly when it comes to matters of this importance.

Clause 29(4) would allow the Minister to waive the requirement for any information he decides is unnecessary. Why? Clause 15(4) and Clause 16(3) would allow the Minister, on request of an applicant, to extend the time allowed to meet information requirements or other acts of compliance without public explanation or consultation. Why would that be necessary?

Clause 37(2)(a) and Clause 37(2)(b) would allow the Minister to exempt chemicals from regulation at his discretion. If this Bill is as important, significant and such a landmark as the Parliamentary Secretary would have us believe in her intervention earlier, there would not be these discretionary powers in the hands of the Minister of the day.

I also want to draw the attention of the House to clauses that concern federal-provincial relations, particularly Clause 2,

Clause 37(4) and Clause 90. They define the relationship between the federal and provincial Governments. In essence, this Bill would give each province a veto over the application of the proposed Act in its jurisdiction if a province feels that it has comparable legislation.

The report of the World Commission on Environment and Development, which I am pleased the Government endorses, stresses that what is needed is strong national standards that are enforced on a national basis.

In the Canadian context, I suggest to the Parliamentary Secretary that Bill C-74 should propose strong national standards that can only be superseded by provincial legislation when it is stronger than the federal legislation, but not when it is weaker. That would not serve the public interest.

This particular aspect which troubles us was also interestingly defined in a letter signed on September 10 by the Canadian Environmental Law Association, the Citizens Network on Waste Management, Pollution Probe and Energy Probe in Toronto. The four signatories expressed concern that Section 106(a)(2) of the Constitution Act may discourage the federal Government from assuming its responsibility to protect the nation's environment if it can be argued that an initiative may be in an area of exclusive provincial jurisdiction.

• (1810)

Somehow this comment on Section 106(a)(2) in the Constitution Act seems to reinforce the notion that in Bill C-74 the federal Government is going to give in to lower provincial lower standards and thus create a checkerboard type of standards across the nation, which would not be desirable and which we should not endorse. I hope the Parliamentary Secretary will convey to her Minister these preoccupations which have been registered by these organizations.

There was a reference to the Meech Lake Accord in an editorial in the *Sunday Star* which is relevant to this particular passage in the Bill. A reference was made on August 16 to the fact that two clauses in Bill C-74 would require the Minister of the Environment (Mr. McMillan) to consult all the provinces before he drafts regulations or issues emergency orders to control toxic chemicals.

While Ottawa would retain the right to act on its own after the consultations, the provisions invite Ottawa to take the weakest possible action so that everyone can agree. I admit we are dealing in the realm of the hypothetical, but nevertheless when we are preparing legislation we must try to face every possible circumstance. I am sure we want to have legislation which strengthens the national standards, in consultation with the provinces, and sets the highest possible standards rather than setting the lowest common denominator, as this Bill, I am afraid, will inevitably tend to do.

I must move on to other aspects of this Bill. The Minister on earlier occasions promised a comprehensive Bill to deal with toxic chemicals. It must be put on record that if Canadians believe, as a result of Bill C-74, that pesticides or chemicals used in the food and drug industry, or chemicals regulated by any other federal statute, or even nuclear waste, are in this Bill, this notion has to be put to rest. Pesticides and chemicals in the food and drug industry, nuclear waste and any chemical which is regulated by other federal statutes, are not included in this piece of legislation.

In the consultations which took place last winter, and which were very productive and extremely well run, there were several public interest groups which called for the reform of the process of environmental assessment and review. We agree that Bill C-74 is not the vehicle for enshrining a process of environmental assessment and review. However, we would urge the Government to table a companion Bill in which the question of environmental assessment and review is dealt with.

The Minister did promise as recently as March of this year a White Paper proposal for the reform and improvement of the environmental assessment and review process. It is now September and the White Paper seems to be reduced to the status of a discussion paper. It is still absent from the parliamentary timetable. I hope that the Parliamentary Secretary will refresh the Minister's memory on this matter.

We come now to what seems to me to be the weakest part of this Bill, that is the enforcement and compliance. The record over the past two years is not one to write home about. In reply to a question on the Order Paper, the Government in May supplied me with an answer with regard to the violation of federal pollution legislation. I would like to bring to your attention, Mr. Speaker, what that answer brings to light, which I found rather astonishing, I must say. In 1985 there were 18 charges laid under the Fisheries Act. Nine charges resulted in successful prosecution. Do you know, Mr. Speaker, how much was paid in fines in these nine successful prosecutions? A total of $33,800 was collected. Under the Arctic Waters Pollution Prevention Act, one charge was laid. That charge was successful and the fine was $14,000. In 1986, 18 charges were laid under Section 33 of the Fisheries Act. There were 12 successful prosecutions for a total of $93,950 in penalties.

Under the Ocean Dumping Control Act, there was one charge laid and no successful prosecution. This is a pretty weak record, I must say. How can we believe that this Government is serious about a $1 million fine, which is in this Bill, if it has such a weak record of compliance and enforcement? It is one thing to have the fine on paper and in the statute. It is another thing to make it work. It is another thing to see to it that the fine does not just remain as an idea on paper.

Therefore, I have some very serious reservations about the approach which was dealt with in January of this year by way of a report by the Canadian Environmental Advisory Council entitled "Enforcement Practices of Environment Canada". It brings out in a succinct manner the criticism—and I think it was well intended, as it should be. It was meant in constructive

terms—that the federal delegation of environmental enforcement amounts to a virtual abdication of responsibility for enforcement and has promoted discrepancies in the nature of enforcement responses across Canada.

In essence, what the council is saying is that our enforcement approach is lacking and weak because we tend to yield, or we tend to be shy or hesitant, with respect to the provinces doing it for us, or being seen as doing it in place of the provinces, or even to be seen as interfering, stepping into provincial jurisdiction.

That is a very serious matter which was brought to light by the Canadian Environmental Advisory Council. In conclusion, the report expressed the opinion that some current trends such as the delegation of administrative powers to provincial authorities, and excessive fears of federal-provincial conflicts, are having a negative effect on the implementation of Environment Canada's legislating mandate and undermines the confidence of Canadians in the Department. These are hard words. Canadians would like to have confidence in Environment Canada. It would be a great pity if the stiff fines of up to $1 million envisaged in the Bill remain a dead letter. This may be so because of the fear of federal-provincial legislation, or because the provinces are not equipped to enforce the regulations in the Bill, if it is decided that a certain province should do it instead of the federal Government, or because of other reasons that emerge.

• (1820)

The fact is that tough national standards recommended by the World Commission on Environment and Development are the essence of the answers to the problems that we have in the environment. With this Bill I am afraid that the Government is going in the opposite direction to the recommendations made by the World Commission on Environment and Development by delegating, as it seems to be delegating as a result of this Bill, this responsibility to the provinces. Some provinces will have weaker enforcement capacity. Some provinces will have none. We will have a checkerboard enforcement rather than a national standard that is strong, determined and controlled from the centre.

We then come to the famous $37 million which has been allocated to three agencies over five years to cover the costs of enforcing this legislation. I ask you, Mr. Speaker, what can one do over five years with $37 million when one has to distribute it between three different agencies or departments? One can do very little if one is serious about the implemention of this Bill. That is why I said earlier that the interpretation of this Bill, the version given to us by the Parliamentary Secretary, sounded a bit to me like Alice in Wonderland. I say that because the financial resources are not there to do the job. Some $37 million over five years between three agencies will not do the job of dealing with 60,000 chemicals that are out there in the universe which surrounds us. In addition to that, there is the matter of dealing with the 1,000 chemicals that are produced every year and enter the market-place. This is a phenomenal task that we face.

It is interesting to study some of the observations put on paper by a professor from McMaster University in Hamilton. I refer to Professor Ross Hume Hall who was also a member of the Canadian Environmental Advisory Council. He expresses despair in an article produced in the spring of this year about the approach in this Bill which he calls the single-chemical approach. By that he means that each product will be examined by the Department according to a procedure that has been well established by the Department of National Health and Welfare and administered under the Food and Drugs Act.

He feels that this approach will not be able to cope with the shear weight of the 60,000 existing industrial chemicals. He says that to illustrate the absurdity of trying to regulate industrial chemicals in this manner, one should make a quick calculation. The bureaucratic team of the Contaminants Control Branch consists of 19 persons. It took them 10 years to assess five chemicals. Thus by a quick calculation of multiplying 10 by 19, which results in 190, it took that many person-years to come up with five regulations. He comes to the conclusion that Environment Canada's 10,000 employees, from janitors to the Deputy Minister, could write 260 regulations per year. That would not allow the branch to keep up with the 1,000 new chemicals that enter the market every year, let alone the other 60,000. It is an analysis that is compelling because it is based on experience gained thus far which questions the validity in the year 1987 of approaching the situation by way of a single-chemical analysis which is by its very nature a slow process and very heavy in terms of the requirements of scientists. It leaves out so many chemicals before they can be tackled in this manner.

I express the hope that this analysis by Professor Ross Hume Hall can be rebutted by the Department. I hope that it can be demonstrated that the laboratory technology of today allows bureaucrats to proceed at a much faster pace and that this assumption will not become a reality.

It is important to find ways of implementing this Bill in a manner that will tackle the real world out there and not force future generations of politicians 10 or 20 years from now to come to the conclusion that with Bill C-74 we actually applied the same formula and the same methodology that was applied in 1976 when the first contaminants legislation was debated and approved in the House. I hope that it will not be seen that we were not able in the intervening years between 1976 and 1986 to come up with a better methodology to deal with a very complex chemical world out there.

I conclude by saying that in committee we will put forward amendments. We hope that the Government because of its strength will come forward with amendments based on what I am sure will be a well-reasoned debate. It is one that wants to look after the interests of Canadians at large. It wants to ensure that future generations of Canadians will not suffer the consequences of chemicals allowed in the environment that

should not be allowed and that the process of determining what is to be allowed in the environment will be a very strict process based on long-term consequences on human health and not on the health of laboratory rats.

It is our hope that this Bill will not raise the hopes of Canadians, as the Government sometimes tends to do, and that the committee will listen to witnesses who will appear before it. It is our hope that witnesses from every walk of life will be invited to bring forward their suggestions to improve this legislation and that we will not with Bill C-74 go through the experience that we had with Bill C-84. The committee studying that Bill invited witnessess but did not adopt even one amendment through that very important process.

I look forward to the interventions of other colleagues in the House, Mr. Speaker. I am sure that if the Government is motivated by goodwill and it has the intention of making this Bill into something of substance and durability, and it wishes to achieve or move toward some of the ideals outlined in the preamble, then we may come out with something of significance and substance.

I submit to you that we have a long way to go.

Mr. Deputy Speaker: It being 6.30 p.m., the House stands adjourned until 11 a.m. tomorrow, pursuant to Standing Order 3(1).

The House adjourned at 6.30 p.m.

HOUSE OF COMMONS

Thursday, September 17, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

PETITIONS

GOVERNMENT RESPONSE

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, pursuant to Standing Order 106(8), I have the honour to table in both official languages, the Government's response to petitions Nos. 332-2986 to 332-2988 inclusive, 332-3027 and 332-3032 to 332-3070 inclusive.

* * *

[*Translation*]

COMMITTEES OF THE HOUSE

STRIKING—TWENTY-NINTH REPORT OF STANDING COMMITTEE

Mr. Scott Fennell (Ontario): Mr. Speaker, I have the honour to present the twenty-ninth report of the Striking Committee.

[*English*]

BILL C-68—REPORT OF LEGISLATIVE COMMITTEE

Mr. Russell MacLellan (Cape Breton—The Sydneys): Mr. Speaker, I have the honour to present in both official languages the report of the legislative committee on Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act.

* * *

[*Translation*]

PETITIONS

OPPOSITION TO TAX ON FOOD

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, pursuant to Standing Order 106, it is my duty once more today to present a petition which meets the requirements of the Standing Orders as to form and content.

Your petitioners humbly sheweth that:

Whereas, since September 1984, the federal Government has imposed on Canadian taxpayers 24 new taxes or tax increases, in particular on medical and dental supplies, snack foods, candy and soft drinks;

Whereas the federal Government in its tax reform proposal has studied the possibility of imposing on Canadians a general tax on goods and services, including food;

And whereas food constitutes a vital element of day-to-day life and imposition of this tax would have the effect of seriously penalizing certain categories of taxpayers, such as the aged, families, the unemployed, low income taxpayers, youth and students;

Wherefore your petitioners humbly pray and call upon Parliament to reject all measures that would have the effect of imposing a sales tax on food products.

* * *

• (1110)

[*English*]

QUESTIONS ON THE ORDER PAPER

(Questions answered orally are indicated by an asterisk)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, Question No. 178 will be answered today.

[*Text*]

GRANTS AND/OR LOANS TO TORONTO AREA

Question No. 178—**Mr. Redway:**

Since September 4, 1984, did the Department of Finance make grants and/or loans to persons or corporations, non-governmental organizations and governments within Metropolitan Toronto and, if so, in each case, in what amount and for what purpose?

Hon. Michael Wilson (Minister of Finance): In so far as the Department of Finance is concerned: nil.

[*English*]

Mr. Speaker: The question as enumerated by the Hon. Minister has been answered.

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

Mr. Speaker: Shall the remaining questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

MOTION TO ADJOURN UNDER S. O. 29

NATIONAL SECURITY

Hon. Bob Kaplan (York Centre): Mr. Speaker, pursuant to Standing Order 29 I ask leave to propose a motion to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the crisis in public confidence in the Government's ability to assure national security and to maintain a satisfactory security and intelligence service. This comes at a particularly sensitive time, that is, immediately before the Commonwealth heads of government meeting.

If I could refer to an earlier phase of your own career, Mr. Speaker, in which you participated, along with me and others in this House, in the creation of the Canadian Security Intelligence Service, I can be certain that you will have the same sensitivity that I do to the importance of that agency being properly launched and properly supported by the Government and to the very critical nature of the work that it does.

Mr. Speaker: The Hon. Member for York Centre (Mr. Kaplan) has brought to the attention of the Chair an application for an emergency debate under Standing Order 29. As he has stated, and as is stated in the letter which he most properly delivered to the Chair earlier this morning, the motion is to adjourn the House for the purpose of discussing a specific and important matter requiring urgent consideration, namely, the crisis in public confidence in the Government's ability to assure national security and maintain a satisfactory security and intelligence service, which, as he has pointed out, comes at a particularly sensitive time, that is, immediately before the Commonwealth heads of government meeting.

The Hon. Member for York Centre referred, probably quite improperly, to debates in which the Chair had taken part with regard to the security service. I, of course, have to put out of my mind completely, in terms of this ruling, those debates and any position that I took in them.

I can say to the Hon. Member for York Centre that I view the application seriously. However, at least for today, it is the disposition of the Chair to say that perhaps it is not quite appropriate to get into it in an emergency debate. As always on important matters, I will hear the Hon. Member or other Hon. Members again if it is appropriate to do so.

I thank the Hon. member for bringing this matter to the attention of the Chair and to the attention of the House. The matter is serious. The Chair views it as such, but, as I say, the application for an emergency debate is declined at this time.

GOVERNMENT ORDERS

[*English*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed from Wednesday, September 16, consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, since this is my first opportunity as the newly appointed critic in the area of the environment for the New Democratic caucus, I would like to begin by setting out some general views as to how I am going to approach environmental questions.

I say very frankly that I am a committed environmentalist. I feel compassionately about the question of the environment. Not only do I like to hike, canoe, and cross country ski, I am a former member of the board of Energy Probe and was, therefore, active on environmental issues before becoming a parliamentarian. I also have a strong religious commitment to the environment. I have beliefs which require human beings to look at the world as one which we do not own, one in which we live, work, and have certain rights, but where we have obligations to future generations. We are stewards of the earth and not the owners able to do with it what we wish.

I do not think this or other governments have paid adequate attention to our obligations to future generations. I do not think we should approach the question of resources as purely commercial commodities for sale. I am scandalized when Conservative Members get up and brag about deregulation in gas sales to the United States on the grounds that this will mean more sales, saying that we have a surplus. I do not believe that we can have a surplus of a non-renewable resource.

I think we should be changing our vocabulary. We should not be talking about producing resources which are non-renewable. We extract them, we may sell them, we may use them, but we also have responsibilities and will have to answer for them one day.

Philosophically I am very much a conservative on the environment. I believe that resources must be conserved. It is not that I think economic considerations should be dismissed, but we must look at the long-term economic considerations. It is not only business and sales for today which must be

considered but the livelihood of future generations of farmers, fishermen, fisherwomen, all the people who live on the land and work in the tourist industry. All kinds of people will be affected by the economy of the future. Therefore, looking after our environment makes very good economic sense. We must put it in the context not only of economic decisions for today but of the long-term ones to which we must attend.

Our earth was created with adequate energy from the sun to make it last for four billion years. Our policies on management of the environment ought to ensure that we can continue to live on the earth as long as we have this major source of energy. I think that our time scale has been altogether too short.

[*Translation*]

Bill C-74 now under consideration is entitled an Act respecting the protection of the environment and of human life and health, but this title is nothing but a false promise. This Bill does not protect the environment, not in a comprehensive sense. Rather, the Bill provides for a reorganization of Government measures and for the enforcement of new measures as regards toxic substances, or rather some toxic substances, as the Bill excludes all nuclear substances and pesticides. Of course, it is a step forward, but this is not the Bill required to protect the environment and human life. This is not the Bill required by environmental groups.

There is no Charter of environmental rights, which the experts and defenders of the environment have been requesting for a long time, especially the volonteer groups. The role projected for citizens and volunteer groups remains very limited in this Bill. There would be no legal recourse in the case of inaction by Government agencies. Human resources, especially the knowledge and good will of citizens involved in the ecological movement, will not be used adequately. Their advice would have been useful in preparing this Bill. Unfortunately, the recommendations of environmental groups were rejected. Only a very few of their proposals for amendments were accepted, and only on minor points.

Bill C-74 represents a very small step forward in protecting our environment. It is nearly incredible, but this Bill does not cover pesticides, insecticides and radioactive substances. A person who has suffered losses or damages or who might suffer such losses or damages because of action prohibited by this Act can obtain a court injunction to prevent this action. However, the new legislation should give all Canadians the right to take legal action when the law is being broken and the environment threatened.

The Bill provides for the evaluation of any new chemical before it is put on the market. In the case of existing chemicals, there will be a possibility of review. A list of priority substances will be established.

These are the most useful practical measures contained in this Bill, and they are not very impressive.

• (1120)

[*English*]

Let us look for a few minutes at the process of development of Bill C-74. The Minister of the Environment (Mr. McMillan) introduced a draft environmental protection Bill last December, without public consultation before bringing it in. Public consultation had been limited to the very much needed amendments to the 1975 Environmental Contaminants Act, but they were not broadly based consultations. The proposed Bill was circulated without much new material and was largely an amalgamation of previous laws.

When finally a public meeting was held on the subject in Ottawa in March of this year, there was vigorous discussion with a large number of groups from across the country and strong recommendations for amendments were made. Chief among these recommendations for change was an environmental bill of rights. There is no environmental bill of rights in the Bill before us today. Instead, there is a very weak version of that, which is a preamble, some of which I will read:

> It is hereby declared that the protection of the environment is essential to the well-being of Canada.

Who would dispute that? It goes on:

> Whereas the presence of toxic substances in the environment is a matter of national concern;
>
> Whereas the toxic substances, once introduced into the environment, cannot always be contained within geographic boundaries;—

That makes eminent good sense, of course. It goes on:

> Whereas the Government of Canada in demonstrating national leadership should establish national environmental quality objectives, guidelines and codes of practice;
>
> Whereas it is necessary to control the dispersal of nutrients in Canadian waters;
>
> Whereas some of the laws under which federal lands, works and undertakings are administered or regulated do not make provision for environmental protection in respect of federal lands, works and undertakings;
>
> And whereas Canada must be able to fulfil its international obligations in respect of the environment;

Then we go into the Bill itself.

While these are all very laudable objectives and useful as guidelines, they have no force in law. The law still states that one must be able to prove individual damages in order to have a case. We still have a situation where environmental pollution destruction is treated as a matter of interfering with commercial rights. If one is going to lose money as a result of toxic substance pollution one has a case.

In the long term the concerns should involve jobs and the health of future generations. This Bill does not go far enough. It is still based on the old notion that resources are there in order to make money rather than the notion that we must sustain our environment for four billion years, hopefully, but certainly for a longer period of time than what is envisaged here.

Environmental groups that were consulted stressed very strongly that they wanted an opportunity for the public to be involved in the enforcement of environmental law. The current provisions for private prosecution are too cumbersome and inadequate, and focus entirely on commercial considerations. They wanted to see rights to participation in environmental decision-making. The Bill gives the Minister enormous rights and responsibilities, as well as discretionary powers. According to the process that is set up, the Minister can evade certain parts of this protection process and environmental groups do not have the right to take the Minister to court to require that he enforce and administer the law as set out.

The preamble talks about the obligation of the Minister to set these guidelines, but they are permissive and have no force in law. We know that enforcement of environmental law has been very slack under previous Liberal Governments as well as the present Government, so we do not have confidence that the Government will vigorously enforce these laws.

The groups that came before the Minister for consultation on March 23, 1987 released a statement which I think is worth considering. They said that the proposed federal Environmental Protection Act is simply not acceptable as it is currently drafted. They go on to state:

> Canadians want a real Environmental Protection Act. The content of the proposed Act does not merit the title Environmental Protection Act. The federal Government must assert its responsibility to protect the environment for its own sake.
>
> A real Environmental Protection Act should include an Environmental Bill of Rights to establish Canadians right to a clean and healthy environment and the right to go to court to protect it. This environmental right should include government funding for public interest participants in environmental decision making.

Environmental groups call for improvements to the Environmental Contaminants Act to be passed immediately in order to achieve these objectives.

This statement is endorsed by a large number of organizations, such as the Canadian Environmental Law Association, the Conservation Council of New Brunswick, native studies groups, the Nova Scotia Coalition for Alternatives to Pesticides, Pollution Probe, Energy Probe, and the Yukon Conservation Society, to name a few. The major groups are united in their criticism of the Bill we have before us today. Very few of the recommendations of these groups have been incorporated in the new Bill, so their concerns remain the same today.

The Bill amalgamates previous environmental measures to a certain extent, but only the ones that previously were under the jurisdiction of the federal Department of the Environment. There are 24 departments which have environmental responsibilities and 57 laws dealing with environmental questions. There will be 55 laws as a result of this Bill, so we cannot consider this a very thorough amalgamation. Other Departments, such as the Department of Agriculture, the Department of Fisheries and Oceans and National Defence—which is a complete exception—will still deal with environmental problems.

• (1130)

What is wrong with having other Departments involved? The Department of Agriculture and the Department of Fisheries and Oceans are most oriented to people whose livelihood immediately depends upon prices. They do not have an economic interest in what is going to happen in the long-term. They are interested in their immediate survival. We know agriculture and the fisheries have survival problems so we have to be sympathetic to those concerns. My point would simply be that we also have to think of the long-term and the future jobs of fishermen, fisherwomen and farmers.

We need to have a Department of the Environment that is strong enough to stand up for the environment for future generations, one which will not be too much under pressure because of what the immediate prices are this year. It should be able to speak strongly for the environment. This Bill does not do that. It is a housekeeping measure of the Department of the Environment itself. It is amalgamating things which previously were in a number of different Acts, bringing them together in one Act.

Another major criticism of this Bill is that there is a certain tendency to deregulation. There are certain areas in which there is a strengthening, but there are also areas which could be looked at as showing a trend to deregulation and devolution to provincial jurisdiction.

Many organizations have raised objections to Bill C-74 saying it is a step backward. Admittedly, this is a complicated matter. The British North America Act back in 1867 did not state whether the environment was a federal or provincial matter. At that time the environment could be taken for granted. They were not worried about chemical substances or about nuclear waste disposal. This subject was not awarded to Section 91 or Section 92 of the British North America Act. After that there was a tendency to treat the environment as a provincial matter because resources are provincial and commerce is provincial.

The point is that we cannot think of resources as being purely commercial commodities. It is hard to think of an environmental question that can be dealt with solely at the provincial level. Provinces should certainly have the right to set stringent standards. If they have, for their own provincial requirements, the need to have a particularly high standard, they should certainly have that right and we should applaud it. No one would want to interfere with their right to protect their particular interests.

However, it is necessary to have strong national standards because the problem of pollution is national—indeed, it is international. I think, for example, of the St. Clair River, the Great Lakes, and most of the major river systems which cross provincial and territorial boundaries. Of course, the Great Lakes are very much an international question. We need a very strong federal presence in the area of the environment because of the nature of the problem itself.

The Canadian Labour Congress Workplace Health and Safety Group has criticized Bill C-74 on grounds of it being a step backward in terms of regulation. I would like to cite a few of its comments which I think are very pertinent to our discussion today:

> We are most concerned about Section 37(4), which provides that consultation must take place with the provinces before any regulation goes forward.
>
> We believe that this is a step backwards from existing environmental legislation, such as the Clean Air Act which provides for the federal Government to enact national ambient air emission standards without the necessity of consulting the provinces. We contend that Section 37 in fact will ensure what we have been afraid of all along—that the federal Government has no intention of regulating in the toxic chemical area. We feel that the Minister of the Environment has been getting extremely conservative advice as to federal constitutional authority to protect the environment.

Obviously, the Canadian Labour Congress Workplace Health and Safety group takes the view, as I do, that we have to get away from treating this matter as a provincial-commercial question and begin treating it as a national question of ongoing concerns.

The ClC further states:

> It is our opinion that the federal Government should be setting national standards to ensure that Canada does not create pollution havens.

It actually states that it thinks Clause 37 is an impediment to what has been called "cradle to grave" legislation of chemical substances, that in fact it will not be as thorough and comprehensive as the Government has claimed it will be. The CLC goes further:

> The general principal ought to be: Unless the provinces have stronger legislation, the federal Government should move in to establish minimum—but strong and effective—national standards of environmental cleanliness.
>
> There should be consultation with the interested parties, certainly; but this should not prevent speedy and effective federal Government action on the environment at the national level.

I would heartily concur with that kind of analysis. Apart from the amalgamation parts of this Bill and its non-mandatory guidelines, there is one compulsory part and one new part which does bring in new measures, that is on toxic substances or, let us be very clear, some toxic substances, because even here there are exceptions.

The Environmental Contaminates Act did have deficiencies. It did not allow the Minister to obtain information from industry or from importers unless there was virtual proof that the substance was toxic. In short, there had to be enough information before hand, and, of course, the point is, how do we get the information if we do not have a process? The onus on the Government was to build the case and it could not ask for information from the industry to establish the case.

With respect to new chemicals imported into Canada, and there are about 100 a year—we have 30,000 in Canada already out of some 100,000 chemicals in use globally—existing legislation will require manufacturers or importers to report to Government. The new legislation would set reporting requirements on toxicity, on potential impacts on the environment, on biodegradability, on health studies. The importer would have 90 days to provide this material and, of course, would not be authorized to sell it or import it during this period. The Government would then make the decision whether to allow, prohibit, restrict or to require further information on the chemical.

Because of the great backlog of chemicals already in use which have not been properly scrutinized, there will be a priority substances list established of chemicals which have already been allowed in for use which possible should not be. Once items get on this list, the Government will be assessing them.

Those are the new departures in the Bill. Certainly, I am pleased to see them there. However, I think we will have to look very carefully at the process at committee to ensure that the loopholes which have been built-in, and the possibilities of waiver, and so forth, are not excessive. We have to make sure this process which has been set up is one which will really be effective. I have a few questions about it. I think it is something about which we are going to need some expert advice.

Let me go into a few other very specific points which I think demonstrate the weaknesses of Bill C-74. Right at the beginning of the Bill, after the very weak preamble, Part 1 begins. It refers to the Minister's environmental data and research obligations. Clause 7 states:

> (1) The Minister may
>
> a) establish, operate and maintain a system of environmental quality monitoring stations;

There are then a whole list of good things the Minister may do. But the Minister is not required to do so. I think this is what we are very concerned about. The Minister may collect, process, correlate data, conduct research and studies and so forth. This is non-mandatory, and it is simply not adequate when we realize the severity of the problem right now.

Clause 7(3) states that the Minister may, in exercising the powers conferred, act alone or in co-operation with any government, government department, and so on. I have very specific criticisms with respect to the following subclauses of the Bill. When the groups which may be consulted are listed, the environmental groups are not included. Clause 7(3) states that the Minister may, in exercising his powers, consult with any government, government department or agency, institution or person and may sponsor or assist in any research, studies or planning by any government institution or person in Canada. But it does not mention the environmental groups. I am surprised and somewhat distressed at the omission. Obviously, an environmentalist is an individual who can be consulted.

• (1140)

On page 7 Clause 8(3) states:

> (3) In carrying out the responsibilities conferred by subsection (1), the Minister may—

Again, it is not mandatory.

(a) consult with the government of any province, any government department or agency or any person interested in the quality of the environment—

It does not mention environmental organizations. Subsection (b) states that the Minister may:

(b) organize conferences of representatives of industry and labour, provincial and municipal authorities and any interested persons described in paragraph (a).

Again, there is an omission. I hope that it was just an omission by inadvertence and that environmental and public interest groups can be added to the list.

The Bill goes on and on with respect to consulting with governments and provinces, organizing conferences with industry and labour, provincial and municipal authorities, and any persons interested in the preservation and improvement of public health. There are organizations directly involved in environmental public health. They have experts who are very committed people. One of the things the Government ought to realize is that one of the resources that we have available is public spirit and knowledge, the commitment of people. Canada has a great history of voluntary organizations working in all types of areas. These people give their expertise to Government, as well as their knowledge and passion in working on these questions over the years. We should be grateful and pleased that we have the benefit of this type of advice. We should be pleased to receive it and not omit it from the list, having them come to us importuning to be consulted. We would like to see some changes in language to include these people.

The Liberal critic in his remarks yesterday on this subject noted that as well as dealing with imports and with manufacturing of toxic substances there ought to be regulations with respect to exports. I do not know how extensive a problem this is, but on principle I agree that if a substance is too toxic to import to Canada and to manufacture here then any of it that we already have ought not to be exported but ought to be dealt with in some other way. It would certainly be very wrong to consider it all right to get rid of it by exporting it to some other country.

Although I agree with a good part of the substance of the Liberal spokesperson's remarks, I cannot entirely understand his outrage at the Government's failure to enact many of the measures which he has urged it to enact. The environmental problems we have did not begin to develop after September 4, 1984 when the Conservative Party was elected to form the Government. These problems have been around for a very long time, and they have been increasing gradually.

Almost everything that the Hon. Member recommended that ought to be done encompassed measures that he himself could have undertaken when he was Minister. It is unfortunate that this matter should be seen as a politically partisan one. It would be far better to ensure that we work together on these issues. Certainly, his outrage at the Government's failure to act when he had the opportunity to do so is quite unjustified.

[*Translation*]

Naturally, we have to pass this Bill, and I hope that we can pass it with amendments which will make it stronger and more effective. In any case, I shall oppose no measure to protect the environment, even one as weak as this Bill.

I shall be proposing amendments at the committee. I invite the environmental groups to play a vigorous role in the consideration by the committee. The New Democratic Party will continue to fight to achieve real protection of the environment.

[*English*]

Let us get on with this Bill. The Government could help enormously by announcing very promptly its willingness to accept amendments now. I would be pleased to see the Government announce a willingness to work with opposition Members and ecology groups to make this as effective a Bill as it can be, given the limitations of the subject matter.

I hope that the Government will also give an undertaking of its willingness to bring in a real charter of rights for the environment, as well as really strong and effective measures to make the environment the top consideration and to give citizens the right to protest, to go to court to insist that the Minister act to enforce and to implement the Bill. We must ensure that the Department of the Environment is the Department which will be involved in the enforcement of environmental measures, that the powers in the Bill will not be dispersed to those who will have conflicting obligations in the here and now as opposed to the long term. I hope that the Government will give this type of undertaking.

Canadians are becoming increasingly concerned about the environment. I do not have to urge the Government to read the public opinion polls with respect to this subject. I just hope it will look at them seriously and see that they reflect changing opinions, opinions that are developing for very good reasons. Jobs depend on the environment, as do future jobs. People are concerned about health, the health of their children, their grandchildren as well as their economic health, not to mention their day-to-day health. As we have an increasingly diseased environment, the enjoyment of life decreases. People are beginning to say, "We have to take steps now. We cannot afford to have this slack approach of everything will take care of itself and all we have to do is make money and the environment will clean itself up". People know that that does not work. They realize the extent of the damage that has already been done. Canadians want strong national standards for water, air and land. They want stronger enforcement measures.

This Bill introduces the beginning of criminal sanctions for environmental destruction. Ten years ago that would have been unthinkable. At that time public opinion was not there. Environmental destruction was just considered to be something that happened in the process of business. People do not see it that way now. People want strong standards. Nobody wants to see criminal sanctions actually used, but people are prepared

to use them where there is a need, because environmental protection is that important.

The ultimate importance of attaching criminal sanctions to such destruction is that we can say to people, "You are a criminal if you violate this law". It will not be as if they have broken just an administrative law, but they will become enemies of society. It is like saying, "We give you the ultimate in our disapproval in establishing criminal sanctions". Canadians have reached that stage. They have seen that other measures have not been adequate to do the job. Canadians demand criminal penalties and they want stronger enforcement. They want to reverse the trends of slack enforcement. Canadians believe that too many mistakes have been made already and that we have to start to undo those mistakes and the damage they have caused. We must set up mechanisms to ensure that those mistakes do not continue to be made. Canadians want action and leadership from the Government. I will not refuse a one-quarter, one-half or one-sixteenth measure, the kind that we have before us in Bill C-74 today.

In conclusion, I want to assure Hon. Members that my Party and I will continue to work very hard for stronger, better and more effective environmental protection so that Canadians will have a truly safe and healthy environment in which to live and work.

Mr. Alan Redway (York East): Mr. Speaker, I am pleased to have the opportunity this morning to say a few words in support of Bill C-74, a Bill which is entitled an Act respecting the protection of the environment and of human life and health. This Bill is commonly known as the Canadian Environmental Protection Act. I am pleased that there is a Bill of this nature before us at long last.

As you will recall, Mr. Speaker, the Government has taken very strong action to put together this legislation. Back in December of last year it issued a draft Bill for discussion purposes. At that time the Minister stated that he would be introducing a specific Bill on this subject in the spring of this year.

• (1150)

I waited patiently, and you may remember, Mr. Speaker, that on June 23 I rose in the House and asked the Minister what was happening to the Bill, since two days before, spring had passed into summer. Well, I am very pleased that here we are in September, not quite into fall but getting close to it, and finally we are dealing with second reading of the Bill. I hope today it will be moved to committee stage in order that it can be in place before much longer has passed.

I listened with interest to the Hon. Member for Broadview—Greenwood (Ms. McDonald) when she referred to the Bill from the point of view of the New Democratic Party. Yesterday I listened to the comments of the Hon. Member for Davenport (Mr. Caccia) from the point of view of the Liberal Party. Quite understandably, as you as and I, and all members of the public can realize, their job is to point out some of their concerns with the legislation. It is quite normal for them to raise areas of concern. Personally, I am looking forward to the opportunity to deal in detail with those areas of concern in committee. Today my purpose is to deal with another aspect of the Bill, so I will not be specifically dealing with all those concerns.

I do wish to comment on one concern raised by the Hon. Member for Broadview—Greenwood. The Hon. Member pointed out concerns about a citizens' environmental bill of rights. She also pointed out that in the whole area of the environment there is a constitutional problem. Unfortunately, in her remarks she did not link the two. She pointed out that there is a constitutional problem, but did not link that with the problem of attempting to put together a Canadian citizens' environmental bill of rights. That is one of the serious difficulties in trying to do that.

The other question raised by the Hon. Member dealt with the rights of citizens to take action to protect the environment, apart from government action or from criminal action. The Criminal Code as you know, Mr. Speaker, is the underpinning of the rights of the federal Government to deal with environmental matters.

I had hoped that the Hon. Member would point out that this legislation does have some provisions in it to deal with that concern, including the right of any 12 persons to petition the Minister to investigate an alleged violation, and that the Minister must respond with his findings. There is also the right to petition the Minister to have a substance included on the priority substance list, and that the Minister must respond with this decision. There is a right of a person to appeal the decision not to regulate a substance as toxic. That appeal must be considered by a board of review.

Although there may not be all of the provisions and the rights for the ordinary citizen that the Hon. Member would wish, there are a good many not included previously that have been included in this legislation by the Minister and the Government.

Yesterday I listened with interest to the Parliamentary Secretary outlining all the benefits and features of this legislation. Of course, that is of great significance. But you, Mr. Speaker, the official critic for the Liberal Party, the official critic for the New Democratic Party, myself, all Canadians, and all Members of the House know that you do not get effective legislation and protection unless there is enforcement. The manner in which environmental protection legislation of any type has been enforced by any government, whether provincial or federal, has been of great concern to Canadians.

In the past there has been a concern that perhaps the regulatory bodies, the enforcement bodies, have been in bed with the polluters. The time has come to make a clear distinction and get on with the proposed Act, and the question of strictly enforcing this legislation in order to ensure that Canadians are truly protected.

In that regard the Minister of the Environment (Mr. McMillan) has unequivocally stated his intention to get tough with those who by design or through carelessness allow dangerous substances to enter the environment. The Minister is aware that reviews of past enforcement practices have been critical; specific criticisms have focused on a lack of national consistency and concentrated effort devoted to enforcement. The Minister has indicated that in the future the Government will be more vigilant about pursuing violations than governments have been in the past, while at the same time continuing efforts to encourage voluntary compliance. Both the aspect of encouraging compliance through education and co-operative efforts, and the vigorous enforcement in the face of violations are important. Environment Canada intends to continue its approach of collaboration with provinces, territories, industries, and environmental groups. But the Department will respond to public concern that the flouting of environmental laws is a serious crime.

At the same time the Minister introduced Bill C-74 for first reading he also introduced a draft enforcement and compliance policy which is in harmony with both the public's concern and the Government's intention as far as enforcement is concerned. The general guiding principles that are the underpinning of that draft policy are quite clear and unambiguous.

First, compliance is mandatory with the Canadian Environmental Protection Act and its regulations. This means that Environment Canada will put in place a planned program of regular inspections complemented by spot checks. The frequency of the inspections will be determined by the risk to the environment or to human health, and by the compliance record of the individual or the company involved.

Second, as set out in this draft enforcement policy, enforcement officials will apply the legislation with an emphasis on prevention of damage to the environment. Serious violations will be subject to the full force of the law to ensure the protection of the environment and human health. Enforcement officials will examine every suspected violation and will take action consistent with the policy. They will use rules, sanctions, and processes securely founded in law and in keeping with the Canadian Charter of Rights and the citizens' code of regulatory fairness. They will respond to the violations in a manner proportionate to the nature and the gravity of the offence.

This will require the development of procedural manuals, expanded training and investigative techniques, and the proper gathering of evidence and legal matters such as rules of evidence and court procedures. In addition, inspection personnel will be augmented to handle the increased responsibilities that will result from the scope of requirements under the Canadian Environmental Protection Act. That is where the extra funding of $37 million announced by the Minister will be used to beef up the inspection and prosecution portion of the Ministry.

Third, the federal Government will use education and information as preventive tools to achieve compliance with the Act. Environment Canada is already planning a more far-reaching information program in order to provide, upon request, copies of the new Act, its regulations and the enforcement and compliance policy. It will also provide bulletins on specific enforcement and compliance procedures, a registry of court actions under the Act, including injunctions, convictions, court orders, copies of case law as precedents are established, and state of the environment reports, fact sheets, et cetera.

• (1200)

Finally, in order to ensure consistency of enforcement across Canada, which is essential under the Charter provisions, the enforcement and compliance policy will be a major feature of the administrative agreements to be negotiated with provincial and territorial Governments. The agreements will spell out procedures for audit and evaluation of enforcement and compliance activities.

Environment Canada and its partners in enforcement, namely, those provinces and territories which elected to sign agreements for administration of the Act, will iron out procedures for auditing of enforcement and compliance activities, because consistency and predictability are keys to fair enforcement practices and to making those enforcement practices stick.

While we want vigorous enforcement, the Government and the Canadian public also want fair enforcement. Under the enforcement compliance policy, when they encounter or are informed of a violation of the Canadian Environmental Protection Act, enforcement officials are required to consider four factors when deciding what enforcement action they should be taking.

The first of these is the nature of the violation, which includes consideration of the seriousness of the harm or potential harm to the environment; the intent of the alleged violator; whether it is a repeated occurrence; and whether there have been attempts to conceal information or otherwise subvert the objectives and requirements of the Act.

The second of these is the question of effectiveness in achieving the desired result with the violator. The "desired result" is compliance with the Act within the shortest possible time and with no further occurrence of violation.

The aspects to be considered here include the alleged violator's history of compliance—does the individual or company have a history of violation of the Act, or does the firm or person normally operate in compliance with the Act—the violator's willingness to co-operate, evidence of corrective action already taken, past experience in achieving compliance through the use of particular enforcement action, and whether other federal, provincial, or territorial authorities have taken administrative or court related action for the same offence.

The third factor is the effectiveness in generally promoting compliance by others, that is, whether the enforcement action taken in this case will serve as an example and deterrent to other potential violators.

The fourth factor is the cost effectiveness of alternative procedures, that is, whether a warning or other enforcement action short of prosecution or injunction will achieve compliance within the same or a shorter period of time and at less cost.

However, cost effectiveness or alternative procedures will be weighed extremely carefully against the nature of the violation and the consideration of achieving compliance within the shortest possible time frame, with no recurrence of the violation. I think that is most important because Canadians expect firm, strong, and unwavering enforcement. They do not want the Government or a regulatory body to fool around or to keep giving violators extensions and time to comply. They want firmness. Although we look at cost effective alternative measures, it is important that we do not use that as an excuse for delaying what the public is looking for—effective enforcement.

Under the Canadian Environmental Protection Act, enforcement officials will have at their disposal several different enforcement measures. I want to comment on three of them—compliance guarantees, prosecution, and special court orders upon conviction for an offence under the Act.

Compliance guarantees are a new approach on which Environment Canada is seeking input from the public and other stakeholders during the consultation period for the enforcement and compliance policy. A compliance guarantee is a written commitment to compliance made by an individual or company which has failed to meet a requirement of the Canadian Environmental Protection Act. The purpose of the guarantee is to ensure compliance and to prevent repetition of the offence. A guarantee will contain technical details of corrective measures which the individual or firm must undertake to attain compliance or ensure continued compliance.

These measures could include such things as putting in place technology to prevent unauthorized releases of substances, and establishing programs. We heard from the Parliamentary Secretary yesterday about one of the effective ways in which some new technology was put in place in her own constituency in order to deal with a problem of this sort.

The compliance guarantee will also contain a condition requiring reports to the Minister on the progress in implementing the required measures.

When deciding whether or not to accept a compliance guarantee, enforcement officials will take into account several factors: First, whether the degree of harm to the environment, human life or health appears to be minimal; second, whether the individual or company has a history of good compliance with the Act; third, whether the individual or company has cooperated fully with enforcement officials; fourth, whether the person or firm has made reasonable efforts to remedy or mitigate the consequences of the offence; and, finally, whether court related action is necessary as a general or as a particular deterrent.

A compliance guarantee will not be a licence to pollute or violate the Canadian Environmental Protection Act. Considerable forethought and evaluation of the case in question will be required before enforcement officials agree to accept a compliance guarantee. It is not intended that compliance guarantees will be renewed or extended. Again, it seems to me that that is very important and very significant, because if Canadians are to feel confident that effective and strong enforcement is taking place, they must feel that there is no waffling around or no extensions. It must not be the kind of situation which we saw recently in the Province of Ontario with pulp and paper companies, where extensions were given which undermined public confidence in the enforcement of environmental protection legislation.

Turning to prosecutions, where a violation of the Act meets the criteria of the enforcement and compliance policy for prosecution or other court related action such as an injunction, enforcement officials will pursue these avenues. The draft policy specifies those instances in which enforcement officials will always recommend prosecution proceedings.

These are where the death of a person occurs; where there is serious harm or risk of harm to the environment, human life, or health; where there is fraud; where the violation is deliberate; where the alleged violator did not take all reasonable measures to avoid the violation before the fact; where the history of compliance of the alleged violator indicates that he or she might repeat the offence; where the alleged violator obstructed the inspector in the carrying out of his or her duties and responsibilities under the Act; where the alleged violator concealed or attempted to conceal evidence or relevant information after the offence occurred; where the alleged violator did not take all reasonable measures to comply with a ministerial order issued under the Act or a direction by an inspector; where the alleged violator interfered with a substance seized and detained by an inspector; where the deterrent effect of prosecution on the alleged violator or other regulatees is high; or where a person or company convicted of an offence under the Act has not complied with a court order.

In all these cases the Canadian Environmental Protection Act stipulates that certain offences are to be prosecuted by summary conviction, and others by way of indictment. In the case of the so-called "hybrid" offences, where prosecution can take place by either means, of course it is up to the Crown prosecutor to decide whether to proceed by summary conviction or by way of indictment.

• (1210)

This Government has ensured that under this Bill the Crown prosecutor must always proceed by indictment where the

alleged violation has led to the death of or to serious harm to a person, where the risk exists or where there is loss of the use of the environment due to a disaster caused by negligent or reckless activity.

Those are a few of the situations concerning some of the enforcement provisions of the Act. I could go on to deal with a great many more but I think as we get into committee on this Bill we will see quite clearly that the Government means business. I for one intend to be monitoring the Government to make sure it does mean business. I am confident that this Bill is the kind of Bill that will help restore the faith of the Canadian people in environmental protection legislation and government enforcement actions.

Having said that, I think we on the government side and all members of the Opposition as well, if they mean business in cleaning up the environment, should get on with passing this legislation as quickly as possible. Having heard the Hon. Member for Broadview—Greenwood, I am sure there will be no delay on the part of the New Democratic Party. I am sure too that my hon. friend who is about to speak for the Liberal Party will tell us that the Liberals want the Bill in committee just as quickly as possible so we can put it into place.

Mr. Orlikow: Mr. Speaker, I have two questions for the Hon. Member. I ask them knowing that the Hon. Member is one of the strongest supporters for cleaning up our environment. It seems to me that there are a number of omissions and deficiencies in the Bill and I would like to ask the Hon. Member for York East (Mr. Redway) about these.

As he knows, there are thousands of workers who may very well be in contact with hazardous chemicals daily. Does the Hon. Member not find it strange that the Bill does not provide for an advisory council on which workers would have representation by law through their unions so that they can be consulted, over the priority list for existing chemicals as reported in the ECA report?

Second, regarding the part of this Bill which provides that consultation must be placed with the provinces before regulations go forward, is this not a step backward from the existing environmental legislation, such as the Clean Air Act, which provides for the federal Government to enact national air emission standards without having to consult with the provinces?

Mr. Redway: Mr. Speaker, I thank the Hon. Member for his questions. As the Hon. Member knows, there is provision in the Bill, and I am dealing now with the Hon. Member's first question, concerning the question of consultation with workers about the right to put particular chemicals on the priority list. As the Hon. Member knows, this legislation allows the Government to establish a priority list. The Government would be placing on the priority list at its own initiative chemicals which it feels are of the greatest concern. After that there will be the right, and there is the right provided in the legislation, for anyone to petition the Minister to have a substance included on the priority substances list. The Minister must respond with his decision.

Although there may not be a consultation process in the same sense that the Hon. Member would normally envisage it by people sitting down and talking about what should be on the list, there is the right in the legislation for any worker or group of workers to put forward a specific substance, having it either put on the list or having the Minister give them the reasons why not.

That to my mind is actually stronger than merely a consultative committee, because the committee may or may not get a response from the Minister—certainly it may or may not get one publicly—and would not have the right to put forward specific substances of this sort under the legislation. The only right would be that of consulting. I think the legislation goes much further than the Hon. Member is suggesting it should go. I am sure he will be happy when he examines this matter closely.

As the Hon. Member is aware, as his critic for environmental matters has pointed out, there are some constitutional difficulties in dealing with problems in the area of the environment. These have become more significant perhaps with the establishment of the Charter of Rights and Freedoms and that sort of legislation. On top of that, the Government has taken the approach of trying to be co-operative and consultative with people, instead of telling them what they are going to do, whether they like it or not—either accept it or lump it. The combination of those factors is at the root of the legislation with which we are dealing here. The Government expects to be co-operative and consult but there are some legal difficulties in not doing that.

There is some residual power in the legislation for the Government to take action if the field has been left vacant. That normally would be an area in which the Government would be taking action but would be consulting with the provinces in the first place, because if there is a constitutional difficulty as to whether this is a federal or provincial matter, it would be much better to have the province agree to put the provision in place and not have to run into court challenges which could tie the matter up and prevent the effective enforcement of the legislation for many years. I know the Hon. Member is interested in effective enforcement and I know he is not interested in seeing all these things dragged through the courts to delay and discourage the effective enforcement of this kind of legislation.

Mr. White: Mr. Speaker, I listened with great interest to the comments of the Hon. Member for York East (Mr. Redway) who is very knowledgeable on the issue. If one checks the record over the past three years, it is obvious that the Hon. Member has been a strong advocate of environmental issues from the beginning. It is also obvious that the control and compliance provisions are extensive and comprehensive and will be of benefit to the life and health of all Canadians.

I have two brief questions to pose to the Hon. Member. First, what financial and human resources does Environment Canada intend to devote to the enforcement of this Act? Second, does he feel that Environment Canada's new attitude about enforcement means the end of the collaborative approach with industry which the Government has had in the past?

Mr. Redway: Mr. Speaker, I thank the Hon. Member for his questions and his kind reference. He may recall that at the time the Minister introduced this Bill for first reading in June of this year he indicated that the Government had agreed to commit some new money for enforcement of this legislation, something in the vicinity of some $37 million, which was not there before. This is in addition to the funds already in the Department of the Environment and in other Departments, which will be called upon to enforce environmental legislation. Some $37 million of new money was committed to beef up the enforcement provisions and allow for the hiring of new inspectors and enforcement officers. That is a very strong commitment to making sure this legislation is strongly enforced.

• (1220)

So far as the consultative process is concerned, certainly it is quite clear the Government intends to continue that process with the provinces and industry. There is no intention whatsoever to ride roughshod over other people. If you can obtain rapid compliance in the first place, that is the best way to do it, rather than getting into long harangues and struggles at constitutional conferences, federal-provincial conferences, or meetings between Ministers. It is much better to consult and try and work out common ground. The Government is committed to that principle and the legislation embodies that principle.

Mr. Orlikow: Mr. Speaker, I recognize the difficulty of the Hon. Member when I asked my question, but I ask him to think about the situation in New Brunswick. It is a poor province which has to try and encourage as much development as it can. Yet it is run almost as a feudal empire by the Irvings. They have continuously flouted, ignored or rejected any attempts by the province, or I suppose the federal Government, to make them live up to any kind of environmental standard. If the provinces are to be consulted, is there not a danger that nothing will be done?

Mr. Redway: Mr. Speaker, as the Hon. Member knows from examining the Act, it provides tremendous penalties for polluting. It provides not only for fines but jail terms of up to life imprisonment. Environmental offences are now being treated for the first time as serious offences.

Mr. Orlikow: I would love to see one of the Irvings in jail.

Mr. Redway: The Hon. Member knows that provisions are in place to take firm and strong action, and I know he will be holding the Government accountable to make sure that is done. I can assure him that I will as well.

[*Translation*]

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, I would also like to add my grain of salt and take part in this debate on Bill C-74. In the first place, I should like to point out that the Opposition welcomes Bill C-74, I would not say joyfully since its scope is limited, but we acknowledge that it is a step in the right direction. I will now reply immediately to the question asked by my colleague from York East (Mr. Redway) upon completing his comments a while ago; he said he hoped the Opposition parties would pass that Bill quickly in the House of Commons and send it to a committee. The reply to this is: yes of course. However, this being said I would like to put things back into their context.

We should not imagine that this Bill is a cure-all that will solve all our environmental problems. On the contrary, considering that it is the first bill dealing with environment which the Government has deigned to table in the House of Commons at the beginning of the fourth year of its term of office, we cannot say in the first place that it is too soon. We have been waiting such a long time for the Government to do something about the environment and nothing had been done till Bill C-74 was tabled. Secondly, the environmental problems faced by Canadians are tremendous. The Bill is very narrow in its enforcement; in fact, to be realistic it only deals with a small part of our problems. Indeed, it will be regulating the new toxic chemicals which could enter the market place. We should not then exaggerate and suggest that it is a great feat.

[*English*]

It is not the big thing that Ministers would like Canadians to believe. It is not the best invention since sliced bread. It is not bad. It is a step in the right direction. I tell my friend from York East, yes, we will vote for the Bill. My God, if we did not, what else would we be voting for in this Parliament in this area? Nothing else has come before the House.

I am going to describe some of the things this Bill does not do and that Canadians would like to see it do. I do not have to spend much time heralding its virtues. They are not too numerous, and besides, my friend from York East has been on his feet doing just that. He focused his remarks on compliance. I heard the words "compliance" and "enforcement" about 20 or 30 times. He is very honest in doing that because that is what the Bill does. It does nothing else.

For example, this Bill is not going to clean up the environment. When he completed his remarks, my friend said something about if opposition Parties are serious about cleaning up the environment. That is the only mistake he made in his speech. He is always very honest, but that was a bit of overkill. This will not remove the blob in the St. Clair River. This will not remove toxic pollution lying at the bottom of the St. Lawrence River which I can look at from my riding. I remember the Minister in Montreal calling the St. Lawrence

River an open sewer. Sure, he made headlines, but this Bill is not going to clean up my St. Lawrence River where I used to swim when I was a kid.

Mr. Riis: Can't now.

Mr. Guilbault (Saint-Jacques): I cannot swim in it now and I will not be able to swim in it after this legislation is passed, or even 10 years after this legislation is passed. Why? Because the legislation is an attempt to stop the use of new toxic chemicals. That is a step in the right direction, I agree, but it does not solve the problem of toxic chemicals presently in our rivers and lakes.

Let us not take this Bill as a cure-all, or as the best thing on earth. I am not even sure this will be carried on the new Tory news network. I jokingly call it the TGNN, or Tory Good News Network. I do not think it is good enough to be heralded on that new network.

Another thing this Bill does not do is provide the superfund which both the Minister and environmentalists across the country have been talking about. We know we need a lot of money to deal with buried toxic chemicals leaking into our rivers after rain storms and so on.

• (1230)

We have been saying time and again that in order to improve our environment we do not need the rhetoric on which the Minister has been extremely strong, what we need is money. That is what he has been short of. I do not know how to say it any more clearly. To clean up our environment we need money, whether you call it funds, dollars, greenbacks, mazuma or millions of coins.

The only concrete action which the Government has taken, aside from this Bill, which is a step in the right direction, has been cuts in environmental budgets. What good is it to bring forth legislation to control toxic chemicals if we are not sure that it will be properly enforced? Will there be enough people to police the polluters? This Bill does not say that more people will come on stream to enforce this legislation.

[*Translation*]

This Bill does not provide either a Charter of rights for the Environment. Still, the Minister had referred to that with much enthusiasm.

In the opening lines of the Bill—if we go through the trouble of looking at it—there is a little prose or rhetoric, but that has nothing to do with a Charter of Rights for the Environment, it would not give Canadians clear legal rights to use them against polluters.

I listened a while ago to the spokesman for the NDP who dealt at length with the matter. On this level alone, we can say that the Minister has not delivered all of his program.

[*English*]

There is not much in this Bill which remotely resembles an environmental bill of rights. There is a bit of rhetoric about it, but there are no teeth and there is nothing precise. I realize that I am being negative, but I am here to point out the failings of this Bill. My friend, the Member for York East, and the Parliamentary Secretary, have been very kind with regard to the Bill. They are trying to lead Canadians to believe that this Bill will solve a lot of things. I say that it will not.

For example, this Bill will not regulate some of the toxic chemicals which are closest to people in every day life, because some of these materials are regulated by other legislation. For example, people use herbicides and pesticides every day on their lawns. People eat additives in their food every day. These things are specifically excluded from this piece of legislation.

This Bill does not consolidate many pieces of environmental legislation as we were led to believe it would. If we had not been led to believe that, I would accept the Bill for what it is, but we were told that this would be an Environmental Protection Act. That is a big title, but that is not the fact.

There are about 24 departments of the Government which somehow administer legislation which has an impact on the environment. There are 57 different environmental laws. We thought that if this Bill were to wear the impressive name of Environmental Protection Act it would streamline everything. It does not. It controls new toxic chemicals, which we support, and merges two existing Acts, the Clean Air Act and the Ocean Dumping Act, with the existing Environmental Contaminants Act. This Bill is not even worth being heralded on the Tory "good news network".

[*Translation*]

Another thing that the Bill fails to do, and I was commenting on it in English, is that this is not really a piece of legislation which protects the global environment. Instead, it is a solution to a future use of new chemicals—perhaps we had to start there—to prevent new chimicals from being discharged in the environment. But, for goodness' sake, when are we going to start doing what must be done, and clean what is already within our environment to prevent us from enjoying it and which is a threat to our health?

And this is the reason why we will not delay passage of this Bill. If we were to do that, well, the Government might not bring in another environment bill before the end of its mandate. There remains virtually a year or a year and a half, and without being nasty, Mr. Speaker, anyone reading the polls must conclude that this Government does not have much time left to honour its commitments and clean up the environment. It might be that after the next election Government Members would not be in a position to deliver the rest of their program.

Finally, the legislation does next address the very important issues like acid rain, because toxic chemicals are present in acid rain. But this legislation will have no impact on acid rain.

On the other hand, the Bill prohibits the export of substances that are prohibited for use in Canada, or rather it does not prevent their export—it would prevent the use of those substances, and that is good. But it would not prevent us from exporting them. Morally, that is a major omission. If those substances are too dangerous to be used in Canada, why allow manufacturers or distributors to export them either to Third World countries or to our neighbours down South, the Americans, to punish them because we are not satisfied with the free trade negotiations? That flaw in the legislations I find amazing, because if those substances are too dangerous and must not be used in Canada, we should also ban their export in my view. If it is not good for us, it is not good for the others either.

[*English*]

I do not want to drag this debate out too long. This Bill has to be passed quickly. In conclusion, let us call a spade a spade. This Bill deals well with a narrow aspect of pollution. Let us vote for it because it does that. However, let us not start pretending that it will clean up the environment, because it will not. In the long run it will control polluters better so that we will have less pollution from toxic chemicals, and that is good.

Let us pass this Bill quickly so that we can be back on our feet in this House pressing the Government for a genuine Environmental Protection Act and for the money which must accompany it in order to start removing some of the pollutants from our environment. That is the reason we will not be dragging our feet with this Bill. We wish it a speedy passage through this House so that we can see what the Government will be bringing in as the second piece of environmental legislation during this term.

• (1240)

Mr. Redway: Mr. Speaker, I appreciate the comments of my hon. friend with respect to this Bill and its speedy passage. I was concerned, however, that he may have left the impression—and I am sure he did not really want to leave that impression—that this was the only action with respect to the environment the Government has taken in the past three years it has been in office. There is no question but that this legislation deals only with one aspect of environmental problems. It deals with the present and future. It does not deal with the clean-up aspect. However, my hon. friend is well aware that there have been other actions taken by the Government in the past three years with respect to the clean-up aspect of environmental problems. I know he would not want the public to be left with the wrong impression.

For instance, I know the Hon. Member would want me to remind him, and the public of Canada, about the program the Government undertook starting in March of 1985, a program to reduce acid rain by 50 per cent of its 1980 levels by 1994. That program included, as you know, Mr. Speaker, a commitment of funds—$150 million for emission controls at smelters, $25 million for technology development, $70 million for a cleaner use of coal, $18 million per year for research and monitoring efforts, and an effort to increase the use of low-sulphur western coal. My hon. friend knows that there are discussions presently going on between the Premier of the Province of Ontario (Mr. Peterson), the Deputy Prime Minister (Mr. Mazankowski), and their representatives, with respect to increasing the immediate use of low-sulphur western coal in the Province of Ontario, particularly for Ontario Hydro, which will generate thousands of jobs in western Canada as well as in eastern Canada and at the same time cut acid rain emissions.

Those are some of the things which have been going on. The Hon. Member knows as well that on September 1 of this year, just a few days ago, new automobile emissions standards were put into effect to reduce acid rain emissions. He knows as well that last spring there was an agreement reached between the federal Government and the Province of Ontario, the Government of the State of New York and the American federal Government with respect to the reduction of pollution and toxic chemicals going into the Niagara River and the monitoring of it. He knows as well that the Government has put in place during its term of office new regulations to restrict and regulate the transportation of dangerous goods by rail.

The Hon. Member is well aware, therefore, as are the Canadian public, that there have been a good many other initiatives taken in the area of the environment and environmental control by this Government. I know he would want to give the Government credit for those things.

Mr. Guilbault (Saint-Jacques): Mr. Speaker, the litany of things listed by the Hon. Member again are not measures which would clean up anything. I am not against, for example, all the measures on acid rain which were started before 1984 by my colleague, the Hon. Member for Davenport (Mr. Caccia), a previous Minister of the Environment. I agree with the figures mentioned by the Hon. Member. I think they square with reality. This will reduce future emissions of acid rain. That is fine. But that is not the point I was making.

The point I was making is that there is nothing in this Bill, and nothing in the measures which have been taken by the Government so far, that clean up the environment. It is good to bring in measures so that there will be less future emissions, but that does not remove the blob in the St. Clair River. It does not solve my problem of not being able to swim in the St. Lawrence River which borders my riding. Canadians want these contaminants in the environment removed and the Government has done absolutely nothing in that respect.

The measures mentioned by my colleague, the Hon. Member for York East (Mr. Redway), are all measures that deal with future contaminants in that they will be better controlled. That is good. I am not saying we should not do that. I think we should do more of it. I think we should increase, for example, our pressure on the Americans, because so far all this Government has been able to accomplish is a recognition by the President of the United States that the problem is there. That is not much. Having regard to one

research project, we have looked at the United States budgets from time to time and have found out and disclosed to this House that some of the funds which were promised were not there.

There is still a lot to be done in that area. There are toxic chemicals buried in the ground at various locations in Canada which seep and leak into our rivers. Something has to be done to either remove these contaminates and bury them somewhere else or to improve the sites where they are buried so they stop seeping into our rivers and lakes. I am not trying to downgrade what has been done. I am just saying this does just a narrow part of the job. Let us call a spade a spade, because that is what it is.

Mrs. Browes: Mr. Speaker, I have listened carefully to the comments of the Hon. Member. I am sorry to hear him being so negative about this very important subject. We have an opportunity now to really do something positive. I am pleased to see that the Hon. Member is willing to pass this legislation quickly, and we look forward to getting it passed quickly. However, just to set the record straight, with the negative aspects referred to by the Hon. Member, let me give Members a few of the positive points.

The Canadian Environmental Protection Act has components such as authority to control the introduction into Canadian commerce of chemical and other substances that are new to Canada, anything that is coming on-stream, and the authority to obtain information and require testing on both new substances and substances already existing in Canadian commerce. We have some 100,000 chemicals in use today. We want to be able to get information on them to the Canadian people and to control it. The Act has provisions allowing control of all aspects of the life cycle of toxic chemicals from the development, through the manufacture, the importation, transportation, distribution, storage and use, the release to the environment as emissions at various stages of the life cycle and their ultimate disposal as waste.

We also have the authority to establish regulations; we have the authority to establish guidelines. Indeed, this Bill is very good news for Canadians. I would think the Hon. Member of the Liberal Party would see this very much as good news legislation. I would like to characterize his comments as the "DNN"—done nothing network, really and truly, as we listen to the Liberal Party speaking about environmental issues and look at that Party's record, which is indeed very dismal. I think we should look at the Liberal Party as the "DNN", done nothing network".

[*Translation*]

Mr. Guilbault (Saint-Jacques): I have no objection to the description the Parliamentary Secretary has given of the Bill. That is in fact what is included in the legislation. And this is why we will support it. However, she should understand that when, after more than three years in power, a government for the first time brings in legislation on environment matters, such a legislation is too narrow in scope. Even if it is good, we cannot be completely satisfied with the Government's performance, and its action on environment matters. Since after three years in power this is their first environment legislation before Parliament, it gives Opposition parties an opportunity to review the whole environment situation in Canada. And this is where the Government's performance is less than brilliant.

I will therefore recognize the merit of this Bill to that extent, and I know the Parliamentary Secretary probably has worked on the drafting of the Bill. If she did, I commend her—she is then worth her salt and the extra pay she is getting as Parliamentary Secretary. But let us not be carried away, let us not blow this Bill out of its true proportions. We will support it for what it is, not for what it should be.

• (1250)

[*English*]

Mr. Gagnon: Mr. Speaker, will the Hon. Member comment on the prohibition of commercial manufacturing and processing uses of dodecachloropentacyclo decane, chlorobiphenyls, polybrominated biphenyls and, of course, the famous polychlorinated terphenyls?

Mr. Guilbault (Saint-Jacques): Mr. Speaker, it is an extremely interesting question. I do not know if my colleague has a degree in chemistry or if he knows the meaning of these words. While I know what BPCs are, I must admit that I do not know some of these other chemicals. When a Bill contains thousands of chemicals, obviously we do not know many of them. Therefore, I cannot do much more than laugh at the question.

[*Translation*]

Mr. Deputy Speaker: Resuming debate. The Hon. Member for Portneuf (Mr. Ferland).

Mr. Marc Ferland (Portneuf): Mr. Speaker, I am very pleased to take part in today's debate on Bill C-74. I was somewhat disappointed by the reaction of the previous speaker, the Hon. Member for Saint-Jacques (Mr. Guilbault), and like him I simply cannot pretend to be an expert on all toxic products. Mr. Speaker, what disappointed me in the remarks of the Hon. Member for Saint-Jacques—he who represents a highly urbanized riding, who, if memory serves me right, has been a Member of Parliament for at least twelve-odd years, if not more, who belonged to a government which way back could have taken preventive measures to curb environmental pollution—is the fact that he now berates this Government and our Minister of the Environment (Mr. McMillan) for failing to introduce Bill C-74 before today, a measure which is the outcome of consultations. Perhaps I might point out something which my colleague from Saint-Jacques would certainly remember: his Party had never been overly enthusiastic about consulting interest groups or the public at large to find out whether the Government should come up with a legislative measure to meet real needs.

A moment ago he referred to the fact that this Bill does not cover all pollutants already in the ground, on river beds, or wherever. Perhaps he should have asked himself this question when he first came to Parliament, and perhaps he should have urged his own government during all those years it was in office to introduce a measure like Bill C-74, not today but 15 or 16 years ago when he first came to this House. We all know how easy it is to criticize the Conservative Government, indeed it has become a habit. But why do they rake the Conservative Government over the coals? Because it dares take action. It is not afraid to consult Canadians on contentious issues, and the environment happens to be one of them.

Mr. Speaker, I rise today to speak to this House about my concern for the potential effects of toxic chemicals on the environment and on present and future generations of Canadians. Unlike my Liberal friends I am concerned about the people who will soon be replacing us. Over the past several years, we have all had numerous opportunities to witness the kinds of mayhem that can result from the use of a wide range of chemical products. Past toxic waste disposal practices were inadequate and have resulted in the release of toxic contaminants to surface and ground waters, threatening the supplies of drinking water for millions of people. We have realized that acid rain can wreak havoc with our lakes and forests and Canada is taking action to minimize these effects. However, we are now just awakening to the prospect that toxic chemicals may also be transported over long distances through the atmosphere and can harm humans, animals and fish.

I believe that the time is right for this government to show leadership in tackling the problem of toxic chemicals management. We need a national approach—one that respects the interests and responsibilities of all levels of government, and all sectors of our society. We must prevent problems rather than react to them. We must learn to live with chemicals from the point that they are created in the laboratory, through their introduction to the market-place and our homes, and to see that adequate disposal practices are followed. It is only through such measures, Mr. Speaker that we can sustain the health of our population and the quality of our environment and, as a consequence, the economic viability of our place in the world market.

The Canadian Environmental Protection Act that we are discussing today, is the result of over 3 years of deliberations with all sectors of Canadian society. I want the Liberal Members to know that we have had consultations. It reflects the concern of this government for the potential effects of toxic chemicals on the environment and on present and future generations of Canadians. This legislation is the result of two consultative exercises than began in 1985. The first initiative began in February 1985 when the Ministers of the Environment and of National Health and Welfare released for public review and comment, proposals for amendments to the Environmental Contaminants Act.

In response to the comments received during this public review period, the Ministers established in June 1985 a Consultative Committee with twelve representatives drawn from business, labour, public interest groups, and federal and provincial governments. It was not a habit of our predecessors to seek the advice of provincial governments. The committee was taken with reviewing the original government proposals and the submissions received during the public comments period, and recommending proposed amendments to the Ministers. The Committee met for the first time in September 1985 and, after a series of meetings and considerable study, submitted a final report to the Ministers on August 29, 1986. In this report, the committee made a series of recommendations to increase the scope of the Environmental Contaminants Act and to strengthen the role of the Federal Government in dealing with the problems of toxic cheminals.

The Second initiative began in September 1985 when a second consultative group started to address the problems associated with the management of all aspects of toxic chemicals in order to minimize risks to human health.

Mr. Speaker, I realize that I will have to continue after the lunch break.

Mr. Deputy Speaker: It being one o'clock, I do now leave the chair until 2 o'clock.

At 1 p.m. the House took recess.

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

WOMEN

SEXUAL ABUSE

Mrs. Lucie Pépin (Outremont): Mr. Speaker, a Manotick physician has been cleared of sexual assault charges concerning a 21-year-old female patient in the emergency ward of his hospital.

Anyone making a study of recent publications on the subject will discover that the veil of silence on this taboo—physicians sexually abusing their female patients—is being raised.

In the case of the patient from Perth, an attempt was made to show that, far from calming her, the Valium prescribed by her physician had been the source of a libidinous perception.

Mr. Speaker, since when is Valium a stimulant, given the fact that evidence gathered over a number of years proves that the depressive conditions of many women can be traced back to this drug?

Allow me to question the soundness of comments on Valium. Even the judge has stated that he still entertains reasonable doubts in his mind.

What more do we need, what kind of evidence must be submitted when we know that the facts which were corroborated are the same as those which are accepted in cases of sexual abuse of children by adults?

So when will justice prevail in cases of sexual abuse against women, and what more de we need to make judges fully aware of this approach?

* * *

[*English*]

HOUSING

PLIGHT OF THE HOMELESS

Mr. Neil Young (Beaches): Mr. Speaker, the Canadian Conference to Observe the International Year of Shelter for the Homeless ended its deliberations in Ottawa yesterday. This conference heard firsthand about the crisis of homelessness here in Canada and, indeed, around the world.

In 1982, when the United Nations designated 1987 as the International Year of Shelter for the Homeless, one of the objectives was to have every country achieve a measure of improvement in the actual living conditions of those who are at the low end of the income scale. Today, there is every indication that in Canada conditions are even worse than they were in 1982.

There is no doubt at all that homelessness and the risk of being homeless are affecting a greater number of Canadians today than at any time since the Great Depression. The crisis crosses all segments of our society and impacts most heavily on women, natives, young people and the poor.

The Government's obligation to this international year did not end when the conference concluded. The problem was known to it before it was highlighted by this conference. What is needed now is action and the political will to ensure that homes for the homeless become a right and not simply a commodity on which a profit can be made.

* * *

NATIONAL DRUG STRATEGY

CALL FOR SUPPORT

Mr. Andrew Witer (Parkdale—High Park): Mr. Speaker, drug abuse is a growing problem in Canada, a problem which affects all segments of society. RCMP drug intelligence reports that the number of major cocaine traffickers is increasing and that the use of potent cocaine derivatives and combinations with other substances is becoming more prevalent, while domestic production of cannabis and chemical drugs is on the rise.

Law enforcement officers have faced a task of tremendous proportions in their efforts to crack down on the drug trade. The National Drug Strategy and, in particular, the new legislation to confiscate the proceeds of crime have at last provided Canadian enforcement officers with the resources and tools to confront and to overcome the growing danger that drug abuse poses to society. New initiatives in public education, treatment and rehabilitation, law enforcement and research, will provide an effective and comprehensive offensive against drug abuse.

I call upon all Canadians and all Members of the House to put aside partisan politics and support the Government in the fight against drugs.

* * *

HOUSING

PLIGHT OF THE HOMELESS

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, a couple of days ago over 500 people converged on Parliament Hill to protest the lack of shelter that 12,000 or more Canadians face every night. In this the International Year of Shelter for the Homeless we must try to come to terms with this national tragedy.

The plight of the homeless and the poor goes to the core of the issue of human dignity and the right to the basics of life. Deprived of acceptable lodging and adequate food, how can the poor feel that they are an integral part of a developed and humanitarian society?

Soup kitchens, churches and charitable organizations have been left with the burden of helping the needy in our society. It is time that all Canadians and, in particular, all Governments, especially the national Government of Canada, help out and take part in ending what has become a national disgrace.

* * *

• (1405)

ENVIRONMENTAL AFFAIRS

SIGNING OF INTERNATIONAL PROTOCOL ON MEASURES TO PROTECT OZONE LAYER

Mr. Lee Clark (Brandon—Souris): Mr. Speaker, I would like to congratulate the Minister of the Environment (Mr. McMillan), and the representatives of 43 other countries who drafted an international agreement yesterday. This agreement will help to preserve the earth's ozone layer, the protective layer of gases which shields the earth from the harmful rays of the sun.

This agreement comes none too soon. Already there are huge holes in the ozone layer over the Arctic and the Antarctic. Without controls on those chemicals which destroy the ozone layer, the problem will begin to move further into countries like Canada. A depletion in the ozone layer could have a devastating impact on agricultural production in this country, changing weather patterns, and turning the Prairies into a vast desert. Other results would be a significant increase in cases of skin cancer and eye disease.

The successful negotiation of this treaty is proof of the continuing role of the United Nations in establishing international environmental agreements. It is also an indication of the growing awareness of most, if not all Governments that the environment must be preserved in order that future generations will be able to enjoy a healthy environment on this planet, an environment which all too often we take for granted.

* * *

HEALTH

USE OF ESTROGEN HORMONE

Ms. Margaret Mitchell (Vancouver East): Mr. Speaker, one of the most misunderstood women's health issues is menopause, and the aging process which brings fears of osteoporosis. This week at two separate health conferences the use of the female hormone estrogen for treatment of women was raised.

The Osteoporosis Society of Canada claims that estrogen is a safe and effective way for selected women to prevent the debilitating bone disease osteoporosis. At another conference a radically different message was delivered that women can safely thwart the natural aging process by using estrogen treatment. This message presumes that menopause is the end of health, vigour, attractiveness, and libido, and that women should seek to remain adolescent beauties all their lives.

I applaud Dr. Joan Harrison who said, "I think staying young is an attitude of mind, and keeping fit and alive and active and interested in life is far more important than any agent".

Let us have more research into the opportunities to age healthfully and gracefully, and less poppycock based on sexist stereotypes of female beauty.

* * *

ADMINISTRATION OF JUSTICE

CRIMINAL JUSTICE SYSTEM—EXTENSIVE REFORM ADVOCATED

Mr. Gerry St. Germain (Mission—Port Moody): Mr. Speaker, once again the cries are being heard clear across Canada for extensive reform of the criminal justice system in our country. These cries for reform are well founded and deserving of serious attention from all Members of the House.

A report recently released by the National Parole Board indicates that in the last 12 years 130 killings have been committed by prisoners who were on parole or who were under mandatory supervision. In a recent and absolutely appalling incident the Parole Board issued an individual, serving a 10-year sentence, a one-day parole pass in order that he could celebrate a special personal occasion. On the same day of his release this individual appears to have committed murder, and two additional serious crimes.

How many lives must be taken, and how many more families must be destroyed before we, as the lawmakers of the country, take concrete action to reform this shamefully ineffective collection of pacifist nonsense we call our justice system?

In Medicine Hat, Alberta, a family is suffering because of our inept system and our failure to deal with the premeditated repeat murderers. I for one will continue to fight for the reinstatement of capital punishment and a proper justice system.

* * *

ABORIGINAL RIGHTS

MIGRATORY BIRDS CONVENTION ACT—EFFECT OF ENFORCEMENT

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, aboriginal rights to hunt, fish, trap and gather were confirmed by the Royal Proclamation of 1763 which is now part of the Constitution, and guaranteed in the treaties signed with Indian First Nations. Those treaties are also recognized and affirmed in the Constitution.

Over the years these rights have been eroded by certain laws, including the Migratory Birds Convention Act, a convention between Canada and the United States.

In a judgment given on May 13, 1987, in the provincial court at The Pas, Manitoba, Judge William R. Martin stated:

> In my opinion the Migratory Birds Convention Act cannot be used to extinguish the Indian's right to hunt migratory birds for food at all seasons. To the extent that the Migratory Birds Convention Act is inconsistent with the Constitution—it has no force and effect.

• (1410)

Therefore I call upon the Government of Canada to bring to an immediate end the harassment by RCMP officers of Indian persons in the James Bay area of northern Ontario, whose treaty and constitutional rights are being denied through enforcement of the Migratory Birds Convention Act.

S. O. 21

COMMUNICATIONS

TELEVISION—EMMY AWARD FOR CANADIAN TECHNOLOGICAL ACHIEVEMENT

Mr. David Daubney (Ottawa West): Mr. Speaker, it is with the greatest pleasure that I rise to inform Hon. Members that last night in New York the Minister of Communications (Miss MacDonald) accepted, on behalf of the Department of Communications, an Emmy Award for technological achievement in television.

This award was for technology that pioneered the use of small low-cost antennae, which provided services to remote communities in the Canadian North.

Today there are 14 North American satellites using this technology all over the continent—in Canada, the United States, and Mexico.

In fact it seems as if everybody is using this technology now. However, nobody would be doing so if a small number of enterprising Canadians had not been willing to accept the risk, the risk that had to be taken, to show the world that this technology could work. It shows what Canadian ingenuity, backed by a far-seeing research program, can accomplish.

I believe that all of us in the House can be justifiably proud of this noteworthy achievement and of the Canadian scientists and officials who made it possible.

* * *

DISARMAMENT

NUCLEAR WEAPONS—POSSIBILITY OF AGREEMENT BETWEEN UNITED STATES AND SOVIET UNION

Ms. Pauline Jewett (New Westminster—Coquitlam): Mr. Speaker, the talks in Washington this week between the Soviets and Americans on an arms agreement eliminating medium and short-range nuclear missiles are very heartening. A treaty may well be worked out by the end of the year.

We are encouraged, too, by Mr. Gorbachev's proposal that a United Nations mechanism be created for monitoring compliance with arms control accords. This is very much in line with Canadian proposals in the past, and we look forward to hearing the Minister's response when he addresses the U.N. next Tuesday.

Lest we get carried away, however, we must remind ourselves that enormous arsenals of strategic nuclear arms remain, arsenals capable of destroying the planet many times over, and growing daily in technological sophistication and offensive capabilities.

When will we see a halt to the growth in such weapons as air and submarine-launched Cruise missiles? When will we see massive reductions in all strategic offensive arms? When will we see the end of SDI?

What is happening in Washington this week is a prelude, an important prelude but still a prelude, to the enormous tasks that lie ahead.

* * *

CANADA POST CORPORATION

FUTURE OF WILNO, ONT., POST OFFICE

Mr. Len Hopkins (Renfrew—Nipissing—Pembroke): Mr. Speaker, the hamlet of Wilno in the County of Renfrew is the oldest community of Polish origin in Canada. The post office is in the general store and Rural Route No. 1, Wilno, originates in that location.

Canada Post wants to take the postmaster off salary and replace this position with a contract which will give the postmaster a commission on the sale of stamps, money orders, et cetera. She will receive about 83 cents an hour on a really heavy day.

The National Camp Grounds of the 400,000 Canadians of Polish origin in Canada, named Kaszuby, is just six miles from Wilno, and people come there from all over Canada.

Both the community of Wilno and the Canadian Polish Congress of Canada want the post office retained as is, with Rural Route No. 1, Wilno, kept intact.

The people of Wilno have asked me to tell the Prime Minister of Canada (Mr. Mulroney) that they are insulted and angry at his Conservative Government's action.

In a letter to the Chairman of Canada Post Corporation, the President of the Canadian Polish Congress states:

> The closing down of the Wilno community post office would be interpreted as an insult not only to the people of that community, but to all Canadians of Polish descent.

In the name of Canadian history, and in the name of Canadian heritage, I call upon the Prime Minister to call off the wolves and leave the Wilno post office alone.

* * *

[*Translation*]

ENVIRONMENTAL AFFAIRS

ACCORD ON REDUCTION OF CHEMICAL PRODUCTS DESTROYING OZONE SHIELD IN STRATOSPHERE

Mr. Marc Ferland (Portneuf): Yesterday, Mr. Speaker, more than 50 countries signed a treaty aimed at reducing by half the chemical products which destroy the ozone layer in the stratosphere. "For the first time in history we now have a global treaty under which the nations of the world have decided to take very specific measures to reduce the production of a product harmful to the environment." This statement was

made by Mr. Winfried Lang who chaired the September 8-to-16 conference held in Montreal under the aegis of the United Nations Environment Program. According to the Minister of the Environment (Mr. McMillan): "The treaty shows that countries can indeed afford to forget about their diverging views in their quest for a common goal—the preservation of life on earth".

Last April the World Commission on Environment and Development released a report linking international economic and environmental needs.

We have just been witness to the seriousness with which Canada and other countries take this link.

We must commend the Minister of the Environment and all others who worked hard towards the signature of this important treaty which is the kind of tool we need to protect our planet.

* * *

• (1415)

[*English*]

APARTHEID

SOUTH AFRICA—CALL FOR INCREASED PRESSURE

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, on September 12, 1977, Stephen Biko, the heroic advocate of black independence in South Africa, died of savage injuries sustained while in police custody. Ten years later little has changed.

This week in the South African Parliament two proposals are being debated. One offers blacks throughout the country the opportunity to elect their own representatives to a National Advisory Council, and the other is a report on changes to the Group Areas Act which is the basis of residential segregation. The first has been rejected by black leaders. The second appears to be a token gesture.

Black leaders such as Oliver Tambo, Alan Boesak and Thabo Mbeki have repeatedly called for comprehensive and mandatory sanctions and a break in diplomatic ties, although this might mean isolation.

Now is the time to step up the pressure on South Africa before it is too late.

* * *

THE ECONOMY

GROWTH IN 1984-1987 PERIOD

Mr. John Reimer (Kitchener): Mr. Speaker, today marks the third anniversary of the swearing in of the Mulroney administration. The quantity and significance of the legislation introduced and passed by this Government is without parallel in the history of Canadian federal politics.

The employment and economic record since September, 1984, is nothing short of remarkable. Nine hundred and seven thousand new jobs have been created; 88 per cent of these new jobs are full-time. There were more newspaper pages devoted to help-wanted ads in July of this year than at any point during the past 25 years. Interest rates have fallen 3 per cent. Five-year mortgages are down 2.75 per cent. Housing starts are up 86 per cent. Consumer spending has increased 32 per cent. Inflation is steady at 4 per cent. The deficit has declined in three consecutive years for the first time in 30 years.

Indeed, our economic growth now exceeds that of all major western industrialized nations. The Government has contributed to this outstanding economic growth by sensible policies on deficit and spending controls, deregulation, and foreign investment. It has also laid the foundation for continued growth by its leadership and vision in pursuing freer trade with the United States, and tax reform.

I admit that we, as a Government, have made some mistakes. However, no one can deny the outstanding record of these past three years.

ORAL QUESTION PERIOD

[*English*]

CANADIAN SECURITY INTELLIGENCE SERVICE

MINISTERIAL RESPONSIBILITY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Prime Minister's approval of the performance of his Solicitor General and that gentleman's predecessor is based upon a dangerous ignorance of the Canadian Security Intelligence Service and a dangerous ignorance of the law. I want to recite the Prime Minister's answer to me yesterday, for the benefit of Your Honour:

> —ministerial responsibility has been adequately and faithfully discharged by the Solicitor General at all times and in all circumstances.
>
> The head of an independent agency decided to submit his resignation and the resignation was accepted.

Those were the Prime Minister's words. The Prime Minister is dead wrong, Mr. Speaker. The Canadian Intelligence Service is not an independent agency like the CBC is. It is directly responsible to a Minister of the Government. Section 6 of the Canadian Security Intelligence Act—and I will be glad to hand it to the Minister of Justice to refresh his limited memory—reads:

> The Director, under the direction of the Minister, has the control and management of the Service and all matters connected therewith.

In other words, there is a direct ministerial responsibility here. Hopefully the Deputy Prime Minister is aware of the ministerial responsibility of the Solicitor General. Will he

confer with the Prime Minister and obtain that gentleman's resignation?

• (1420)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, in reply to the Right Hon.—

An Hon. Member: Whatever.

Mr. Kelleher: —Right Hon. Leader of the Opposition—

Mr. Gormley: For now, anyway.

Mr. Kelleher: —I am certainly not resigned to the problems in CSIS. I have been taking action. Whenever a problem has come to our attention I have acted. I can mention what I did after the matter of the affidavit. Immediately upon learning of it we advised the court. I immediately asked the Inspector General to conduct an investigation. I immediately asked the Osbaldeston team to look at this and recommend a plan of action. I also advised the Security Intelligence Review Committee.

Mr. Speaker: I am very reluctant to interrupt the Minister. While what he is saying is of course important, it does not relate to the question asked.

Mr. McDermid: Let him speak.

Mr. Speaker: The Right Hon. Leader of the Opposition.

MINISTERIAL RESPONSIBILITY

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, the Canadian—

Mr. Gormley: Page two of the speech.

Mr. Turner (Vancouver Quadra): —Security Intelligence Service Act was changed at the instance of the then opposition critic, now Minister of Justice. He caused the Bill to be amended to make the Minister accountable, and I want to recite his words.

Some Hon. Members: Question!

Mr. Turner (Vancouver Quadra): This is found at page 1279 of *Hansard* of February 10, 1984:

> —the agency should be an open book to the Minister. There is absolutely no question that that is how it must be. The Minister must have full political responsibility. Accountability must be absolute.

Mr. Hnatyshyn: Hear, hear! Absolutely.

Mr. Turner (Vancouver Quadra): In accordance with the Minister's eloquence, the Bill was changed and the Minister was made accountable to Parliament.

Once again I ask will the Deputy Prime Minister secure that Minister's resignation, and in particular the resignation of his predecessor for signing that false application to the court?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Minister has been accountable to Parliament. He has been here every day answering the questions the Opposition have been putting forward, and rightly so.

Mr. Nunziata: Why not a judicial inquiry?

Mr. Clark (Yellowknife): Look who is creeping up to the second row!

Mr. Speaker: The Right Hon. Leader of the Opposition has asked a question and the Deputy Prime Minister is in the midst of answering it. That answer is not made any easier by colleagues of the Right Hon. Leader of the Opposition interrupting with comments.

Mr. Mazankowski: Mr. Speaker, I simply want to remind you, Sir, and Members of this House, that the Minister has been accountable to this House. He has taken firm and definitive action. He has accepted responsibility and outlined a course of action. I am not sure what more the Opposition wants. It is now talking about a judicial inquiry. The Minister went as far yesterday as to say he was prepared to appear before a parliamentary committee to deal with this whole matter to its fullest extent. If that is not accountability then the Right Hon. Leader of the Opposition has a different version of it than I have.

[*Translation*]

MINISTERIAL RESPONSIBILITY

Right Hon. John N. Turner (Leader of the Opposition): What we want, Mr. Speaker, is ministerial responsibility on the part of the Minister and his predecessor who threw a public employee to the wolves to save their hide. Now that the Prime Minister himself, ultimately responsible for national security, chairs the Cabinet committee on national security, why is the Prime Minister not aware of ministerial responsibility, and why do the present Solicitor General and especially his predecessor refuse to accept their ministerial responsibility, and why do they not resign as a result of this incident?

• (1425)

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, it is quite obvious that the Right Hon. Leader of the Opposition is not interested in the facts and in getting to the bottom of this issue. All he is interested in is the removal of a Minister. This Minister is not going to resign. He is going to resolve the differences and difficulties which are inherent in the organization.

This organization was put in place in 1984. There was a difficult transitional period within which it had to operate. This Minister and previous Ministers have dealt with that. The Minister is taking action and will continue to take action.

The answers are clear. I am sorry to disappoint the Right Hon. Leader of the Opposition but the resignation of the Minister will certainly not satisfy his requirements if he is interested in getting all the information and facts with regard to this situation.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—POSITION OF CANADIAN GOVERNMENT

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Prime Minister assured this House that the federal position in the fishing talks between Canada and France would be in accordance with the wishes of the fishermen and the provincial Governments of eastern Canada.

I will direct my attention to the Secretary of State for External Affairs. Can he explain to this House why the position of the federal Government, during talks which took place this past weekend in Paris, was not in accordance with the wishes of the fishermen and provincial Governments of eastern Canada? The fishermen do not want northern cod on the bargaining table.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I find it passing strange that a political Party which is now in the process of backing away from the Meech Lake Accord is putting forward in the House of Commons the proposition that the completion of international negotiations in federal jurisdiction is a matter subject to provincial veto. We have involved the Province of Newfoundland and other provinces fully in preparations for these negotiations and in the negotiations themselves.

WITHDRAWAL OF NEWFOUNDLAND FROM TALKS

Mr. George Baker (Gander—Twillingate): Mr. Speaker, the Government of Newfoundland has announced this very hour that it will withdraw from talks between Canada and France because Canada has agreed to discuss, at talks to begin October 6 in Ottawa, giving France more fishing rights than it ever had before.

Why did the Government of Canada renege on a commitment made by the Prime Minister to the fishermen and Governments of eastern Canada? We know what is on the menu for the French on October 6. It is cod *au gratis*.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the Hon. Member's allegation is false. Premier Peckford had asked that he be involved in the negotiations. We involved him in the negotiations. He had asked to be part of the delegation. His representatives were part of the delegation. The Premier of Newfoundland and Labrador has taken a position to withdraw his negotiator from the Canadian delegation.

Some Hon. Members: Why?

Mr. Clark (Yellowhead): That is his decision. We regret it.

We want to make two things clear. First, we would welcome the return of the Newfoundland representative to the Canadian delegation involved in this very important negotiation. Second, the negotiation which we are conducting with France to resolve a question left unresolved as a result of the failures of former Liberal administrations is being conducted with the purpose of serving, protecting, and advancing the interests of the fishermen and the fishing industry of Atlantic Canada, including Newfoundland.

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CANADIAN SECURITY INTELLIGENCE SERVICE

TRADE UNIONS—REVIEW COMMITTEE CHAIRMAN'S COMMENT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I have a question for the Solicitor General. Mr. Ronald Atkey, head of the Security Intelligence Review Committee, has indicated that as soon as he heard of Mr. Marc Boivin's connections with our security services the review office began an inquiry into the matter which has now extended to a number of trade unions in Canada. On Tuesday in the House the Minister said categorically that the security services do not target trade unions.

In light of what Mr. Atkey has said does the Minister stand by what he said in the House on Tuesday? If so, what is Mr. Atkey investigating?

• (1430)

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, the article referred to by the Hon. Member is not new. This is nothing more than what Mr. Atkey said at a press conference following the tabling of his annual report in June of this year. I have already begun to act on that because immediately upon learning of Mr. Boivin's activities I asked the Inspector General to launch an investigation into that matter. That also forms part of the mandate of the Osbaldeston review committee.

What I said with respect to targeting of labour unions, and what I say again, is that under the Act CSIS cannot target labour unions because they are a labour union. It is not within its mandate and it would not do so.

Mr. Broadbent: It is not because they are a labour union that perhaps CSIS has targeted them, but they are a free organization and the people in this country believe non-violent democratic organizations in this country ought to be free and not infiltrated by the security services.

[*Translation*]

QUERY CONCERNING WHO IS RIGHT

Hon. Edward Broadbent (Oshawa): Obviously, Mr. Speaker, Mr. Atkey believes that certain individuals who work for our security service in one capacity or another did infiltrate unions in Canada. Who is right about this issue, the Minister of Mr. Atkey? Which one?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can tell the Hon. Member, as he well knows, that the Canadian Security Intelligence Service Act permits CSIS to investigate anybody who is a security threat to Canada. That is far different from suggesting that it has the right to target labour unions because they are a labour union. I repeat again that they do not and they cannot.

REQUEST FOR AMENDMENT OF ACT

Hon. Edward Broadbent (Oshawa): Mr. Speaker, the Minister has been correct in citing the Act. He will know that the McDonald Royal Commission, all the Attorneys General of the provinces of Canada at the time, the Official Opposition which was his Party at the time, as well as the New Democratic Party said that the Act he just quoted has been defined too broadly because it gives the security services the right—which they should not have—to monitor people who do not believe in or advocate violence in any form.

Considering that this is the case, and that the security services evidently are clearly running amok now, will the Minister agree to accept the recommendation of the McDonald Commission and his own Party's recommendation at the time, and introduce an amendment that will change the Act to restrict the security services only to those kinds of activities that should be monitored in a free society?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, the Hon. Member knows well that there is a five-year review called for under the CSIS Act. Second, the Hon. Member is talking as if the review by Mr. Atkey's committee has already arrived at and finalized its conclusions and that what he is suggesting is in fact true. That is not the case.

The investigation is barely under way. We too are concerned about that. That is why I have asked the Inspector General to carry out a review of Mr. Boivin's conditions of service. That is why I made that part of the mandate of the Osbaldeston committee, to give me a plan of action with respect to counter-subversion activities which I will implement immediately upon receiving the report.

AIR-INDIA CRASH—ADVANCE WARNING QUERY

Mr. John Nunziata (York South—Weston): Mr. Speaker, yesterday the Solicitor General was asked about advance knowledge which government officials may have had with regard to the Air- India tragedy two years ago. Yesterday the Solicitor General refused to answer, suggesting that because the matter was *sub judice* he would not be able to answer questions in the House of Commons.

He knows that in a civil matter the *sub judice* rule only applies when the matter is at trial. Therefore, he ought to be answering questions in this regard.

I want to ask the question again. Did the RCMP or Canadian Security Intelligence Service have any advance warning with regard to the Air-India tragedy?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, the Hon. Member's legal opinion is obviously at variance with the opinion I have received from the Department of Justice. Frankly, I am prepared to accept the latter over the Hon. Member's. For that reason I cannot get into the facts. However, I can quote the Hon. Deputy Prime Minister, former Minister of Transport, from *Hansard* on June 25, 1985, when he said:

> Mr. Speaker, from to time there were requests for additional security by Air-India authorities. There were extra RCMP deployed both at Toronto and at Mirabel, as there has been for some time. I should point out to the House that there was no indication that there was a specific threat to Flight 182 and, as a result, the extraordinary precautionary measures were not put in place.

Mr. Nunziata: Mr. Speaker, on the question of whether or not the matter is *sub judice*, Beauchesne says at page 118—

Mr. Speaker: Order. The Chair is aware of what Beauchesne says. This is not the time to argue it. The Hon. Member will put his question and I will hear the reply that is forthcoming from the Minister.

Mr. Nunziata: Perhaps I could rise on a point of order later.

ACTIVITIES OF UNION INFORMER

Mr. John Nunziata (York South—Weston): Mr. Speaker, I will ask another question of the Solicitor General with regard to Mr. Boivin. Mr. Boivin, who was a paid informer of the Security Intelligence Service of Canada, has pleaded guilty to four charges of conspiracy to bomb motels in Chicoutimi, Ste. Foy, Drummondville and Montreal, and two charges of conspiracy to cause explosions in hotels in Chicoutimi and Ste. Foy. All the while he was a paid informer of the security service of Canada. Was the security service aware of Mr. Boivin's criminal activity at the time?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I have already said to another Hon. Member, immediately upon learning of Mr. Boivin's activities I utilized the Inspector General—it was his Party that brought in the Act and set up the office of the Inspector General to do those very things I asked of him—to investigate and report to me. I think the Hon. Member should give the Act and this Solicitor General a chance to operate properly.

FISHERIES

CANADA-FRANCE DISPUTE—CANADIAN GOVERNMENT POSITION

Mr. Jack Harris (St. John's East): Mr. Speaker, last Thursday the Secretary of State for External Affairs assured the House that the position of the Government of Canada with respect to the Canada-France negotiations had been discussed with representatives of the industry, fishermen, and the Government in Newfoundland. When the Government went to Paris did it change its position to the detriment of Newfoundland, to cause the Government of Newfoundland to withdraw from those talks?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the position of the Government of Canada did not change. I want to make it very clear that the negotiations are not at all to the detriment of Newfoundland. What would be to the detriment of Newfoundland would be for us to fail to try to resolve this very serious difficulty that has been left with us as a result of the failure of the inadequate earlier negotiations. We are trying to resolve the problem. We are trying to bring security, stability, and growth to the fishing industry and to the lives of fishermen in Newfoundland and elsewhere in Atlantic Canada.

REQUEST FOR HALT TO NEGOTIATIONS

Mr. Jack Harris (St. John's East): Mr. Speaker, since the Newfoundland Government has withdrawn its team from the negotiations because of the position taken by the Government of Canada, will the Minister not call off the negotiations until it comes up with a position that is acceptable to the people and the Government of Newfoundland?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the New Democratic Party has made its position known on a range of international obligations. They want to run away from NATO, they want to run away from the trade negotiations, they want to run away from fisheries negotiations. The only cause they are prepared to espouse is the cause of violence, such as was put forward by their former spokesperson for international affairs earlier.

• (1440)

REQUEST FOR COMMON STRATEGY

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is directed to the Secretary of State. May I say there has never been a more shameful attempt to run away from a legitimate question. The question here is the Prime Minister's word and its worth. Every Member heard the Prime Minister apologize to the Government and to the people of Newfoundland for having signed a deal with France behind Newfoundland's back. Every Member heard the Prime Minister say that in future no deal shall be reached until the people and the Government of Newfoundland agree with the contents of that deal.

We now have at least one of the Atlantic Governments walking away from the table. The question then becomes what is the worth of the Prime Minister's word? Will these talks be suspended until the Canadian negotiating team, that is, the federal Government and all of the provinces involved, can get their act together and agree upon a common strategy at the negotiating table?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the quite extraordinary position being put forward, I presume on behalf of the Liberal Party, is that every province should have a veto over every international negotiation in which the Government of Canada participates. That is not the undertaking which was given by the Government of Canada. The undertaken given by the Government of Canada was that we were going to involve fully the industry, the fishermen, and the provinces affected. We have involved fully the industry, the fishermen, and the provinces affected.

The Premier of Newfoundland had been consulted, has been involved, had sent representatives to the negotiations in France. We regret he has taken the decision. We hope he will understand that we would welcome him and his representatives to come back into the negotiations.

We are negotiating to try to bring benefit to the fishermen of Atlantic Canada, the fishermen of Newfoundland, the fishermen of Canada. Those negotiations are continuing. If it appears we are not able through those negotiations to help and advance the interests of the fishermen of Newfoundland, naturally there will be no conclusion to those negotiations, but we are trying to get a good deal for Canada.

REQUEST THAT CANADA-FRANCE MEETINGS BE ENDED

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, the extraordinary position being put forward by the Liberal Party—extraordinary given the history of this place—is that the people of Canada should be able to expect that when the Prime Minister gives his word he will keep it.

The Prime Minister, the Minister of Fisheries, and the Minister of Transport, Newfoundland's Cabinet representative, have all said that northern cod is not on the table and no deal shall be signed without the consent of the Government and people of Newfoundland. That is now not possible without Newfoundland at the table.

Will the Government immediately put an end to the scheduled meetings next month between Canada and France, convene a meeting of all of the players involved, that is, the Government of Canada and the Atlantic Provinces, and see whether or not a common strategy can be found? If a common strategy cannot be found, will the Secretary of State for External Affairs ensure that his Prime Minister keeps his word, solemnly given, I presume, in this House to the people and Government of Newfoundland?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have just read the statement by the

Premier of Newfoundland and Labrador. The position being taken by the Hon. Member is considerably more extreme than the position put forward by the Premier of Newfoundland and Labrador. The reason for that is evident. The Premier of Newfoundland and Labrador is interested in protecting the legitimate interests of the fishermen of Newfoundland and Labrador. The Hon. Member is interested only in hurling accusations across the floor of this House.

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CANADIAN SECURITY INTELLIGENCE SERVICE

INDIAN CABINET MINISTER—KNOWLEDGE OF PRESENCE IN CANADA

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, on May 26 of last year, after a visiting Punjabi cabinet Minister was shot and seriously wounded in British Columbia, two Ministers of the Crown rose in this House and said no security protection was provided because his presence in the country was not known.

Today I provided to the Minister a transcript of wiretaps showing that CSIS clearly knew at least a week beforehand that the Minister was in Canada. Given this confirmation in the transcript of dangerous CSIS bungling that led to serious injury, will the Minister now finally fire those agents responsible and order a full parliamentary Inquiry into this very serious matter?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, it is true that the Hon. Member was kind enough to deliver some transcripts of something to me at about 2.15 p.m., and for this I thank him. I will certainly have these reviewed by my officials to ascertain what they contain and the accuracy of them. But let me state that immediately following the shooting incident, the then Solicitor General immediately asked the Inspector General to conduct an investigation, as he is mandated to do. I received that report and immediately implemented the recommendations contained therein to improve the system.

REQUEST FOR PARLIAMENTARY INQUIRY

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, it is shocking that this Minister is now admitting that the first time he even bothered to look at the transcripts of the wiretaps of these conversations was when I presented them to him. That is shameful. That is absolutely shameful.

Some Hon. Members: Oh, oh!

Mr. Clark (Yellowhead): That is not what he said. Tell the truth.

Mr. Speaker: The Member will put his question.

Mr. Robinson: Thank you, Mr. Speaker. In view of the fact that these transcripts have been available to the Minister for several months now, and in view of the very serious nature of this allegation, the fact that Ministers of the Crown stood in their place in the House and denied that the Government knew what was going on, how much more will it take before this Minister accepts his responsibility and recognizes there must be a full parliamentary inquiry? If he does not, why on earth does he not do the honourable thing and resign, because he is utterly incompetent?

Hon. James Kelleher (Solicitor General of Canada): In the first instance, with respect to the Member's preamble, Mr. Speaker, that is not what I said. What I said was I have not as yet had an opportunity to review the documents, myself or my officials, which were delivered to me at 2.15.

Mr. Riis: Take your time, Jim.

Mr. Broadbent: Take a few more months.

Mr. Kelleher: If anyone is shocked and dismayed, it is this Minister, at the Hon. Member who may very well be jeopardizing the investigation into this heinous crime which we are presently carrying out.

Some Hon. Members: Oh, oh!

Mr. Broadbent: Come on!

* * *

ADMINISTRATION OF JUSTICE

CONVICTED MURDERERS—REQUEST FOR REMOVAL OF PAROLE

Mr. Jim Jepson (London East): Mr. Speaker, my question is directed to the Minister of Justice. Last evening many Canadians watched on television the discovery of yet another Canadian who was brutally murdered, dismembered, and dumped along highway 417 near Ottawa. We read in the newspapers and see on television virtually daily occurrences of such savage murders in our country. It is imperative that a life sentence mean that.

In light of this ongoing travesty, would the Minister consider removing parole for any individual who commits a premeditated first-degree murder?

Hon. Ray Hnatyshyn (Minister of Justice and Attorney General of Canada): Mr. Speaker, I think we all in the House share a sense of horror and disgust with respect to these brutal acts that take place in our society. We as legislators have an opportunity to improve our judicial and justice system. Indeed, the Hon. Member will know, as a leading member of the Standing Committee on Justice and Solicitor General, that we have in fact launched into a very thorough and intensive examination with respect to the whole question of sentencing.

The committee itself, of its own volition and initiative, is in fact looking at the whole question of parole. We have the Archambault Sentencing Commission which is now the subject of intensive discussion not only with Members of Parliament but with my provincial counterparts. I can assure the Hon. Member of the commitment of this Government to move forward as quickly as possible in areas of improving our system of justice and I thank him for his great interest in this area.

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CANADIAN SECURITY INTELLIGENCE SERVICE

DIRECTOR'S RESIGNATION

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Solicitor General. I want to ask the Minister about the resignation of Ted Finn, who was a Deputy Minister. The Solicitor General is asking the House to accept the resignation of the Deputy Minister as parliamentary accountability for the problems in the Security Intelligence Service. If the Minister is asking us to do that, at the very least I think he ought to have come clean with the House and told us all the reasons why the resignation was offered and all the reasons why the resignation was accepted.

I would like to ask him about that. What were the reasons for Ted Finn offering his resignation to the Government?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I have said on many occasions, Mr. Finn submitted his resignation and it was accepted.

REASONS FOR RESIGNATION

Hon. Bob Kaplan (York Centre): Mr. Speaker, that is not the kind of accountability the Prime Minister wants, or offered to the House in explanation or accountability for all the things that have gone wrong within the Security Intelligence Service. What were the reasons the resignation was given? Surely we are entitled to them. At least we are entitled to know in particular if the resignation of Ted Finn was solicited by the Government, by the Minister, or by anyone on his behalf.

Mr. Rossi: Who are you covering up for?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, again I will repeat what I originally said and have been saying all along. Mr. Finn submitted his resignation and it was accepted.

Mr. Nunziata: Why?

• (1450)

EXTERNAL AFFAIRS

NICARAGUA—FUNDING OF CONTRA FORCES BY UNITED STATES

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, my question is for the Secretary of State for External Affairs. The Mission for Peace has just returned from Nicaragua where we found that the Government and the people are very committed to the peace process. They very much fear that a resumption of Contra funding will not only continue to devastate the countryside but will destroy the peace process itself.

When the Minister speaks to the General Assembly of the United Nations next Tuesday will he not only condemn in general terms all foreign interference and military support in Central America but will he make explicit Canadian opposition to further funding of the Contras by the United States of America?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, that question has been asked and answered before. Our position has not changed.

While I am on my feet I would like to commend the initiative taken by the Hon. Member, his colleague from Winnipeg—Fort Garry, and others, in visiting Nicaragua and holding those kinds of conversations. If there is particular information that they think would be useful to convey to me, I would be most appreciative of receiving it.

Some Hon. Members: Hear, hear!

MINISTER'S POSITION

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, we will be glad to speak with the Minister personally.

We visited a co-operative farm and we saw burned buildings and destroyed equipment. This is the result of a Contra war against development. Does the Minister not recognize that continued funding of the Contras is a major act of bad faith? Why, then, will he not speak out loudly and clearly now when Canada's voice can make a real difference to the peace process?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, just so that we are absolutely clear, I think that there are some things that Canada can do to make a real contribution to the peace process. That is why I sent representatives down immediately after the plan was accepted by the five Central American Presidents. That is why I genuinely welcome the active initiative that was taken by the Hon. Member, his colleague and others. That is why I am trying to do whatever will turn out to be practical. That involves making clear our view that the presence of foreign powers in that conflict and in that region is not helpful.

I do not believe that what the Hon. Member proposes we do would be constructive, helpful, or have an effect. Consequently, I want to maintain our capacity to look at and to pursue those avenues which will have an effect.

* * *

HARBOURS AND PORTS

DREDGING OF PICTOU HARBOUR, N. S.

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, in the absence of the Minister of Fisheries and Oceans I direct my question to the Deputy Prime Minister. It concerns the dredging of Pictou Harbour in Pictou County, Nova Scotia.

The Deputy Prime Minister should be aware that officials from the Department of Fisheries and Oceans have made very strong and specific recommendations to Environment Canada on the proper and safest ways to dump quantities of PCBs, heavy metal, and other pollutants so as to protect marine life. Can the Minister give a clear assurance to the House that the recommendations of the Department of Fisheries and Oceans will be followed to the letter with regard to protecting the health of Canadians, as well as marine life and tourism in that particular area? Can he give us that assurance?

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, I can indicate to the Hon. Member that the Government of Canada is indeed very sensitive to the situation which the Hon. Member mentions in relation to the possibility of PCB contamination. On previous occasions the Government has taken every step to ensure that PCB contamination was handled with every precaution.

I know that in the constituency of Cardigan, at Georgetown, in the last couple of years the Government has taken extraordinary measures to ensure that PCB contamination is adequately handled. I assure him that the same situation will prevail here.

Some Hon. Members: Hear, hear!

CONTAMINATION HAZARD

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, my supplementary question is for the Deputy Prime Minister. In the briefing book of the Minister of Fisheries and Oceans it states that Environment Canada and the Department of Fisheries and Oceans are under pressure from the local Member of Parliament, the Minister of National Revenue, to ease the requirements for ocean dumping recommended by DFO because of the added cost associated with the stipulations.

I want to ask the Deputy Prime Minister what advice will be followed. Will it be the advice and recommendations of the Department of Fisheries and Oceans with regard to PCB contamination? Or will it be the advice of the Minister of National Revenue? Whose advice will be followed?

Mr. Pat Binns (Parliamentary Secretary to Minister of Fisheries and Oceans): Mr. Speaker, once again I assure the Hon. Member that, first and foremost, the Government of Canada is concerned about the protection of the environment. All measures necessary will be undertaken to ensure that there is no PCB contamination which can be avoided.

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CANADA POST CORPORATION

CANADA LABOUR CODE—APPLICATION DURING STRIKE

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Minister of Labour. It refers to the decision yesterday by the Canada Labour Relations Board that Canada Post forced its workers in the last strike to do work that would normally be done by striking employees. The Canada Labour Relations Board ruled that that was illegal and went against the Canada Labour Code.

Further to that, I have a Canada Post document in which it states that among the problems with that strike was intimidation used to provoke employees to obey instructions, often against their own better judgment or personal fears. It also states that intimidation often consisted of threat of dismissal, reprimands, or damage to the Canada Post careers of these people.

In that Canada Post is obviously breaking the law of the land will the Minister of Labour personally intervene to ensure that the law is obeyed?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I will definitely look into the situation and act according to the law, if the law is not being followed.

OBSERVANCE OF LAW

Mr. Rod Murphy (Churchill): Mr. Speaker, my supplementary question is this. Since this is a Canada Post document, since it admits that this is happening and that there has been a Canada Labour Relations Board decision on this matter, will the Minister ensure that if postal negotiations break down—and there could be another strike next week—the Post Office will not be allowed to break the law of the land again?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I do not think that any side is entitled to disobey the law of the land. I will look into the situation referred to by my hon. colleague and see what has to be done, if anything.

EXTERNAL AFFAIRS

SOUTH AFRICA—SECURITY OF NEIGHBOURING STATES

Mr. Roland de Corneille (Eglinton—Lawrence): Mr. Speaker, my question is for the Secretary of State for External Affairs. In recent years in the face of carnage, chaos, and destruction, Canadian development aid to Mozambique has been totally inadequate. Much of the little we have sent has been destroyed by South African-backed rebels. Last week our High Commissioner in London suggested that Canada was considering sending boots and other non-lethal military aid to help the front-line states resist South African aggression.

Does the Minister share the views expressed by the Secretary General of the Commonwealth, Mr. Ramphal, who stated that Canada and other Commonwealth countries "will have to provide more than army boots if they are serious about meeting the security needs" of these front-line states?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, evidently, I share the view expressed by the Secretary General. The Secretary General understands, as does the House, I think, that there has been in Canada for some time a reluctance to become involved in what is traditionally called military aid. We do have the MTAP program that has very limited application. I do not think there would be much support in Canada for going beyond that kind of program, just as I do not think that there would be much support in Canada for the Government of Canada endorsing, as the New Democratic Party has, the resort to violence.

I do make the case, as I have to the Secretary General, and I want to assure the House, that we are looking with other Commonwealth countries, including countries such as Britain which has a different policy with respect to military aid, at ways in which we can work together to bring stability and certainty, particularly to transportation corridors, in Mozambique. Obviously that would have a very real impact on the economic viability of the other front-line states.

• (1500)

MOZAMBIQUE—SUGGESTED STATIONING OF PEACEKEEPING FORCES

Mr. Roland de Corneille (Eglinton—Lawrence): As the Minister has stated, Mozambique requires more than good words, it requires economic stability and secure borders.

Will the Minister undertake to get the Commonwealth to support the stationing of Commonwealth or United Nations peacekeeping forces in Mozambique to prevent further South African incursions and raids, and block South African weapons and supplies from reaching the roving bands of terrorist rebels operating within Mozambique? This move would help to derail South Africa's plan to destabilize the front-line states.

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, regrettably it is not that easy. There are troops of Commonwealth countries operating, providing training, and located in Mozambique. We are seriously looking at practical actions that the Commonwealth Countries can take together that may contribute significantly to stability in the front-line states, and in particular may provide some guarantees with regard to the security of one or more transportation corridors through Mozambique.

I cannot yet indicate to the House whether there is a reasonable prospect of us being able to reach agreement on that type of package from the heads of government meeting in the Commonwealth. That is what the Prime Minister is looking for, and that is what we are attempting to achieve.

* * *

RAILWAYS

SASKATOON RAILWAY CROSSING ACCIDENT

Mr. Don Ravis (Saskatoon East): Mr. Speaker, my question is directed to the Parliamentary Secretary to the Minister of Transport.

As the Hon. Member is aware, last week in Saskatoon there was a senseless and fatal accident involving a vehicle and train collision which occurred due to the lack of a mechanical traffic barrier.

Considering the fact that there were 525 rail related accidents in 1986, can the Parliamentary Secretary explain to the House what steps have been taken by the Department of Transport, and the Canadian Transport Commission, to avoid the recurrence of such an accident, in particular at this crossing in Saskatoon?

Mr. Blaine A. Thacker (Parliamentary Secretary to Minister of Transport): Mr. Speaker, I know that all Members regret the tragic death of Mr. Carriere at this crossing in Saskatoon. There are hundreds of railway highway crossings in Canada; each one is potentially dangerous. As a result, Parliament has set aside a fund of money, administered by the CTC, and it can direct or order the installation of flashing lights, barriers, overpasses, or underpasses, depending on the criteria.

I know that as a result of the accident and the intervention of the Member, the CTC is looking at this crossing. That could lead to a change from a flashing light to a barrier, or some other technical advance which I hope will improve the crossing.

Mr. Speaker: This will be the last question. The Hon. Member for Beaches.

HOUSING

FAMILIES WITHOUT ADEQUATE HOUSING

Mr. Neil Young (Beaches): Mr. Speaker, in the absence of the Minister of National Health and Welfare, my question is addressed to the Minister of Supply and Services.

The Minister will be aware that yesterday in Ottawa the international conference on the UN resolution on the homeless ended. The Minister will also be aware that the Government itself has advised that approximately 750,000 Canadian families suffer from either inadequate housing, or a total lack of housing.

Will the Minister advise the House and Canadians what the Government intends to do in order to provide the type of measures which will alleviate the crisis facing those 750,000 Canadian families?

[*Translation*]

Mrs. Monique Tardif (Parliamentary Secretary to Minister of National Health and Welfare): Mr. Speaker, the Conservative Government did not wait for this conference to be held in Ottawa before looking after destitute Canadians. All the Hon. Member need do is review what has been announced to help these many people.

As to the conference which has just ended in Ottawa, Mr. Speaker, it was supported not only by the federal Government but also by spokesmen for Canadian society as well as Department of National Health and Welfare representatives, and we are looking forward to receiving the report of conference delegates.

[*English*]

GOVERNMENT POSITION

Mr. Neil Young (Beaches): The Government is aware that it has done virtually nothing to alleviate this crisis in housing. I wish to ask the simple, clear question, does the Government fully expect Canadians to accept that throwing a couple of thousand bucks to organize a conference on the homeless in this country is the end of the Government's obligation? It should be ashamed of itself.

[*Translation*]

Mrs. Monique Tardif (Parliamentary Secretary to Minister of National Health and Welfare): If I may say so, Mr. Speaker, the preamble of the question is totally unfair. The Conservative Governnent did not wait for this conference before taking action. Through the Canada Mortgage and Housing Corporation, the Government has already made a commitment to make as much money as possible available to help the most destitute. That is what we did, that is what we will continue to do, and the conference itself cannot be construed as a guideline for Government policy.

BUSINESS OF THE HOUSE

WEEKLY STATEMENT

Mr. Jacques Guilbault (Saint-Jacques): Mr. Speaker, this being Thursday I should like to ask the Government the traditional question, to wit: What House business has the Government in mind for the coming week?

[*English*]

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, tomorrow we will call Bill C-68, known as the Bretton Woods Agreements, which has returned from committee. There is some suggestion that that will move very quickly and it can go off to the other place.

We will then begin the report stage on Bill C-55. On Monday, we will continue with Bill C-55 at report and third reading stage until it is completed.

On Monday, I will be meeting with the other House Leaders to discuss future business, and make some arrangements for an orderly debate on the constitutional resolution.

* * *

POINT OF ORDER

ROYAL VISIT—ATTENDANCE AT STATE DINNER

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I rise on a point of order. My question is directed to the Deputy Prime Minister (Mr. Mazankowski). On October 10, Canada will honour Her Majesty's visit to Canada with a state dinner on the West Coast. A state dinner is a non-partisan gathering. It is an occasion to provide an opportunity for people from various regions of the country who represent various groups in our society to participate in such an event.

Will the Deputy Prime Minister indicate what steps are being taken to ensure that equal distribution will be pursued, and that this occasion does not become a Social Credit Party event on the West Coast of Canada?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): In response to the Hon. Member, I wonder if he would feel comfortable at a non-partisan event.

I will certainly take the Hon. Member's comments as a representation. Perhaps I can get back to him.

• (1510)

GOVERNMENT ORDERS

[*Translation*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed consideration of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. Speaker: When the House suspended the sitting at one o'clock the Hon. Member for Portneuf (Mr. Ferland) had the floor.

Mr. Ferland: I was saying before lunch that the second initiative began in September 1985 when a second consultative group started to address the problems associated with the management of all aspects of toxic chemicals in order to minimize risks to human health and the environment while supporting industrial productivity and competiveness. This committee developed a report entitled "From Cradle to Grave: A Management Approach to Chemicals". This report establishes the "life-cycle" concept as the key analytical tool for managing chemicals as they proceed from their creation through research and development efforts, are introduced to the market place, manufactured, transported, distributed, used and, eventually, disposed of.

The draft legislation before us incorporates many of the recommendations contained in these two committee reports. We accept the principle that we must have measures to anticipate and prevent the problems of environmental contamination as well as be prepared to remedy harm when it has been done.

To this end the following provisions of the draft legislation are notable.

A brand new provision has been included to deal with the beginning of the life-cycle of a chemical: a strict regulatory program is proposed that would require industry to notify the federal government when a chemical substance is going to be manufactured in or imported into Canada for the first time. Sufficient information would be provided to clearly identify the chemical and to allow scientists within the Department of the Environment and the Department of National Health and Welfare to carry out a preliminary assessment of the potential of the chemical to create a health or environmental threat. This program would allow Canada to live up to international commitments made at the Organization for Economic Cooperation and Development. The details of this proposed scheme were developed by the consultative committee under the Environmental Contaminants Act and have the support of representatives of both industry and public interest groups and should merit the support of all members of this House.

To complement the proposed measures for "new" chemicals, is a series of measures designed to cope with the problems associated with the thousands of chemicals currently in use in our society. The draft Environmental Protection Act would obligate the Minister of the Environment to develop and publicize a list of chemicals that would be assessed for health and environmental hazards on a priority basis. Any member of the public could make representations to the Minister of the Environment to include specific chemicals on the Priority List and the Minister must reply to each request. This system would provide for strong public input and accountability for the process of selecting chemicals for review. As hazard assessments are completed, they must be made public and all decisions to regulate or not to regulate a chemical will be open to an appeal process. This procedure for selecting and assessing chemicals should maintain public participation and restore the public's confidence that the Federal Government is making a timely and appropriate response to the potential threats posed by the chemicals that have become an integral part of our life in this country.

One of the purposes of the Canadian Environmental Protection Act is to control toxic chemicals in Canada. This draft legislation contains provisions to regulate virtually any of the foreseeable events in the life of a toxic chemical. In addition to the provisions I have already mentioned for controlling the entry of new chemicals to Canada, controls could be placed on the use, manufacture, import, release or disposal of toxic substances.

If toxic substances are imported, manufactured or distributed in contravention of any of the provisions of the Act, a recall, and possibly disposal, of all products containing the substance could be required by the Minister of the Environment. This type of provision is not found in any other current federal legislation and should encourage industry to comply with regulatory provisions of the Act and thus to prevent the contamination of our environment.

Another new provision would give the Federal Government the power to intervene when a spill or release of a toxic chemical is imminent or has occurred. This measure is designed to minimize or, hopefully, prevent damage to the environment that may be caused by the sudden release of large quantities of chemicals that are commonly used at industrial sites. This is another example of the kind of anticipatory measures that are part and parcel of a comprehensive cradle-to-grave approach to managing chemicals.

Mr. Speaker, as we attempt to protect the Canadian environment, we must realize that we are part of an international community. The ongoing international conference on ozone in Montreal is a prime example of the necessity for collective action on some environmental problems. We now recognize that some chemicals have the physical or chemical characteristics that allow them to become distributed about this planet of ours regardless of the original localized area of their use.

Recognizing this need for international cooperation, the draft Environmental Protection Act contains a measure that would require Canadian industry to notify foreign countries if a toxic chemical listed under the Act is to be exported. This practice should ensure that recipients of Canadian exports are aware that we have regulated a chemical and the reasons why we have done so and, thus, can evaluate the need for any measures they may deem necessary. There are many international aspects to controlling the hazards of existing chemicals and an important part of implementing this new Act involves Canadian participation as a leader in such organizations as the World Health Organization, the United Nations Environment Program and the Organization for Enonomic Cooperation and Development.

Mr. Speaker. The current laws for protection of the environment from toxic chemicals were conceived in the social, political and scientific milieu of the late 1960's and early 1970's. We have learned a lot over the past 20 years—a good deal of that from our failure to cope successfully with the insidious and ever-present problems of environmental contamination.

Mr. Speaker, there is no need to recall the lethargy and apathy of our Liberal predecessors, and the complicity of our NDP colleagues, there is no need to recall how these people failed to live up to their responsibilities; aware at the time of the existence of certain very important files, denouncing a wide variety of chemical products, that Liberal government propped up by the New Democrats never did anything to curb this scourge. The people of Canada are demanding a stronger and more effective approach to prevent the contamination of our environment by the chemicals we have collectively chosen to live with in our society.

We have employed a novel approach over the last three years, involving representatives of the various sectors of our society in the development of the Canadian Environmental Protection Act. While this Act deals with other threats to the environment, those portions relating to toxic chemicals assessment and control are, I believe, comprehensive, forward looking, and with the support of the members of this House, should be implemented in a timely fashion. These measures should help us progress to the twenty-first century in such a manner that we can assert to our children that we have not misused their inheritance, Mr. Speaker, and not the kind of inheritance which you and I and the whole Government were left with when we came here in September 1984, faced as we were with the consequences of the outright apathy of the previous administration which had never had the gumption to get a handle on such serious issues as that of the environment.

Mr. Speaker, this morning I heard Opposition Members say that this Government has not done anything. In the course of my remarks I indicated that we began to deal with environmental problems as early as in February 1985. With respect to acid rain our Government signed agreements with the seven provinces which were the worst offenders in terms of acid pollutant emissions. We did manage to conclude an agreement with the Government of Quebec, something which our predecessors had always deemed unthinkable, unworkable. Well, this Government and this Minister did manage to negotiate an agreement under which it will be possible to reduce acid fallout by 50 per cent in Quebec. That is the kind of constructive measures we took.

I realize that my time is very limited, but still I would like to highlight the efforts of this Government to enhance the environment. We have now been in office for three years, and I believe we have created the highest number of parks in this country, more than ever before in the last hundred years, if I am not mistaken. Recent announcements were made concerning South Moresby Park in British Columbia, Ellesmere in the Northwest Territories, Bruce in Ontario. More projects are on the negotiation table and the Minister is committed to develop marine parks. All these initiatives to protect the environment reflect the commitment which our Government, our Minister and our Prime Minister have always advocated to show that we as a Government, as Members of the Progressive Conservative Party, are intent on leaving as a legacy for our children an environment which will be in better condition than what we found on September 4, 1984 when the people gave us a very specific mandate: first, to try to set the Canadian economy on an even keel and, second, to try to repair the damage which had been done to the environment.

• (1520)

[*English*]

Ms. McLaughlin: Mr. Speaker, I appreciate the comments of the Hon. Member. I agree it is a good first step in this very complicated subject of toxins which change frequently with new technology. It is an area with which we have to keep up. I certainly laud the sentiments and the commitments which the Hon. Member sees as reflected in the Bill.

Could he comment on the enforcement aspects? We have seen many attempts made with good intentions, but it is very difficult unless things are well enforced.

[*Translation*]

Mr. Ferland: Mr. Speaker, about the same question was asked to one of my colleagues this morning. The Minister has stated that it is not enough to introduce this Bill, even though it is quite impressive and important, as well as a first in Canada, contains clear commitments and also provides for very clear penalties, because we also need the means to implement it. Hon. Members will recall that the Minister of the Environment (Mr. McMillan) made such a commitment and mentioned new funds of $37 million. This was not an empty promise as action has already been taken. We have taken action and showed some courage while our predecessors never had the courage to face Canadian businesses and polluters and tell them: Enough is enough! Hon. Members should recognize that we have had that courage.

The new Member for Yukon (Ms. McLaughlin) has at least had the courage, with her Party, to recognize that we have

made these efforts, but I have to remind the House that we need more money. We also have to remember the last agreements signed in relation with acid rain, another pollutant which attacks not only our forests, but also the water resources which are the very basis of survival on this planet. We have signed agreements with the private sector and the Quebec Government and we have decreased substantially the level of acid rain.

[*English*]

Mr. Redway: Mr. Speaker, I know the Hon. Member is a very knowledgeable Member on environmental affairs. Although this Bill does not deal with the issue of acid rain, a number of speakers from the Official Opposition have indicated that during the past three years the Government has not taken any steps whatsoever with respect to the environment, apart from the introduction of this one Bill.

I believe the Hon. Member is a member of the House committee on acid rain. He has outlined a few of the things the Government has been doing in the area of acid rain. I know he is aware that 50 per cent of the acid rain emissions that cause problems in Canada originate here and the other 50 per cent originate in the United States. I know he is aware as well that this is the very first Government that has placed the question of acid rain as a first priority in discussions between the United States and Canada. I believe the Member was in Washington not too long ago in an effort to try to convince Americans to take some action in this respect.

Would he outline to the House, particularly for those in the Official Opposition, who do not seem to be aware of the efforts that have been taken respecting the environment and other issues, some of the steps that have been taken and what progress is being made?

[*Translation*]

Mr. Ferland: Mr. Speaker, I would like to thank my colleague for York East (Mr. Redway). People often have the impression that those who are concerned with environmental problems live mostly in rural areas. However, my colleague is from the city, and I appreciate the interest he has always shown for the quality of our environment. In my opinion, Mr. Speaker, it is essential for Members of Parliament representing urban areas to become more aware of this issue. I went to Washington with my colleagues of the Committee on Acid Rain to make the American legislators aware of their responsibility to their good Northern neighbours, as they like to call us. I must say that we had very serious meetings. I believe that the American Senators and Congressmen saw in our comments a very firm will on our part to have them develop policies similar to those applied in Canada. We clearly told them that the fact that they were our good southern neighbours did not give them any right to destroy our lakes, rivers, forests and fauna, and that they had no right to threaten the health of Canadians. I should not have to remind the House of the reports received by the Committee on Acid Rain which state that, each year, about 15,000 people in Canada die because of acid rain, toxic emissions, holes in the ozone layer, and so on.

I see that my time has expired, Mr. Speaker, and I would like to thank the Hon. Member for his questions as well as the Members opposite, and I encourage all Members of this House to give very quick passage to Bill C-74. It is one of the tools that our young people need to protect their future.

[*English*]

Ms. McDonald: Mr. Speaker, the proposed law, of course, will deal with toxic substances or a certain number of them and ensure, we hope, as it is enforced, that they do not come into Canada and are not manufactured here. We know that there are many toxic substances already here in the Great Lakes system at the bottom of the rivers and lakes and so forth. What does this Bill do, if anything, to get rid of the enormous accumulation of toxic substances already in place, particularly in our rivers and lakes?

[*Translation*]

Mr. Ferland: Mr. Speaker, I see that the New Democratic Member who has been here for a number of years is asking the same questions as his colleague from Montreal was this morning, the latter however being a Liberal.

I would like to remind him that this is the first time a Government has the courage to table a bill. And it deals both with existing toxic materials and others that will be produced in the future. I am asked what we are doing about what is already under water, on river beds. I must tell you that quite a number of scientists have quite different opinions as to whether we should go down to the river beds and, by means of a siphoning process or whatever technique, remove the substances that have collected on those river beds, or whether we should simply leave them there. I must tell you that this debate is not over yet, and you may rest assured that we will continue, and the Government will continue performing the analyses and studies required before reaching the proper decision at the proper time in order to correct the errors made in years past.

If we must remove what is at the bottom of rivers, at the bottom of lakes, we will do so, although we must know whether, when stirring up the sediments at the bottom of those rivers, we will not multiply by 10, 20, or 30 the level of pollution and whether we will not be accelerating problems rather than trying to find a long-term solution.

I therefore feel this legislation is aimed at preventing what is being done as of now. But as to what was done in the past, I think we still need to have much more accurate analyses in order to develop the right technology and the right technique. And you may rest assured that the minute we know exactly what is the best means of bringing back to the environment its former quality, this Government will need no prompting, especially from the Opposition. We will on our own assume our responsibilities and will be the first to table in this House a legislation with the relevant funding, in order to be in a

position to give back to our youth, our future children the opportunity to enjoy a quality environment.

[*English*]

Mr. Nelson A. Riis (Kamloops—Shuswap): Mr. Speaker, I have mixed feelings about rising today to debate Bill C-74 which essentially proposes the Canadian Environmental Protection Act. It should be renamed because it is a minute step towards development of an environmental protection Act.

• (1530)

It is fair to say that we feel encouraged to support this legislation at this stage when we are discussing the principle of the Bill. However, it falls far short of the goals laid out in the first part. It sounds great when you read that first part, but as you go through it to determine what it actually accomplishes, that is unfortunately not much. I would not say it does not accomplish anything, but it is only a minute step in the right direction. We are thankful for at least that, but we have a long way to go.

I remember that for years and years in this House, particularly when the Liberal Government was in office, we called for a major initiative by the federal Government to develop a comprehensive environmental protection Act. All of us as responsible citizens recognize that without an environment which is clean, pristine, safe and healthy, we have nothing. We have been reminded just in the last few days about the dangers involved in the gradual disappearance of the ozone layer surrounding the earth and what that can do to the ecology and to people.

We spend hours and hours debating all sorts of things in this House. Some are more interesting than others. Some are more useful than others. Yet on critical issues affecting the environment, I notice that the only time it is debated is on opposition days. The Government has never introduced something which would give us an opportunity to discuss the state of the environment in Canada. That is a tragedy. That has been the case under the Conservative Government and that was the case for years and years under Liberal Governments. It is time we changed that and gave priority to our environment. We should place it before all other matters requiring consideration. If we do not preserve our pristine environment as we know it in most parts of Canada, we will have nothing in the long run. We owe it not only to our citizens today; what is more important, we owe it to our children and their children and generations yet to come.

Having said that by way of introduction, I want to point out that this Bill comes along at a time when Canadians generally are not encouraged by this Government's commitment to serious environmental protection. One of the most popular environmental issues across this country is that of leaded and unleaded gasoline. Most Canadians buy gasoline every few days. When you go to the pumps you have a choice between the two. Yet when the Government has had the opportunity to change the tax regime to encourage Canadians to use one over the other, what do we do? We take steps to encourage them to use more leaded gasoline because it is cheaper. People see their purchasing power erode year after year and have to cut corners, and we encourage them through our tax system to purchase the worst kind of gasoline, the high lead content kind. That sends a very clear signal that the Government is not particularly concerned about lead in our environment.

I could talk about lead in other substances on which no action has been taken. I could talk about the fact that one of the major initiatives by the Government when it took office was to cut the plan to develop a Canadian toxicology centre. If we require anything, it is a centre doing research into toxic chemicals. Cutting the funding for that centre does not send a clear signal that the Government is concerned about the environment, past, present or future.

I could go on and talk about major cuts to the Canadian Wildlife Service. Many ecological and environmental activities had to be cut as a result. I could talk about the inaction of the Government on the St. Clair River blob, that great big gob of chemicals sitting in the river. Year after year we poke away at it and so on, but nothing much ever happens.

I could go on and on but I think the point is clear. Our track record in dealing effectively with environmental issues facing Canadians, indeed all people around the world, has been anything but good.

That is not to say the Government has not done anything. It would be inappropriate to say that. Yet when you look at what we should be doing, you will find that we are falling far short.

A major concern for those in the environmental movement has been the commitment of the Government to deregulation. It makes some of us sick to think, as we stand here today, that hundreds of thousands of gallons of untreated sewage is being dumped into the St. Lawrence River. The same is true of the Fraser River and others across this country. Nothing much is being done about it. We have had proposals from municipalities to deal with this critical issue which will only grow worse in the future.

The proposals involve not only cleaning up the environment but also providing thousands of jobs. They suggested a sharing arrangement such as we have had in the past where provincial Governments pay one-third, municipal Governments pay one-third, and the federal Government pays one-third to develop the necessary sewage treatment facilities. The cities were in unanimous agreement. Then the provinces all came onside. There was only one group which held out and said it was not prepared to co-operate: The Minister of Finance (Mr. Wilson) and the present federal Government. That is a missed opportunity if ever there was one.

You would have to look long and hard to find a single country that does not have a program where the three levels of Government, sometimes four, share in funding of municipal infrastructure. Yet in Canada we stand alone. The federal Government says that this is not our responsibility. We will

stand by and watch the rivers die from pollution because the local tax base is simply inadequate to provide funding. Yet we have done it in the past. The federal Government used to participate in these plans. As an alderman in Kamloops I would submit proposals along with my colleagues, and they were granted, one after the other, to upgrade sewage treatment plants. However, deregulation and an unwillingness to co-operate have caused major concern and sent a negative image across the country with respect to this Government's commitment to cleaning up the environment and protecting it in the future.

I guess it was brought home to me this past summer just how critical it is to develop a federal environmental protection Act. I was out sailing in the Gulf Islands of British Columbia. As someone who travels a great deal across Canada you have probably been there and know about the pristine environment I talk about in the Gulf Islands. Clean beaches, unpolluted, no smoke-stacks, beautiful trees. A fantastically beautiful environment. I remember getting up one morning and there were about 50 pleasure craft, some very large and some very modest, in a small cove. They had lain there overnight. I was going to jump in and have an invigorating swim in the Pacific Ocean. I got to the side of the boat and was about to dive in when I looked at the water. The surface was covered with small pieces of thin paper and chunks of human excrement, along with all kinds of other things. People on these boats were going to the bathroom in the morning and dumping it all overboard. It was floating around all over the place. It almost made me sick. That the laws of our country, provincial, federal, or regional in this case, allow this to happen is absolutely unacceptable. This is a rather horrible description of the need for legislators at the various levels to take action immediately.

• (1540)

Every day when I am in Vancouver I see big barges loaded with garbage going out to dump it beyond visual limits. I shudder to think of what is going on on the ocean floor with the hundreds of thousands of tons of garbage being dumped there.

I do not want to go on about the obvious need for a decent environmental protection Act. I am sorry that this is not it. This legislation falls far short of that, but it is a step forward. I will talk about the little baby step which this legislation does take. It does take a step forward in dealing with toxic substances, because the burden of proof will lie with the company importing new toxic substances as opposed to lying with the federal Government. Until recently the federal Government had to prove that a particular industrial chemical was bad. The onus of proof will now lie on the manufacturer, and that is a step forward.

However, what about the over 60,000 industrial chemicals already in this country? I assume that some of these substances are toxic and not good for us. I believe there are 19 people in the office which looks after this. If 19 people are to evaluate in excess of 60,000 chemicals, it may take centuries. In the meantime, this list is being added to by in excess of 1,000 new chemicals every year. We are faced with serious problems.

Anyone who has tried to figure out who is responsible for environmental protection knows what an incredibly tangled web there is of contradictory jurisdictional regulations. In the Department of the Environment alone there are 57 different laws dealing with environmental issues. There are 24 federal Departments dealing with environmental responsibilities. The assumption was that an intelligent government bringing forward a federal Environmental Protection Act would consolidate these.

However, nothing is done to consolidate those 24 different federal Departments. The 57 laws were reduced to 55. That is not much of a gain. People who understand what a federal environmental protection Act should be are perplexed when they learn that this tangled web will remain.

There is, of course, a dispute over who is responsible. For three years I have been working with the Shuswap Concerned Citizens Committee. You will be aware, Mr. Speaker, that there are hundreds of house boats which float on the large Shuswap Lake complex in central British Columbia. All sorts of things enter the water from these boats. This is a large lake, but when the people on hundreds of house boats and thousands of pleasure craft dump things into the water a serious problem develops.

The various jurisdictions have been trying to determine who is responsible for ensuring that this water remains clean. Is it the local regional district? Is it the various provincial departments? Are federal Departments involved and, if so, which Departments? For three years I have been trying to figure that out and still have not been able to determine who is responsible because no one accepts responsibility. Due to the overlapping jurisdictional regions we find a great deal of buck-passing going on.

I want to read from a report by the Canadian Environmental Law Association to the Special Joint Committee on the Constitutional Accord. It says:

> The Constitution Act, 1987, which reflected the problems and concerns of 1867 when it was enacted, did not allocate legislative authority for the environment to either the federal or provincial governments. As a result, there is a large degree of overlapping jurisdiction because of the generality of the federal and provincial powers as defined in the Constitution. Without clear responsibility for environmental concerns, both levels of government have been able to disclaim authority for dealing with environmental problems by alleging that it is within the other's jurisdiction. This has resulted in "jurisdictional buck-passing."

Such is the case, Mr. Speaker. It is now time for the federal Government to exert a strong federal presence to deal with environmental problems which are national in scope. The Canadian Environmental Law Association said further:

> We have also maintained that the federal government has the clear constitutional authority to take action in regard to many of the environmental

problems of the 1980s. This is especially the case in the area of toxic chemicals, which do not respect provincial boundaries.

They go on to point out that this situation, bad at the moment, could get even worse in the future as a result of the Meech Lake Accord.

The solution to this problem is obvious. It requires a federal government which has the will and commitment to deal effectively with environmental issues. I suspect that if we were to take on that responsibility, our provincial colleagues would be quite pleased to agree that this is a federal responsibility and would allow us to get on with dealing with it to ensure that our land, water, and air remain clean or are cleaned up.

As Canadians become more and more involved with pleasure crafts on the waters of Canada, particularly the inland waters, the matter of gray water becomes more of a problem. Gray water is dishwater, shower water, or soapy water as opposed to black water which contains human excrement. At the moment there is absolutely no restriction on gray water in the Shuswap area and only vague restrictions on black water. Slowly but surely the entire Shuswap Lake system is being polluted. Once we reach a point of no return the lake will be finished, as has already happened to some waters in central Canada.

My friend, the Member for Broadview—Greenwood (Ms. McDonald), was pointing out to this House how odd it is to see in the summer, in the great City of Toronto, people on the beaches lining up to swim in the swimming pools because the water at the shoreline is polluted. That is a tragedy which we must take action collectively to change.

I also want to comment on PCBs. It has been brought to my attention that PCBs are entering the underground water system in parts of Canada. Many submersible pumps, particularly those imported from the United States, have PCBs in their insulation and wiring. These pumps are lowered into wells where they operate near the groundwater level. They are often abandoned as they break down or properties are sold. These pumps then deteriorate and PCBs leak into the water system.

There is only way for people buying these properties to determine whether there are PCBs in the water and that is to give the pump to Environment Canada which will analyse the pump by destroying it. It is not an encouragement for people to have such an analysis done to know that Environment Canada will destroy their $3,000 pump in order to tell them whether or not there are PCBs in the water. There must be a greater commitment to deal with PCBs in the underground water system by establishing a decent investigation process to determine whether or not these elements are in our water supply.

• (1550)

The whole area of pesticides has been left out of this legislation. A great deal of work must be done in this area, and I do not believe anyone would suggest that the federal Government does not have a responsibility to deal with this.

One of the greatest shortcomings of Bill C-74 is that it does not include an environmental Bill of rights. Environmentalists and others who are concerned about the environment for many reasons strongly believe that there is a need for a Bill of environmental rights and the ability to resort to the courts to ensure that our environment is preserved in a clean and pristine nature.

Considering the absence of a Bill of environmental rights, which we feel is an absolute necessity, the fact that major sectors have been ignored, and the fact that the Bill does nothing to consolidate this vast web of interlocking jurisdictions and regulations, we will be offering amendments at the legislative committee stage in order to improve the Bill.

The best we can do at this stage is to pass the Bill quickly, realizing that it is a small step toward an Environmental Protection Act. We can begin from scratch again and, with proper consultation this time, bring forward a Bill that does represent what an Environmental protection Act ought to represent.

Mr. Redway: As always, I listened with interest to the Hon. Member's comments. I feel compelled to respond to each comment, but time will not permit me to do so. However, let me attempt to respond quickly to a few of his points.

First, he expressed great concern about the lack of time made available in this Parliament to debate environmental matters. In fact, one year ago, the issue of environmental protection was very much an integral and significant part of the Speech from the Throne. The Government provided some eight days after the Speech from the Throne in which the Hon. Member, any of his colleagues, or anyone in the House, could have debated matters of environmental affairs if they wished to do so. While I have not looked at the record, I suspect that there was very little time devoted by the Hon. Member and his colleagues to the question of environmental affairs during that debate on the Speech from the Throne.

The Hon. Member repeated a comment which had been made in the House on a number of occasions yesterday and today by opposition Members, that is, that the Government has done virtually nothing with respect to the environment in the past three years. The Member knows that that is certainly far from the truth. The Government has taken many actions in that respect. This includes action on acid rain, with a national program to reduce acid rain by 50 per cent of its 1980 levels by 1994. They include a commitment to spend $150 million for emission controls at smelters, $25 million for technology development, $70 million for cleaner use of coal, and $18 million per year in research and monitoring.

There is a commitment to increase the use of western low-sulphur coal. The Hon. Member knows that great strides have been made in negotiations between the Deputy Prime Minister (Mr. Mazankowski) and the Premier of the Province of Ontario with respect to the use by Ontario Hydro of low-sulphur western coal.

On September 1, new automobile emission standards to reduce acid rain were introduced. In addition, there was an agreement between the federal Government, the Province of Ontario, the Government of the United States and the Government of New York State with respect to reducing the flow of toxic chemicals from the dumps along the Niagara River into the Niagara River and Lake Ontario. Furthermore, there has been the tightening up of standards with respect to the transportation of dangerous goods by rail.

Just within the last day or so we saw the international ozone treaty.

Mr. Deputy Speaker: I regret to interrupt the Hon. Member. Could he put his question, please?

Mr. Redway: Mr. Speaker, I have had a chance only to mention a few things.

However, there is one matter that really bothered me. The Hon. Member indicated that he, as a councillor in the City of Kamloops, was able to obtain federal funding on numerous occasions for the reduction of pollution as far as water treatment and sewage were concerned. That interested me specifically because I know that in my municipality, in spite of years and years of trying, the only time we were able to get any federal money was when the former Government was so desperate to get re-elected in the last years of its mandate that it went around making special grants to very selected municipalities, including ours. Will the Hon. Member give me some examples of the federal Government in the past sharing these projects? I would like to have the opportunity to make that case with the Government.

Mr. Riis: Mr. Speaker, it would be my pleasure to answer the last question first. In 1968 or 1969, the Liberal federal Government at the time offered to enter into an agreement on a cost-sharing formula with provincial Governments. The federal Government made an offer to enter into an agreement with the Government of British Columbia which, in turn, entered into an agreement with the municipalities, according to the constitutional jurisdictions of the country.

The critical factor was an agreement first being made between the federal and provincial Governments. I believe the Conservative Government in Ontario at the time was unwilling to participate in that program, so that perhaps it never existed in the Province of Ontario. However, it did exist in Alberta, Manitoba, Saskatchewan and British Columbia.

The provincial Governments signed separate agreements with the federal Government and then signed separate agreements with the various municipalities to participate in a three-way cost-sharing for a municipal infrastructure, not only for sewage treatment facilities, but for water upgrading facilities generally and roads, sidewalks, lights and so on. Obviously, the Ontario Conservative Government at the time did not want to participate.

At the outset, I said that the fact that issues of environmental concern were only debated when the Opposition chose to do so was an indication of the federal Government's commitment to environmental concerns. My hon. friend said there were opportunities to debate this during the Throne Speech. I was waiting for him to indicate other occasions on which this has been debated because we are required to debate countless issues that are included in a Throne Speech. Rather than an environmental debate, it is a Throne Speech debate. However, the Hon. Member did not mention any other occasions on which environmental issues were debated. It is a pathetic state of affairs when the only argument the Hon. Member can make is to say that we had a Throne Speech debate a year and a half ago.

Finally, in the fourth year of the administration, we welcome the opportunity to begin a debate on this matter of environmental protection.

The Hon. Member mentioned western coal as one of the initiatives of the Government. In all fairness, I believe I said that the Government has taken some initiatives. Incidentally, this initiative was introduced by one of my New Democratic Party colleagues from the Kootenay area in British Columbia in 1981. At that time, we felt that this was an appropriate initiative to take and began the process.

It is interesting that the Hon. Member raised this question because the head of the miners' union for that area is in the lobby listening to the debate right now. He just happens to be here at this time. He also worked with the NDP Member from the Kootenays at the time to begin this process moving with the previous administration and the Ontario Government. I am pleased to say we are still moving. Perhaps sometime in the next little while we will have an agreement. However, I do know that the report which was done by the special task force looking into this matter made not a single recommendation for further study, further deliberations and so on. Again, if the Government meant what it says it means, it would take action, not study, study, study.

• (1600)

Here is a situation where we can improve the acid rain phenomenon in central Canada, we can provide the much needed jobs in both central and western Canada. Let us get on with it. What are we waiting for?

This proposal was introduced by my colleague from the Kootenay region of British Columbia in 1981, and we are pleased that we are debating this again today. But let us recognize that we have a long way to go. What is required is a federal Government with a will and commitment to deal with these difficult and major issues. Quite frankly, we do not have any alternative. We must deal with these issues.

Mr. Berger: Mr. Speaker, the Hon. Member quoted from a letter from the Canadian Environmental Law Association, the Citizens' Network on Waste Management, Pollution Probe and Energy Probe, who are concerned that the Meech Lake

Agreement and, in particular, the right of the provinces to opt out of shared-cost programs, may discourage the federal Government from assuming its responsibility to protect the nation's environment. They are particularly concerned that the uncertainty created by the ambiguous nature of Section 106 relating to shared-cost programs, may affect such potential shared-cost programs as setting up a super fund to clean up toxic waste dump sites.

The letter is addressed to the Special Joint Committee on the 1987 Constitutional Accord. It is dated September 10 of this year. I believe the committee wrapped up its work by September 10 and the report was to be published last week. However, it has been delayed because of translation problems. In the concluding paragraph of the letter they urge the committee to proceed with caution and to consider substantive revisions to the sections relating to shared-cost programs to clarify that the Accord does not take away from the federal Government's authority to set national standards for environmental protection.

I would like to ask the Member, first, if he shares those concerns. He quoted from the letter, so I presume he shares those concerns, but I would like him to state so specifically, if that is indeed the case. Second, I would like to know what he and his Party are prepared to do about it. Will his Party be proposing an amendment to the Meech Lake Accord in that respect? I would be very pleased to hear his views in this regard.

Mr. Riis: Mr. Speaker, first, I think the point made by my hon. friend when he quoted from the letter of the Canadian Environmental Law Association is accurate. It is concerned that Section 106(a)(2), which states that the section does not alter the existing division of powers, again does not help us in defining what is exclusive provincial jurisdiction in environmental matters. In terms of the point the Hon. Member makes regarding the national shared-cost programs in areas of exclusive provincial jurisdiction, I think it has been demonstrated by the work of the committee. I recall reading a transcript of the proceedings which indicated that this matter was dealt with, and in fact national cost-shared programs may even be enhanced, so that it was decided by the all-Party committee that it was not of critical concern.

However, I do not think that this is the issue here. I think the issue is that even if it were—which of course it is—a concern, if the federal Government took the initiative and said: "We are not going to turn Canada into a toxic waste dump for North America or wherever", and made that commitment and then put into place a federal program to provide that special fund to provide for the clean-up of existing hazardous waste sites and abandoned and enclosed waste sites, it would develop a sense in our country that this is something that must be done. If the Government said this is something that must be done and something we are prepared to fund, any province daring to opt out of that program, or any province that would dare not to implement its own program of even increased standards, would be severely condemned by the electorate in that province or territory.

I think the concern is a serious one. It has been one of concern to my caucus. During the deliberations, on balance, we felt that it is a concern that was simply flagged, but in reality that is not the case. Even if it were, it is the will of this Parliament and the will of this Government combined that would ensure that such would not take place, and the concerns that were brought to the joint committee's attention by the Canadian Environmental Law Association, if we do our job properly, would never have to be a concern.

Mr. Deputy Speaker: The period for questions and comments has expired.

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

Mr. Deputy Speaker: It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: The Hon. Member for York East (Mr. Redway)—Royal Canadian Mounted Police—Employment of visible Minorities; the Hon. Member for Broadview—Greenwood (Ms. McDonald)—Canadian Radio-Television and Telecommunications Commission—Bell Canada rate increase application—Minister's letter to Commission; the Hon. Member for Cochrane—Superior (Mr. Penner)—Small Businesses—Native economic development—Consultation process—Minister's position.

GOVERNMENT ORDERS

[*English*]

CANADIAN ENVIRONMENTAL PROTECTION ACT

MEASURE TO ENACT

The House resumed considertion of the motion of Mr. McMillan that Bill C-74, an Act respecting the protection of the environment and of human life and health, be read the second time and referred to a legislative committee.

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, it gives me great pleasure this afternoon to have the opportunity to speak on this legislation, something about which all Canadians are concerned.

I would like to say that this Bill, on which the Minister has done considerable work, will receive support right across the country. The legislation introduced by the Minister of the Environment (Mr. McMillan) will unquestionably make Canada a leader in the battle to prevent pollution from toxic

chemicals and thereby protect the public from adverse health effects which could result from exposure to such pollution.

Protecting the environment is not the sole responsibility of any one Department, one Government, one province, or even one nation. Toxic chemical pollution is a world-wide problem and demands intra-national as well as international co-operation to achieve solutions.

There is another more obvious reason, however, why this is a joint effort. This legislation is intended not only to protect our environment for its own sake, but also to protect the environment because of its direct link with human health.

It has been realized for some time that there are numerous opportunities for the wide variety of complex chemical products in use in Canada today to be released into the environment during manufacture, use, transportation and eventual disposal. These releases can result in contamination of the food, air and drinking water on which humans depend for their well-being and, indeed, survival. Exposure to environmental contaminants can have serious effects on health and long-term social and economic consequences.

The primary concern of the Department of Health and Welfare is the threat posed to the health and well-being of the Canadian population by either short-term or long-term exposure to the environmental contaminants, which are often present at relatively low levels. Of particular concern is the prospect that health effects may only be observed after long periods of exposure or long after exposure has ceased to occur.

Chemicals can bestow enormous benefits on mankind, but we must ensure that our health is not compromised in the process. This is a major thrust in this legislation. This Bill will provide the necessary power to move much further than before in developing objectives and guidelines for environmental quality that are designed to ensure that our environment remains in a healthful condition.

There are several factors which contribute to the complexity of toxic chemical problems. The number of chemicals in use is very large and is constantly increasing. Individual chemicals are complex in nature. There are numerous sources and mechanisms for release of chemicals to the environment. The Canadian population is being exposed to a complex mixture of chemicals, and the effects of exposure are difficult to estimate. Some chemicals that are likely to have minimal impact on the health of most Canadians may have great impact on the health of groups within the general population who, for reasons of age, sex or genetic composition, economic status, occupation, lifestyle or geographical location are more sensitive to the effects of certain toxic chemicals.

• (1610)

My concern, and of course the concern of all Canadians, is over health hazards associated with chemicals in the environment, which can well be illustrated by examples such as the contamination of edible fish with mercury compounds that leaked from plants formerly used to produce chlorine and alkali used in the manufacture of pulp and paper. It was the consumption of fish tainted with mercury in this way that placed the residents of Grassy Narrows in northwestern Ontario at risk.

Another widely dispersed metal which poses a threat to human health is lead. The toxic effects of lead are well known. The major source of lead in our environment is the burning of leaded gasoline in motor vehicles. While measures have been taken to reduce exposure to lead by phasing out the use of leaded gasolines and, indeed, to reduce exposure from other sources of lead in the environment, we must remain vigilant and reassure ourselves that substitute products are safe both from an environmental and health viewpoint.

I am sure that all of us are aware of the threats posed by synthetic organic chemicals such as PCBs which, by virtue of their resistance to degradation, can persist and accumulate in living organisms. From a health standpoint PCBs are not extremely toxic in terms of short-term exposure. Long-term exposure is of concern because of the effects on the liver, reproduction, the immune system and the possibility that PCBs, or impurities contained in them, may be associated with cancer.

Over the years the federal Government has enacted several laws to combat the effects of toxic chemicals. Control of toxic substances is required from manufacture to disposal. Legislative control, federal and provincial, must cover the following elements: manufacture, importation, transportation, storage and handling, use and sale, discharge to water, air and land, spills, occupational health, and ultimate disposal.

There are some 24 federal statutes which exercise some form of control respecting toxic substances. For example, the basic regulations for contaminants in food and drug products are found in regulations under the Food and Drugs Act.

The Fisheries Act prohibits the deposition of a "deleterious substance" of any type in water frequented by fish. The Hazardous Products Act is a product-oriented statute which prohibits the advertisement, sale and information of certain hazardous products, and which was recently amended to ensure that workers are given information relating to work-place hazardous products.

The Transportation of Dangerous Goods Act has been designed to promote public safety in the transportation of dangerous goods, including chemicals. The Ocean Dumping Control Act is designed to control dumping of waste and other substances into the ocean.

Notwithstanding the scope of these various statutes, the proposed Canadian Environmental Protection Act provides a focused and integrated approach to toxic chemicals. It will allow the federal Government, in co-operation with the provinces, industry, labour, and the public, to identify different ways to reduce human exposure to chemicals at each stage of their life cycle. The control of toxic chemicals as envisaged in

this Bill was not possible under the provisions of the Environmental Contaminants Act, the Clean Air Act, and the parts of the Canada Water Act which are now incorporated into this proposed legislation.

The public is deeply concerned about what is sometimes viewed as a fragmented approach to dealing with chemicals. Our laws do not meet public expectations. Often, they are products of dealing with the problems of past decades. They are inadequate for dealing with the problems of today. They must be revamped, streamlined, consolidated, and they must address the real problems of environmental protection.

I believe that Canadians need and deserve a comprehensive management approach for toxic chemicals, an approach that manages chemicals throughout their life cycle in a manner that prevents them from leaking into the environment. It will mean that at any stage in the life of a chemical from cradle to grave—whether it is its introduction into trade and commerce, its manufacturing, its transportation, its use or disposal—all participants who use and care for that chemical must act in a responsible manner to protect the environment and the health of Canadians.

When consumers such as ourselves use chemicals, we must be equipped with the best information to use them properly, to dispose of them safely, to act in an emergency situation, and to choose alternative products and practices.

Chemicals must be transported and stored in a manner that eliminates leakage to the environment. If accidents do happen, clean-up must be fast and effective and victims must be compensated in a just and equitable fashion.

We must not forget disposal, both for the chemical itself after its useful life and for wastes. Waste cannot continue to be added to the environment in the naive hope that the environment can safely accommodate it and cleanse itself. We can no longer say that the solution to pollution is dilution. There must be adequate destruction facilities operating in this country to dispose of hazardous waste.

In particular, I am encouraged by the process whereby the legislation that is before us today has been developed. All affected segments of society, including representatives of industry, workers and environmental interest groups alike, have taken part in developing a scheme that relies upon good scientific knowledge to develop the regulations that will underpin this legislation. The result of this is agreement by all parties concerned on the need for adequate testing of chemicals, and a basic understanding of the way in which the knowledge that emerges can be most effectively used to prevent injury, disease and death from accidents and pollution problems.

The sheer number of chemicals we use is intimidating. Over 65,000 are produced commercially on the global market with over 1,000 new ones added annually. Only a small fraction have been tested for the environmental and health consequences. We must clearly define the ground rules for allowing a chemical to enter the Canadian market. Since we are part of the global chemical market, we are promoting the adoption and utilization of common international approaches to evaluating chemicals and to setting standards. We must also promote alternatives to the use of high-risk chemicals.

Canada alone cannot test all the chemicals we use in a reasonable timeframe. It has to be an international effort. It is one we are committed to put in place and we are working hard through the Organization for Economic Co-operation and Development and the International Program of Chemical Safety to do just that. There is a lack of public confidence in the country when it comes to chemical management. Our ability to solve the problems has not kept pace with our ability to detect the problems.

• (1620)

The proposed Canadian Environmental Protection Act represents a crucial step in developing a comprehensive strategy to control toxic chemicals in the environment. The extensive consultation which followed the introduction in Parliament in December, 1986, of the proposed environmental protection Act, has indeed been invaluable in helping to attain this objective. As a result of these consultations and submission of numerous briefs, the legislation now proposed has been broadened to incorporate the provisions of the Ocean Dumping Control Act; increase the emphasis on evaluating and controlling existing chemicals; include provisions to deal with the products of biotechnology; require the Minister of National Health and Welfare (Mr. Epp) and the Minister of the Environment (Mr. McMillan) to develop guidelines, objectives, and codes of practice to protect health and the environment; provide for enhanced public participation in implementing provisions of the Act; and provide for working cooperatively with provincial Governments to avoid duplication and overlap.

We have already mentioned the value of developing an environmental protection strategy that allows for the control of toxic chemicals from the time that they are introduced into commerce until their ultimate disposal.

One of the key factors of the Canadian Environmental Protection Act is that it focuses on preventing the introduction into commerce of chemicals that will constitute a danger to public health or the environment. For example, the "new chemicals" provisions of this legislation will place the onus on industry to demonstrate the safety of new chemicals prior to their use in Canada.

The new Canadian Environmental Protection Act puts human health and safety where it should be, before everything else. Under the new life cycle management approach, decisions affecting human health will be incorporated into the decision-making process. They will no longer be relegated to the realm of afterthoughts.

In addition, the new Act will extend the Government's authority to set national environmental standards, guidelines,

and objectives. These guidelines presently exist for the emission of toxic substances into the atmosphere and would be retained in the new Act. The new Act would be expanded to include water and land, using the Clean Air Act as a model.

The new national standards would be developed in co-operation with provincial Governments. They could be used by provinces and municipalities as the basis for regulations to provide minimum levels of environmental quality across the country.

The Canadian Environmental Protection Act will also help Canada meets its international obligations with such bodies as the United Nations Environment Program, and the Organization for Economic Co-operation and Development.

Under the new legislation, exporters who intend to ship toxic chemicals to a foreign country would be required to inform the country of that intention. We will benefit in Canada because participating countries will extend the same courtesy to us. This will allow us to better prepare for and control the amount of toxic chemicals that come into Canada, and thus better protect human life.

I wish to conclude by saying that ultimately our society will have to come to grips with the fact that many of our environmental problems are rooted in the lifestyles that we have chosen. We have chosen a chemical society, and with it, the responsibility to protect our life support system from our dependence on these chemicals.

I believe that Canadians are ready to take a major step toward learning to live successfully and respectfully with chemicals. The Canadian Environmental Protection Act represents a major contribution to this endeavour.

Ms. Mitchell: I wish to ask my hon. colleague a question since he represents the government side of the House. I am glad to see that a senior Minister from British Columbia is also present, and I am sure she is interested.

Does the Hon. Member think that the federal Government has a responsibility to ensure that government agencies do not contribute to environmental pollution?

I wish to give an example. In Vancouver East, the Port of Vancouver which is a federal jurisdiction contains a large garbage incinerator on a barge that is moored very close to a residential neighbourhood. This barge is the method by which all the garbage is burned from the cruise ships in the Port of Vancouver. It emits a foul smell and smoke which pollutes the neighbourhood for many blocks.

Since this is a federal jurisdiction, the Port Corporation for Vancouver is a federal agency, and the manager of the Port Corporation refuses to take any action. I wonder what are the views of the Hon. Member. Does he think that the federal Government should intervene? If so, what action can be taken?

Mr. MacDougall: First, I wish to say to the Hon. Member that I believe both the federal Government and the federal Crown corporation should be involved. The legislation that we have put forward today gives an opportunity to those involved. I would say that in the Hon. Member's riding, representation should be made under the new guidelines, and certainly it should be looked at.

Ms. McDonald: The Hon. Member for Timiskaming (Mr. MacDougall) has raised a number of sensible points in his speech. I wish to ask the Hon. Member a specific question which perplexes us. The preamble to Bill C-74 is very specific on the federal responsibility for environmental pollution. It refers to the environment as a matter of national concern; toxic substances once introduced into the environment cannot always be contained within geographical boundaries, particularly provincial boundaries. The Government of Canada in demonstrating national leadership should establish national environmental quality objectives, guidelines and practices. It refers to Canadian waters and other federal responsibilities.

Yet Members on the government side have used constitutional excuses for government inaction. One Hon. Member even stated that the Charter of Rights was an excuse for the federal Government not to take action on environmental protection. It is an absolutely astounding idea that we should be gaining civil rights but losing the power to protect the environment. I think that is quite an astonishing development.

I wish to ask the Hon. Member how he can justify the statement of national priority concern and responsibility with the cop-out on the part of the federal Government, and the willingness to leave it up to the provinces. If they do not legislate adequately, tough luck, use the constitutional excuse that the federal Government has not been given the specific power to act in this area and somehow it does not have a responsibility to act for our environmental protection.

Mr. MacDougall: In a short period of time this Government has taken many steps in many directions to attempt to make a better way for all Canadians. The Bill before us indicates that the Government and this Minister are prepared to sit down with both the provinces and the industry in order to start to work together to solve some of these real problems.

These problems did not happen today. They have developed over the last many years. It is with this type of legislation and this Government that we will be able to sit down and negotiate with the provinces and the industries to make sure that there is a happy medium. Those individuals who may be involved within an industry will still have the opportunity to have the employment that is required, and the provinces will be able to adapt to the guidelines within this legislation.

Mr. Brightwell: The Hon. Member for Timiskaming (Mr. MacDougall) has ably set out the factors involved in the Canadian Environmental Protection Act. He has touched on the aspect of a number of chemicals in the environment, and touched a raw nerve with me. I am very concerned about the

fact that chemicals are there. We do not know what they are presently doing, or what they will do in the future. Will the Hon. Member comment further on the manner in which the new Canadian Environmental Protection Act will deal with chemicals that are already in use?

Mr. MacDougall: We are aware that someone who comes from a northern region, or other parts of the country, has great concerns. What we should look to is that the Minister of the Environment place an increased emphasis on screening the chemicals to ensure that the products are ones that we feel comfortable with, ones that perhaps we are looking at coming in, and that they be screened before Canadians make use of them. This is one part of the Bill with which I feel very comfortable. We will be screening those chemicals which are coming in and those chemicals which are here now to make certain that the environment is looked after properly.

• (1630)

Mr. Orlikow: Mr. Speaker, I have two questions for the Hon. Member. First, he talked about consultation on the part of the Government, provincial Governments, and organizations interested in the environment. He left the impression that the Bill, as a result of consultations, meets the objections, questions, and criticisms of past practices made by many of these organizations.

Is the Hon. Member aware of the fact that the Canadian Labour Congress and the Canadian Environmental Law Association, two major organizations, are very critical of the Bill because so much of what needs to be done is not covered in it?

I have another question for the Hon. Member because he represents part of northern Ontario in which there are a number of mines and a number of pulp and paper mills, two industries that have been notorious for their ability to maximize their profits by dumping waste products into our rivers and lakes.

Is there anything in this Bill, or in any other Bill, which gives Canadians any confidence that in the next 10 years or 15 years such irresponsible activity will cease to continue?

Mr. MacDougall: Mr. Speaker, the introduction of this Bill is certainly a step forward which has not been taken by any previous Government. I think that is the first thing we must recognize.

I am interested in some of the items about which the Hon. Member talked, such as the Canadian Labour Congress. We have come quite a distance in bringing forth this piece of legislation.

The Prime Minister (Mr. Mulroney) and the Government always believe in going out to speak with Canadians, whether in provincial Government, labour, or business, to ensure that they know the thoughts of Canadians before moving forward. The Hon. Member must realize that the Canadian Labour Congress certainly has its views, but we are taking a step which is very positive for the environment.

The Hon. Member referred to mines and paper mills in northern Ontario. There has been quite a change in the last three years to five years with regard to upgrading and in terms of pollution going into our waters. Filtration plants in the mills have been changed.

With regard to mines, I think the industry itself has recognized that changes were required. However, on the other hand, I ask the Hon. Member how far we can go and be able to compete in the international market with other countries.

Would he sooner see individuals in the mines and pulp and paper industries not having jobs, or would he sooner see the Government and the provinces working toward a goal to clean up the environment as best we can yet still be competitive in the international market?

[*Translation*]

Mr. David Berger (Laurier): First, Mr. Speaker, I should like to pay tribute to the non-governmental organizations which are dedicated to protecting our environment. Mr. Speaker, you are certainly aware that hundreds of organizations from coast to coast play a fundamental role in educating and motivating the public, as well as in lobbying the Government and parliamentarians. All these efforts contribute to creating a public opinion which is highly receptive and fully aware of the need to protect the environment. I feel confident that you agree with me that an enlightened public opinion is prerequisite to any government action.

Canadians often ask themselves the question: What can I do? This question has often been put to me, by younger people particularly. The answer is simple. Get involved in non-governmental organizations like the Greenpeace Foundation whose Montreal regional office is located in my own riding of Laurier, or the Canadian Wildlife Federation, Pollution Probe, hundreds of suchlike organizations which are active throughout this country. The impact and benefits of this kind of commitment cannot be understated.

When the World Commission on Environment released their report last spring the Canadian representative, Mr. Maurice Strong, came here to Ottawa to meet with parliamentarians and spokesmen for organizations actively working in the environment and wildlife sector. Sad to say, only two or three Members attended this meeting.

What struck me most in the message conveyed by the World Commission on Environment is that we must divorce ourselves from segmentation in our approach to environmental issues. Environmental problems cannot be tackled on an isolated basis. For example, hydro power plants produce electricity in many regions, but other people are made responsible for eliminating the resulting acid rains.

Mr. Speaker, the challenge facing us today is twofold: first, making economic development agencies—and even the

Minister of Finance—responsible for that sector of the environment which is affected by their decisions; and, second, environment ministries in the various countries must wield more power to fight pollution.

[*English*]

The sense I got from the report of the World Commission on Environment and Development was that the most difficult challenge we are facing is to develop management systems on national and international levels to deal with environmental and developmental problems which defy simple, compartmentalized ways of looking at things.

This is the standard against which we must measure the Bill we are studying today. Is it forward looking? Is it innovative? Will it provide the means to come to grips with urgent environmental problems posed by economic development?

It is also particularly important to remember that environmental legislation in Canada is reviewed only once every 10 years or so. We must use the opportunity before us at the present time to get it right. This point was made by Toby Vigod of the Canadian Environmental Law Association.

While Bill C-74 establishes procedures to deal with new chemicals, it is not particularly innovative and does not get around the institutional and management problems which have plagued us in the past. On the contrary—the Conservative Government abdicates its responsibility to set national standards and leaves environmental protection up to the provinces.

• (1640)

Take, for example, the idea of an environmental Bill of rights, which the Minister has in the not so distant past espoused. In fact, very recently he was an advocate of such an environmental Bill of rights. This novel approach has been abandoned in Bill C-74. What we have instead is a preamble to this Bill which is not legally enforceable. It does not confer rights on citizens to protect their environment, which is what every group has been asking for. It does not provide a right to protect the environment in cases where personal damage has not occurred. Yet as far back as 1970, other jurisdictions have given citizens the right to take polluters to court even in cases where they have not suffered direct damage.

Some of the most striking provisions of this Bill are those that would require the Minister to consult all the provinces before he or she drafts regulations or issues emergency orders to control toxic chemicals. It is laughable that even in the event of an emergency, there are stringent consultation requirements before the Minister of the Environment for Canada (Mr. McMillan) can take action. Even in the event of an emergency he is obliged to go through a painstaking consultation process. The Minister, furthermore, is allowed to regulate only if he is satisfied that not all of the provincial Governments are prepared to implement provisions, and I am quoting here "substantially the same as those contained in the regulation" which the Minister proposes to adopt. Here we come to the $64,000 question. What is meant by "substantially the same"? Who will decide what is meant by that? The Minister? The provinces? The courts after extensive legal challenges? What if the provinces argue that their regulations are substantially the same, even if their standards are much lower? Will this not ensure that any national program will amount to the lowest common denominator, to which all of the provinces may agree?

Is this language not strangely reminiscent of the Meech Lake Agreement in which the federal Government has transferred enormous powers to the provinces? Does this same spirit not doom the idea of a super fund to clean up abandoned waste disposal sites? The Canadian Environmental Law Association proposed that such a fund be created through a tax on chemical feed stocks and waste disposal owners and operators. Presumably such an initiative to create a super fund to clean up toxic waste dumps would require some kind of provincial participation, even if it is limited to the road leading up to the dump. Before you can say Meech Lake, Mr. Speaker, we will have a shared-cost program. I hate to say so, but before you know it, the provinces will be able to say, "Well, we, under the Meech Lake Agreement, will set up our own program. We will opt out of the federal program". Again, it will take years of litigation before we determine whether a provincial program is substantially the same or is compatible with the objectives set out in the federal initiative, which I think reflects the language in the Meech Lake Agreement.

This concern was raised by the Canadian Environmental Law Association, the Citizens' Network on Waste Management, Pollution Probe and Energy Probe in a recent letter to the Clerk of the standing joint committee on the Constitution. They feel that the right of the provinces to opt out of shared-cost programs may discourage the federal Government from assuming its responsibility in the area of environmental protection if it can be argued that an initiative may be in an area of exclusive provincial jurisdiction. Even a program in an area of concurrent jurisdiction where both the federal and provincial Governments have jurisdiction may be affected by this provision, as was noted by the groups in their letter.

As our spokesman for the environment, the Hon. Member for Davenport (Mr. Caccia), stated yesterday, Bill C-74 should propose strong national standards that can only be superseded by provincial legislation which is stronger than federal legislation, but surely not by provincial legislation which is weaker. Instead, what we have with Bill C-74 is legislation which will ensure that the federal Government will give in to lower provincial standards and, therefore, create a chequerboard type of treatment of the environment across Canada, in other words, better protection of the environment in one province than in the other, which defies the nature of pollution which very often cuts across boundaries and artificial boundaries.

What about water, Mr. Speaker? Apart from our hockey players, I think you would agree with me that water is Canada's greatest natural resource. Yet this Bill contains no

provisions to establish national water quality standards and no authority to set drinking water quality standards. Furthermore, the major provisions of the federal water pollution law currently found in the Fisheries Act have not been incorporated into this Bill, and therefore some of the progressive and innovative sentencing techniques found in this Bill will not apply to those who pollute our waters. Bill C-74 does not deal with the hundreds of toxic chemicals found today in Canada's waterways.

This Bill will be referred to a legislative committee for study, Mr. Speaker. I hope that members of the committee take full advantage of the opportunity to improve the Bill, particularly in light of the fact that it is only once in a decade when Canada's environmental laws are revised and we get to study a Bill of this nature. I hope the Bill will be turned into the kind of forward-looking, innovative legislation that will provide the means for Canada to deal with the urgent environmental problems which face us today.

[*Translation*]

In considering what amendments should be made, the committee can do no better than to refer to the recommendations of the environmental groups of Canada which met on June 25 and focussed on three proposals for amendments.

First, that we recognize the legal right of citizens to take legal action; and included in the same recommendation, that we provide financial assistance to ordinary citizens so that they may take part in the decision-making process. As everyone knows, the companies involved in the decision-making process can deduct their expenses from their taxable income, which means that half their legal costs are paid by Canadian taxpayers. Ordinary citizens and environmental groups do not have the same financial resources as companies and should receive some financial assistance from the Government.

Second, that we reinforce the power of the Government to apply anti-pollution standards. There should be national standards, and this should not be left under the sole jurisdiction of the provinces.

Third, these groups emphasized the importance of creating a data bank to which those involved would have access and which would include the standards for the quality of life and the protection of the environment which the Government intends to apply.

[*English*]

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I would like to begin by saying it is a pleasure to speak to this Bill, an Act respecting the protection of the environment and of human life and health. As my colleague from Kamloops—Shuswap said, there is certainly no issue more important than this on which the time of this House should be spent.

• (1650)

As my colleagues have said, we are happy to see the Government introducing a first step, yet it reflects what we have seen from all Governments historically in Canada, a form of crisis management as opposed to a strong political will to deal with this very serious issue. Because of that, we see a general lack of faith by the public in the environmental information we receive. This has very serious consequences. It means that much of the information Governments of all Parties give out may be received with less than enthusiastic acceptance. There have been many cover-ups, not necessarily by Governments or political Parties, in an attempt to avoid alarming the public over particular environmental issues. Again, the legislation is positive but it reflects an attitude of crisis management.

There are a few areas I would like to address which illustrate that. First, I would like to speak to a particular issue relative to the area I represent north of the 60th parallel. Nowhere else do we see the importance of good environmental legislation which balances the need for development and the need for preserving the environment. I happen to be one of those who believe that this is possible if the political will is there. It does not have to be a choice between jobs or the environment. We need both for our life and health, and both must be in balance. For example, I quote Don Gamble, Executive Director of the Ottawa-based Rassion Academy of Aquatic Science, speaking in Yellowknife in the Northwest Territories. He said, concerning water pollution, that:

> Governments must do more than collect water data and regulate effluents. Their efforts should be based on what is called an eco-systems approach which recognizes that all economic activity ultimately depends on a viable environment.

It is therefore my belief that legislation can achieve both these objectives and do it well. If we do not, the future of our economy and our health is in jeopardy.

Canada has a long history of resource extraction without proper controls. This has resulted in legal uncertainty for both the industry and those involved with the environment. North of 60 is often referred to as the last frontier. I suggest that for many people it is the last frontier environmentally as well as in other respects. It is the last chance to do things the right way. We have not totally polluted the environment and we must be particularly vigilant.

To some extent I agree that this Bill begins to address the important area of toxins. That, after all, is the major thrust of the Bill. Yet one of the things it omits is a Bill of rights for environmental health. I strongly believe that an Act presented as protecting human life and health must include that Bill of rights. The history of our country is such that medical care has been the right of all Canadian citizens. Surely environmental protection, a clean and unpolluted environment, is the concomitant Bill of rights, otherwise a medical care Bill of rights does not make much sense.

I would like to address three areas in the Bill which I think warrant greater discussion in committee. First is the question of enforcement. I have seen many instances where we have had really quite good laws on the books but neither the resources to carry out enforcement nor in some cases the will. Certainly the

Government will have to commit itself to putting forward adequate resources for enforcement. Otherwise, it again underscores the lack of faith the public has in laws and regulations, and undermines the public's faith in the bureaucracy and politicians, as well as generates a sense of hopelessness over the question of whether anything can really be done about the environment.

That is something one sees as having happened through the 1970s when there was a great environmental movement. As we move through the 1980s the problems become more complex because of new chemicals being created every day, a problem which this Bill attempts to address. Yet there is an increasing sense of hopelessness. What can we do? Therefore, legislation must ensure enforcement in order to give hope to people.

I feel that this Bill does not illustrate as strong a commitment to enforcement as we would like to see. Clause 7 says that the Minister "may" do certain things with respect to enforcement. That illustrates the point I was making earlier. There are adequate laws on the books, but they are not enforced. It is not necessarily so because people do not want to enforce them; there may not be the personnel and so on. In order to maintain the public faith and send the message that the Government is serious, the objectives outlined in Clause 7 should be made much stronger and I hope this will be given consideration when the Bill is in committee.

North of 60 we have had a number of examples of a lack of enforcement. That is why I feel so strongly about it. We have territorial water boards under the Northern Inland Waters Act. That Act is fairly adequate. However, the enforcement capability of those water boards is really not very strong and is subject to a lot of controversy involving the industries affected, involving legal certainty, as well as the public at large who ask, what is the point in having hearings, interventions and guidelines if in the end nothing can be enforced? There is no recourse for those who are concerned that such guidelines and regulations be carried out.

• (1700)

With regard to Clause 7, which provides that the Minister may do a number of important things which I think should be done, an issue right now which is of consequence to all of Canada, in particular the North, is the proposed transport of plutonium between the United States and Japan. I think anyone would consider plutonium to be a toxic substance. There is a lot of concern about what Canada can and should do about that. This legislation does not particularly address that issue, of course, but I see nothing in it which would allow the Minister of the Environment to intervene. I realize that this also affects other Ministries, and that leads to my next point about the strength of this legislation with regard to co-ordination.

North of 60 there is probably no greater problem in environmental and industrial issues than the lack of co-ordination. Other speakers have mentioned that this Bill reduces the number of laws from 58 to 55, but I do not think that will cause rejoicing in the general public. The lack of co-ordination is extremely confusing for both industry and individuals and leads to the most serious problem of lack of accountability and responsibility.

When there are 24 Departments and 55 laws involved, finding the committee, board or Department which will accept responsibility is virtually impossible unless one is a lawyer, and perhaps even then. This legislation does not send out a strong signal that the Government is committed to taking over the management of the environment, that it will not allow it to be destroyed but will spend a great amount of time and resources cleaning up the mess that has been allowed to develop. This is not an area in which mistakes are easily redressed. We have seen many examples of that, some of which other speakers have mentioned. This is an area in which we must anticipate as well as work. While there are some parts of the Act which do that, I am very concerned about the lack of co-ordination, the lack of one identifiable source which is committed to taking this on seriously.

I certainly agree with the preamble of the Bill which states that environment is one area which really is a federal national concern. Air pollution, pollutants in the soil, and pollutants in the water are no respecter of territorial, provincial or international boundaries. That is an area in which we must be very vigilant. I find that section particularly vague and hope the committee will find it within its purview to study it. North of 60, international relations concerning the environment, particularly with Greenland and the United States, are very serious, as many people here will know.

Again on the issue of co-ordination, there have been many recent examples in my own riding of problems with this. One example is the dumping of raw sewage into the Yukon River. Millions of tonnes were dumped before anyone knew about it. The reason given by one level of Government was that it did not want to alert the people downriver because they might get upset. Given that they drank the water that came downriver, you can be darned sure that they were upset when they eventually found out. There were a number of federal, municipal and territorial Departments involved in that issue. That illustrates the need for good communications, good co-ordination, and having someone in charge. I hope the committee will very seriously address the issue of co-ordination.

Environment is one of the issues which is closest to everyone. Everyone knows something about the environment and has some opinion on it. The more complex we make legislation, the more difficult we make the consultative or advisory process, the further we are from doing something meaningful about the environment. Although it is very important for the federal Government to take the initiative and the responsibility, it will only work if everyone participates in it.

I will again use the health analogy. We can have very good health programs and a national medicare system, but unless people take some responsibility for their own health, these

programs are very difficult to implement. Therefore, the federal Government must send out strong signals of leadership in terms of proposed legislation.

I suggest that our success with enforcement and the public perception of the Government's commitment to enforcing environmental legislation has been undermined somewhat by our history. As an example, an article in the Edmonton *Journal* in April of this year reported the first ever conviction of a firm for Arctic pollution. There has been a lot of pollution in the Arctic, as many people will know. The judge in that case said that with the great potential for harm to the northern environment people in businesses operating in the northern extremes of Canada have a substantial burden to take precautions to protect the delicate balance of nature.

The fine in that case was $14,000. It was certainly a symbolic fine and I do not suggest that this was the responsibility of the federal Government. However, the public perception is that this issue has not been taken seriously. I believe that the public is looking for leadership and a strong commitment to the environment. While we support the step being taken by the Government in this legislation, I do not believe that it signals to the public the strong commitment that the public is seeking for the protection of all of us, our health, our agriculture, our water, and all that sustains us.

In Clause 5 of the Bill, the consultation processes, the establishment of advisory committees, and so on are being discussed. I realize that much of this is in the legislation, but I think that when these committees are being considered it is important to recognize that aboriginal people who have lived on and with the land, particularly north of 60, but in the south of Canada as well, have much to contribute to this consultative process. I hope that in some way this legislation, and the regulations in particular, will reflect that significant participation which would be essential to good and useful legislation.

In conclusion, I concur with my colleagues who have stated that this is a good first step. However, there are some amendments which should be made which we will propose during committee stage. I hope the Government will take a much stronger position and demonstrate to the Canadian public a political will to show leadership on environmental issues beyond this small piece of legislation.

Mrs. Browes: Mr. Speaker, I would like to congratulate the Member on her excellent speech. She touched upon some very important points. Enforcement is indeed a very important issue as is co-ordination, both of which she brought to the attention of the House.

• (1710)

The Hon. Member mentioned the enforcement mechanisms in Clause 5 and Clause 7. Clause 5 deals with advisory committees and Clause 7 deals with objectives, guidelines and codes of practice. The real enforcement clauses are Clause 100, Clause 101, and Clause 102 under investigation of offences. Clauses 103 to 107 under offences and punishment are also very strong.

I believe this Bill is very tough in terms of enforcement when one considers the various punishments of offences that are outlined. I believe the Government should be congratulated for what it has brought forward in terms of punishment for those who pollute the environment.

Furthermore, individuals have various rights. There is the right of a person who has or may sustain a loss or damage as a result of action prohibited by the Act to seek an injunction from the courts to stop or prevent the action. There is the right of 12 persons to petition the Minister to investigate an alleged violation. The Minister must respond with his findings. There is the right of a person to have his or her identity kept confidential.

The legislation provides for fines of $1 million and the punishment of life imprisonment. The chief financial officers of companies can be subject to jail sentences. The enforcement sections of this Bill are very extensive, and I want to bring that to the attention of the Hon. Member who spoke very eloquently on a number of points. This Bill is very loud and clear in its enforcement sections. She may wish to review those clauses of the Bill.

Ms. McLaughlin: Mr. Speaker, I have read the clauses which the Hon. Member has highlighted. I agree that they are good clauses.

My point is that we must ensure that there are sufficient resources in order to carry out those investigations and so that complaints can be promptly investigated and considered. However, I realize that that may deal with regulations more than the Bill itself.

Ms. McDonald: Mr. Speaker, the Hon. Member is the New Democratic Party spokesperson on tourism. Would she give us some of her views about what this Bill will do for tourism?

We all depend on better environmental protection, but people in the tourist industry, including small business people and others, have a more immediate dependence on the environment being healthy in order to attract people to their part of the country.

Does she believe the measures in this legislation are adequate to take care of environmental pollution and will be welcomed by the tourist industry? Does she think that these measures will achieve the significant results they need? In other words, how beneficial will this be to tourism in Canada?

Ms. McLaughlin: Mr. Speaker, my hon. colleague has raised an extremely important point. During my speech I referred to the importance of the environment and economic development. I certainly include tourism potential in that area.

One of the difficulties with environmental issues is that many environmental problems are not readily identified. Therefore, it is important that experts in the area anticipate

these problems before the environment is too polluted to be restored.

While it is extremely important to preserve our environment for ourselves primarily, it is also important to take into account the enormous tourism potential of our environment. Many people visit all parts of Canada, not only the North, and come here to see the wilderness. They want a clean environment, with clean air.

For example, I talked to American tourists who came to the North and were awed by our clean environment and clean cities. That is one of the reasons that they visit us.

I believe in a Bill of environmental rights that guarantees a clean, healthy environment for all of us, not just to develop economic possibilities. However, a clean environment is certainly a consideration for economic development where tourism is concerned. It is extremely important to remember that tourism is a big industry in Canada and represents some 10 per cent of our employment.

Mr. Redway: Mr. Speaker, I was interested in the Hon. Member's comments with respect to the whole question of enforcement in this Bill and in environmental legislation in general. I was also interested in her concern about the commitment, including the commitment of resources, that is necessary if environmental legislation is to be actually enforced.

We know that there has been a great deal of criticism by various environmental groups and the public at large about the commitment and effort that has been made in the past by previous Governments in enforcing this kind of legislation. However, the Hon. Member referred to the one and only conviction for ocean dumping that was registered very recently in the Beaufort Sea near her own constituency. It was a conviction against the Gulf Oil Company, with a fine of almost $200,000.

I suggest that because this occurred recently for the first time, as far as enforcement of legislation in those Arctic waters is concerned, it is an indication that there is a commitment to enforce environmental laws, particularly those that deal with the area north of 60. Furthermore, the Minister announced in June a commitment of a further $37 million over and above the existing budget to be directed specifically toward that commitment to the enforcement of environmental legislation.

Would the Hon. Member not agree that there has been, specifically through that Gulf Oil prosecution and the further commitment of funds, a very substantial and positive indication on the part of the Minister and the Government that they are serious about the matter of enforcement of this legislation?

Ms. McLaughlin: Mr. Speaker, the case to which I was referring occurred last spring, in which there was a $14,000 fine. However, the Member's point is well taken and I believe the examples he has given are positive ones. I hope we will see more of them. It is the public's perception that such convictions have been limited in the past, and I hope the kinds of examples which the Hon. Member gives will increase so that we are not simply discussing one or two isolated cases.

Mr. Peter Peterson (Hamilton West): Mr. Speaker, it is a great pleasure to join in the debate on Bill C-74 as presented by the Minister of the Environment (Mr. McMillan). Matters relating to the environment are very important to the people of the City of Hamilton. The Department has indeed been very active and visible in the City of Hamilton over the last little while. It was just in January of this year that the Minister came to the city to open an energy-from-waste pilot plant located at the Canadian Centre for Inland Waters right on Hamilton Harbour. This is a very important and new technology. It is one which demonstrates a technique that imitates the natural process of oil synthesis by converting at least 90 per cent to 95 per cent of the carbon in the sludge to a usable form of energy. To date, approximately $3 million has been spent by the federal Government on this particular project.

• (1720)

The federal Government has also agreed to provide at least $1.25 million towards the clean-up of the Windermere Basin in Hamilton Harbour. That is being done as part of its international commitment to the Great Lakes Water Quality Board and the International Joint Commission. The Department of the Environment, in keeping with its theme of consultation, of course, has consulted with a 45 member stake holders' group to define uses of the harbour and to seek advice during the development of a remedial action plan to clean up the harbour.

Water is an important issue for Hamiltonians. As you know, Mr. Speaker, we border on one of Canada's Great Lakes and we are constantly reminded of the importance of this valuable natural resource. I want to speak today about the implications of Bill C-74 for the protection of water resources from environmental pollution.

There is an old saying with a lesson for us all: "You don't miss your water until the well runs dry". It is a fact that our fresh water resources, particularly along the Canada-U.S. border, are an overused and often abused resource. We depend on these resources for drinking water, recreational and industrial uses, and, of course, tourism. This is more true of Canada than the United States as 50 per cent of the Canadian population lives within the Great Lakes and St. Lawrence basins, whereas just 12 per cent of Americans live in the same area. Industries on the Canadian side of the border represent over 50 per cent of Canada's Gross National Product, and again the corresponding figures for the United States are much lower.

These national comparisons, however, contrast sharply with absolute statistics compiled on a regional basis. Americans consume six times as much water as Canadians in the Great Lakes Water Basin and are responsible, in my opinion, for a great deal more of the pollution that occurs in that area.

Therefore, it is not surprising that support in this country, especially in the City of Hamilton, is strong for initiatives such as the Canada-U.S. Great Lakes Water Quality Agreement and the joint Canada-U.S. plan to monitor and reduce toxic loadings to the Niagara River.

It is also then understandable that the Government of Canada is anxious to put in place more effective national environmental protection legislation. The Minister of the Environment brought into Parliament on June 26, 1987, the Canadian Environmental Protection Act to begin the process towards legislative approval and enactment. This legislation is important for us in the City of Hamilton, and for all of Canada, because it does a number of things and I would like to outline just what they are. First it gives authority to control the introduction into Canadian commerce of substances, whether they be chemical, organic, inorganic, animate or inanimate that are new to Canada. It also gives authority to obtain information on and to require testing both of new substances and substances already existing in Canadian commerce.

It contains provisions allowing control of all aspects of the life cycle of toxic chemicals, including fuels, from development through manufacture or importation, transportation, distribution, storage and use, their release to the environment in such forms as emissions, and their ultimate disposal as waste.

It also contains provisions for regulations governing federal works and undertakings and for regulations to protect federal lands and waters within the legislative authority of Parliament where legislation administered by federal Departments or agencies does not provide for making regulations to protect our very important environment.

There are also provisions to create national objectives and guidelines setting desirable levels of environmental quality as well as release guidelines and codes of practice. The Act also allows control of sources of air pollution in Canada which would likely result in violations of international agreements or which affect another country, and where reciprocal legislation exists to control the sources of that pollution.

It contains provisions for control of nutrients such as phosphates in water conditioners or cleaning products which can interfere with the use of water by humans, animals, fish or plants. There are also provisions to issue permits to control dumping at sea from ships, barges, aircraft and man-made structures, excluding normal discharges from offshore energy facilities.

The Act also contains the authority for the federal Government to sign agreements with the provinces and territories of Canada for the administration of the legislation.

A lot of public attention has been given to the sections of the Canadian Environmental Protection Act that deal with toxic substances. We have been asked how the new Act differs from Canada's current legislation covering these chemicals. That legislation is called the Environmental Contaminants Act. While both the Canadian Environmental Protection Act and the Environmental Contaminants Act are based on the criminal law power assigned to the federal Government under Canada's Constitution, the Environmental Contaminants Act is residual legislation. That means that under that Act, the Minister is obliged to ascertain whether action to alleviate the danger could be undertaken by other federal agencies or the provinces under their specific legislation. It is clearly back-stop legislation.

The new Act is pro-active and much broader in scope. The definition of "environment" contained in the Act is a clear indication of this breadth. In the context of the new legislation, "environment" means the components of the earth and includes air, land and water, all layers of the atmosphere, all organic and inorganic matter and living organisms, and the interacting natural systems that include components referred to in paragraphs of the Act.

With respect to its pro-active character, the new Act allows the federal Government to deal with substances at all points of their life cycle. For example, where the Environmental Contaminants Act had only limited provisions for submission of information on, and review of, new chemicals, the new Act has stringent requirements for submission of information on substances that manufacturers and importers are seeking to introduce to Canadian commerce for the first time. In contrast to the Environmental Contaminants Act, the new Act empowers the federal Minister of the Environment to do certain things, and this is extremely important: first, to issue orders prohibiting an activity involving a substance new to Canada where he or she has reasonable grounds to believe that the substance has been manufactured in or imported into Canada in violation of the Act; second, it empowers the Minister to make emergency orders to prevent release to the environment of a substance believed to be toxic where the substance presents a significant danger in Canada to the environment or to human life or health. It also empowers the Minister to issue orders requiring remedial measures to manufacturers, processors, importers, distributors or retailers. These remedial measures may direct an individual or a company to undertake such measures as giving public notice of any danger to the environment, human life or health, accepting return of the substance or product and reimbursing the purchase price to the purchaser, or recalling the substance or product and replacing it by one that does not present a danger to the environment, human life or health.

What are the implications of the new Canadian Environmental Protection Act for water and control of water pollution? Because the Act gives new authority to the Government of Canada, it can better control substances throughout their life cycle. This will ensure prevention of the release of harmful substances directly to water, from both surface and underground water sources and indirectly through emissions or from the land due to run-off, leachates, and so on.

Phosphates, as a nutrient, will be regulated under the Canadian Environmental Protection Act at the time of its

passage. Federal authorities may also consider controls for other nutrients such as organic carbon compounds if these substances are shown to have an adverse effect on the aquatic environment.

As I explained earlier, under the new Act, the Minister of the Environment is required to create environmental quality objectives, guidelines and codes of practice. While these objectives, guidelines and codes do not have the force of law, they will influence the direction and level of environmental protection efforts right across Canada.

• (1730)

Environmental quality objectives can apply to specific areas of Canada, or be clearly national in scope. In the short term, federal efforts will likely focus on inter-jurisdictional, that is, Canada-U.S., and interprovincial matters. Codes of practice may specify design operating and decommissioning procedures, or all of these for industrial and municipal facilities, as well as operations involving any form and handling of chemicals, disposal of wastes, et cetera.

Opposition Members in their contributions to this debate have been led astray in their observation that co-operation with the provinces in the protection of our environment will lessen the efficacy of the implication of this legislation. The Hon. Member for Davenport (Mr. Caccia), for example, suggested that what we need are strong national standards. He wants legislation that will be an imposition on the provinces and not one which is an agreed upon Bill by all parties involved.

The federal environmental authorities will consult with the provinces, as well as with industry, municipalities, labour, environmental groups, and all other interested parties across Canada on the development of these objectives, guidelines and codes. This is in keeping with Environment Canada's traditional approach of consulting first with affected stake-holders, such as provincial Governments and others, in order to understand their concerns and build consensus in both the process and the result.

This legislation is the environmental legislation which we believe will see us into the 21st century. It has the general support of industry which participated fully in the consultation process that over the last five years has led to the creation of this Bill. The preservation and maintenance of environmental quality are the shared responsibilities of Governments, industry and individuals. Canadian society now understands this and understands that further environmental quality is essential to protect Canada's resource-based economy and the many and varied in-stream uses of our virtually priceless water resources.

This Bill, along with co-operation and consultation with all Governments in Canada, is the tool for solving environmental problems and preventing those of tomorrow. This Bill is clearly good news for Canada, and especially good news for the City of Hamilton.

Mr. Deputy Speaker: Are there questions or comments? The Hon. Member for Winnipeg North (Mr. Orlikow).

Mr. Orlikow: Mr. Speaker, the Hon. Member pointed out quite correctly that the spokespersons for both the Liberal Party and the New Democratic Party, joined by environmental organizations and the Canadian Labour Congress, have expressed concerns about a provision in the Bill which calls for consultation, and I suppose agreement, between the federal and provincial Governments before much can be done. They see this as a serious drawback to effective action being taken. I want to point out a specific case to the Hon. Member and ask him to tell us how he thinks we could deal with it.

We have in the Province of New Brunswick, which is a have-not province, a province in which a large percentage of its people are unemployed, one family, the Irving family, which controls virtually all the pulp and paper industry, the mining industry and the energy industry in that province. It has repeatedly, in its determination to maximize its profits, ignored recommendations, studies—and I am speaking from memory when I say this but I think I am correct—and court orders requiring it to improve its methods of operation so that it can begin to reduce the waste products which it dumps into the rivers of that province and the way in which it pollutes the water, the air and the earth of the province. That family has simply refused to do anything to move in the right direction.

I ask the Hon. Member how he thinks that, without a good deal of federal authority, that disgraceful situation in the Province of New Brunswick can be changed.

Mr. Peterson: Mr. Speaker, I would like to thank the Hon. Member for his questions. He has obviously asked several. The first thing I want to say is that the approach of the Government in federal-provincial relations is very much one based on consensus-building as opposed to confrontation, an approach that was adopted by the previous administration. He clearly knows that what we are endeavouring to do is to build a consensus so that all Canadians are onside with respect to matters relating to the cleaning up of the environment.

I think the Hon. Member would agree with me that the construction of regulations, guidelines and codes should be based on a program of consensus with the specific government bodies which have jurisdiction over matters concerning the environment, that is, both federal and provincial Governments.

In terms of the Hon. Member's reference to the Province of New Brunswick, I think the Hon. Member will agree that this legislation gives the federal Government authority to act. If he examines the penalties and the enforcement provisions in the Bill he will agree that once this legislation has been passed there will be significant penalties and clout available to address some of the matters he has raised.

Mr. Berger: Mr. Speaker, can the Hon. Member tell us how this Bill will clean up Hamilton Harbour? How will it respond to the stake-holders' concerns, the International Joint Commission?

Mr. Peterson: Mr. Speaker, as I mentioned earlier, the federal Department of the Environment has already made some significant improvements in terms of improving the quality of the water in Hamilton Harbour. I made reference to two of them at the beginning of my remarks. There is a commitment to spend $1.25 million on the clean-up of the Windermere Basin, as well as the energy from waste operation at the Canadian Centre for Inland Waters.

I think the Hon. Member will agree that the process of building a consensus toward cleaning up the environment, enforcement of the legislation and penalties, will now be available to the federal Government as a result of this Bill, specifically in terms of dealing with some of the problems that we are experiencing in the City of Hamilton.

It took the initiatives of the Government and the Prime Minister (Mr. Mulroney) as well as the Minister of the Environment to get these types of measures under way. We waited for over 20 years while the previous administration did not have the guts to bring forward a comprehensive environmental protection Bill.

Mr. Berger: Mr. Speaker, in terms of a body of water, Hamilton Harbour has been cited as one of the 10 most important trouble spots in North America. How can the Hon. Member stand up and talk about $1.25 million? What type of effect will that sum of money have on solving this very serious problem?

Mr. Peterson: Mr. Speaker, the $1.25 million contribution by the federal Government was a contribution shared by the regional municipality and the province. It was the amount of money required to deal with cleaning up the Windermere Basin.

The Hon. Member should also be aware that there were 45 stake-holders and a remedial plan of action being developed with respect to Hamilton Harbour. The Minister of the Environment's commitment to the City of Hamilton and to some of the pollution problems we face is that when these remedial plans of action are available the federal Government will be there to deal with them.

Mr. Redway: Mr. Speaker, I am interested in the Hon. Member's remarks, specifically with respect to Hamilton Bay and the problems surrounding it. The federal Department of the Environment has been in place now for some 15 years. It dates back to 1972. I understand that the former Government, which was in power for some 12 years of that period of time, had nine separate Ministers of the Environment during those 12 years. Can the Hon. Member tell us what action was taken during that 12-year period with respect to Hamilton Bay?

Mr. Peterson: Mr. Speaker, I just want to correct the Hon. Member. He referred to Hamilton Bay. The residents of Burlington refer to it as Hamilton Bay. We in Hamilton refer to it as Hamilton Harbour. I stated earlier that the federal Government has agreed to contribute to some of the plans outlined by the municipality and the provinces. This Government and this Minister are taking some definite action in moving toward the eventual clean-up of Hamilton Harbour.

• (1740)

I am not aware of any programs during the past 12 years undertaken by the previous administration to attempt to address this problem, which is very important to all the residents of the City of Hamilton.

Ms. McDonald: Reference has been made to Hamilton Harbour. I wish to ask the Hon. Member a question on a waterway a little further along the Great Lakes system in the Toronto area. Year after year there are beaches where no one is allowed to swim because of the pollution. We rely on Lake Ontario for our drinking water. I wish to ask the Hon. Member, what good will this Bill do when enacted for these serious problems regarding water quality and recreation, the ability to use the natural beaches that we have in the Great Lake system, particularly in the Toronto area?

Mr. Peterson: I am certain that the Hon. Member is aware that there is a provision in the Bill where we will now be able to identify the substances fully. There is an additional $37 million to be spent in the Ministry of the Environment for enhanced inspection facilities and personnel. If the Hon. Member understands the provisions of the Bill, she will know exactly what is available to clean up that problem.

Ms. Sheila Copps (Hamilton East): Mr. Speaker, I would have loved debating the Hon. Member for Hamilton West (Mr. Peterson) on the sequence of events that led to the federal Government's final awakening to the difficulties in Hamilton Harbour.

The Hon. Member should be aware, since Hamilton Harbour abuts on our ridings, that there was a report tabled which was put together by the City of Hamilton and the region in which they sought from the city, the region, the province, and the federal Government a total package which would amount to approximately $4 million to lead to the clean-up in the Windermere Basin, which is in my riding.

The city and the region got together, because of the nature of the serious problem, and the fact that the International Joint Commission has stated that Windermere Basin is one of the most polluted bodies of water in North America. According to the IJC report, the basin itself contains PCB concentrations which exceed the Ministry of the Environment guidelines by up to 68 times. Immediately the City of Hamilton and the Regional Municipality of Hamilton-Wentworth agreed to contribute $750,000 to cover their portion of the clean-up costs.

Following that decision in September, 1986, the provincial Minister of the Environment, Mr. James Bradley, immediately agreed that the province would commit approximately $1.2 million. The Ontario Government immediately came in with a commitment. The federal Government and this federal

Minister, who made many promises that he was going to clean up the environment, refused to do so.

I have stacks of correspondence in my office where he suggested that he is studying the matter and looking at it. In fact it was not until I managed, as the Member for Hamilton East, to get the whole matter referred to the intelligent Standing Committee on Environment and Forestry that it was agreed the matter would be put before committee because the federal Government was stalling on its contribution.

Meanwhile, another relevant event entered the picture which in a positive manner changed the outlook of the Minister on the difficult situation in the Windermere Basin. It was called the by-election.

After the full Liberal caucus went to Hamilton, met with the Mayor, reviewed the evidence of the serious contamination and pollution in the Windermere Basin, and after the Hon. Member for Hamilton East convinced the committee Chairman, I must admit that he was very quick to accept the suggestion that there be a reference. The Regional Chairman wrote to the Standing Committee on Environment and Forestry seeking an opportunity to appear before the committee to present the case of the City of Hamilton. The Department of the Environment was dragging its feet on coming up with its portion of a mere, piddling, measly, miniscule $1.2 million to help clean up one of the most polluted bodies of water in North America. The by-election was called, and I am glad that the Minister finally agreed.

I was also glad to hear the Hon. Member for Hamilton West state that the Minister will be prepared to follow up on the recommendations from the stake-holders' report. I assume that that means the Minister will follow up financially. If the Minister is prepared to follow up financially, we on this side of the House will be looking for significant financial contributions from the federal Government far in excess of the rather piddling $1.2 million set aside to assist the city. The city and the region have taken the initiative in this area in completing their proposal to clean up the Windermere Basin.

The Windermere Basin is probably a microcosm of the whole problem that the Government faces in terms of credibility. The Minister of the Environment himself started his tenure by saying that environmental protection in Bill C-74 would be the strongest piece of legislation in the western world. In the same manner as the Government said it was committed to cleaning up the Hamilton Harbour and the Windermere Basin, we have seen foot-dragging. Surprisingly, and even shockingly, this is the fourth year of the Government's mandate. This is the first piece of environmental legislation to be introduced for second reading and debated in the House.

On the one hand, the Minister can say that he is committed to the environment and his Government makes it a priority, but the reality is that for three years in this Chamber we have not had a second reading debate on an environmental Bill at a time when the environment is one of the issues uppermost in the minds of most Canadians. That is not to say that there has been no activity in the Department of the Environment. Unfortunately, that activity has been of a negative nature.

In November, 1984, we raised in the House the issue of the Canadian Wildlife Service. The Government and the Ministers of the Crown said that there was no problem cutting back on the Canadian Wildlife Service. It will not have any effect. In particular, the Canadian Wildlife Service was in the throes of researching and analysing the eggs of certain gulls and birds that flew over Lake Ontario in order to determine when toxic chemicals in the water and in the air actually caused cancer, mutations, and deformations.

The scientists felt that if they could see those conditions in the birds first, they would be able to predict what may happen to human beings if we do not start to clean up our act. The Canadian Wildlife Service was performing a valuable and critical service when one considers the present state of some of the Great Lakes. That service was cut back. The Minister said it was no problem, it is just a few scientists studying gull eggs. What difference does that make?

At the same time, the Government cancelled funding for the Guelph Toxicology Research Centre. One would think that the Minister would be proposing positive legislation to help clean up the environment, but instead he seemed to be more interested in moving on his own public relations campaign. We will remember when the Minister was flown to the Laurentians during some type of environmental conference. He absented himself from the conference in order to fly to the Laurentians to be filmed singing a song about the environment for Canada's Environment Week.

However, what happened when his scientists wanted to tell the story about what was happening with chemical and toxic chemical contamination? When one scientist—and I think it is the most notable example, Mr. Speaker—dared talk about contamination in the St. Clair River, he issued an order that scientists should keep their mouths shut, not because their information was incorrect or inaccurate, but because they were telling the truth, the truth was actually getting to the Canadian public, and the Canadian public was becoming rather concerned about it.

• (1750)

Instead, we have had a Government and a Minister who have neglected to tell the public about the real crisis we are now facing in our environment in terms of chemical contamination of air, water, and land. The Minister has neglected to bring forward positive legislation. While the Bill before us today is supportable, it is certainly in no way near the legislation which he claimed would streamline the system and be the toughest legislation in the western world.

In fact, it must be frustrating for people in the public who are trying to understand what legislation governs the water we drink, the air we breathe, and the factories in which we work.

Let me refer to what I was rather stunned to discover. I know this will prompt the Hon. Member from Toronto to jump to his feet with his oft repeated question: "What did you do for the last 16 years?" I think the public is getting a little tired of that tune and would like to hear what the Conservatives are doing. In any event, I have presupposed the question and answered it in advance.

I was rather stunned to discover that there are 24 federal Departments administering 57 environmental laws. It is no wonder that Canadians get frustrated when they want to find out if they can swim in their beaches or drink water. The Government is bringing in legislation which is supposed to streamline the law, but Bill C-74, as it now is, will result in 24 federal Departments administering 55 laws. Three laws will be merged into one law, which will give us 55 laws administered by 24 federal Departments.

However, it is a step forward, albeit a baby step; of course I have babies on my mind these days. It is not even a small step forward; it is a baby step for man and mankind, but we shall support it.

We support the fact that there will be a system to assess the impact of new chemicals on human health and the environment. This is one reason that I, as health critic, was so pleased to speak on the legislation. We believe that for any legislation to be effective, there must be in place a system to assess the ultimate impact of new chemicals on human health.

The shortcoming in this piece of legislation is that it will not deal with existing chemicals. In particular, if we consider the fact that fertilizers, weed-killers, and such chemicals are specifically exempted from the legislation, of course it is a cause for some concern. However, the Bill will allow for the assessment of 60,000 chemicals which are in use today.

If we look at the financial resources which have been set aside for this assessment, we wonder whether it is really practical to expect that with $2 million to $3 million being set aside in each of three Departments we will actually have the teeth to be able to assess 60,000 chemicals in use today and the chemicals coming on stream so quickly. In many cases it is almost impossible to keep up with them.

We also support the fact that the legislation will at least begin the process of allowing the public to understand what is happening with the chemicals in use today, but we are most concerned that the financial resources are simply not available.

We also believe, in respect of Bill C-74, that instead of just englobing a rather rambling preamble, the Minister should have lived up to his promise and his obligation to bring forth a legislative environmental Bill of rights. He has talked about it in the past. We were waiting for it to be in this piece of legislation. Frankly, he just did not deliver.

I am sure another point would interest those involved in the area of human rights as well as foreign policy for Canada. It is rather bizarre that we are bringing forth legislation which could set in place mechanisms to ban a chemical in Canada, but there is no concurrent mechanism to ban the chemical for export to other countries, most specifically the Third World.

In other words, if we say that a certain chemical should not be used in Canada because it will cause cancer, mutations in the limbs of children born to women exposed to the chemical, or other health problems, it will also cause those health problems in other countries. We think it is immoral that Bill C-74 does not contain a requirement that any banned chemical should be banned for sale and production in Canada and for production and export abroad. For Canada to say that a chemical is good enough for the Third World but not good enough for Canadians is wrong. I am sure my colleague from Toronto would agree with that assessment and would support the amendments we will be bringing forward.

We are also very concerned about the issue of ministerial discretion.

[*Translation*]

For over three years, and this Government is now entering the fourth year of its mandate, this Government and this Minister have not attempted to introduce for second reading in this House any bill on the environment.

Mr. Speaker, no one can blame us for being afraid that the fact that the Minister wants to provide too much power and too much discretion for himself could create problems.

If we look at Section 29.4, we find that the Minister may waive any of the requirements for information to assess whether a substance is toxic if he considers that it is not needed. If a new chemical comes on the market and the Minister considers that there is no problem as the manufacturer is a good company which he knows and does not want to examine, he can waive the review process without any possibility of appeal by ordinary citizens. This is what frightens us. As the Minister has introduced no bill on the environment until now and has not had the courage to fight to protect the environment for the last three years, we do not want to provide him with any personal discretionnary powers now.

Elsewhere, in paragraphs A) and B) of subsection 37.2, we see that the Minister has a power of exemption to say that any chemical can be exempted from the regulations if he so desires. We find this a bit frightening as we do not trust the Minister in view of the way he is drawn his feet for the last three years and we do not want to give him too much discretionnary power.

As I have already said, Mr. Speaker, we shall support this Bill, but we shall also put him on notice that we are not satisfied with his speeches and his rhetoric and we would prefer more practical, substantive and financial action. The little he is now spending is not enough to protect our environment.

I shall have to close on these last comments.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

ROYAL CANADIAN MOUNTED POLICE—EMPLOYMENT OF VISIBLE MINORITIES

Mr. Alan Redway (York East): Mr. Speaker, I suspect that you will not recall the Buddy Evans case which occurred in Metropolitan Toronto in 1979 or 1980. Because it has been a number of years now, my own memory is somewhat hazy about the particular case. Buddy Evans was a Canadian black. He was not too highly thought of by the police department. He became a *cause célèbre* as a result of a shooting which occurred when the police felt that Buddy Evans was perhaps going to do them some harm, and they shot him. As a result, an inquest was held.

That inquest touched off a great furore of marches, demonstrations and counter-demonstrations, some in support of the police department of Metropolitan Toronto and some in support of Buddy Evans. At that time, Metropolitan Toronto came as close as it has ever been in the time that I can recall to having racial violence. It was very disturbing. It led to some major and dramatic changes in our society, particularly in Metropolitan Toronto. It led to the creation of a number of race-relation committees in the community. In fact, each one of the six municipalities in Metropolitan Toronto established race-relation committees as a result of that situation. It led to the establishment, for the very first time in this country, of a civilian police complaint review board in Metropolitan Toronto.

You will recall that since we have come to this House, Mr. Speaker, the RCMP Act has been amended to provide for that same sort of mechanism for the RCMP. It provided as well for liaison committees to be set up between the visible minority communities in Metropolitan Toronto and the police department. It also provided for increased efforts to be made to try to establish and augment the numbers of visible minorities who were members of the Metropolitan Toronto Police Department. All of this was a reflection of the fact that there was systemic discrimination within the police department and, for that matter, within virtually all employment in our own municipality.

Systemic discrimination was the same kind of problem as that of stereotyping, for example, with which women have had a great difficulty over a long, long time. It was one of the reasons that women could not break into many occupations and many fields. We are delighted that the new Deputy Clerk of this House is a woman.

If there is one thing on which my Party, your Party, the Progressive Conservative Party, Mr. Speaker, is founded upon, surely it is the principle of equality of opportunity. That is why for the very first time ever in Canada the present Government introduced employment equity legislation for the purpose of dealing with federally-regulated companies. It is why for the very first time the Government introduced an affirmative action program for the Public Service and it is why for the very first time it introduced an affirmative action program as part of the contract compliance regulations with which a business has to comply when contracting with the federal Government.

This legislation and policies were based on the fact that women, disabled people, native people, and the visible minorities should all be given equal opportunity as far as hiring, promotion, training and pay is concerned. Included was the concept of setting targets to ensure equality of opportunity. That was not for the purpose of giving priority to people who were not clever or not the best or the brightest. It was for the purpose of stemming and stamping out systemic discrimination in our society.

• (1805)

In August of this year Treasury Board set targets for visible minorities for the Public Service for the very first time, and next June federally-regulated companies will have to comply with those same laws. What about the RCMP? What is their place in this? A study was done recently by Professor Jain of McMaster University. He reported that although 7 per cent of the population of this country are visible minorities and 45 per cent of the labour force are visible minorities, only 1.7 per cent of the federal Public Service are visible minorities, and the RCMP would not even tell Professor Jain who the visible minorities were or how many there were in the RCMP.

When I asked the Solicitor General (Mr. Kelleher) in this House if he could tell me why the RCMP would not give this information to a study of this sort, he said it was contrary to the Canadian Human Rights legislation. That shocked me, because after all this Government will require the private sector to provide this information. It will require by way of an affirmative action policy the Public Service of Canada to provide this information. Why, then, would the RCMP not provide it?

I would like to know from the Parliamentary Secretary tonight when the RCMP is going to comply with the law of the land. Why will the RCMP, in a concrete and forthcoming manner, not demonstrate whether or not there is equal opportunity of employment in the RCMP? It is only through providing that information publicly that we are going to know whether the RCMP complies with the law of Canada or not.

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): As you are aware, Mr. Speaker, Treasury Board affirmative action guidelines and the employment equity legislation constitute comprehensive government policy designed to eliminate discriminatory barriers in areas of federal jurisdiction and to improve the participation of

qualified women, natives, the disabled and under-represented visible minorities in the workplace. However, I should point out that neither the RCMP nor the Canadian Forces are subject to policy direction from Treasury Board on affirmative action or to the equal employment legislation because of the unique nature of the jobs performed by these institutions.

It should be made clear that I am referring here to the regular member and civilian member categories of employees as opposed to the public servant. These institutions have, nevertheless, attempted in the past to design personnel policies and practices which are in keeping with the spirit and principles which apply elsewhere.

In the case of the RCMP, special affirmative action measures have been developed where a particular need has been identified. For example, the RCMP, because of its extensive involvement in policing rural and northern wilderness areas, has a well-developed native constable employment program. The force employs approximately 240 native special constables to assist in providing policing services to native communities in the eight provinces and two territories where the force serves under contract.

RCMP recruitment policies also ensure that women are recruited equitably in proportion to the number of women seeking to gain entry into the force. While the demanding physical nature of police work precludes disabled persons from becoming regular members, the RCMP has one of the highest employment rates for disabled persons among its public servants.

With respect to visible minorities, the RCMP does not currently have a formal affirmative action program. In the absence of such a program, the RCMP could not legitimately collect information on the racial background or ethnic origin of prospective recruits or current members. Thus, the RCMP, at this time does not have data on the number of visible minorities serving in the force.

• (1810)

The absence of formal affirmative action programs does not mean the RCMP has been inactive in the area. The RCMP has been a forerunner in the police community in its efforts to overcoming cultural barriers through the development of cross-cultural training programs. The force has also been successful in overcoming the reluctance on the part of certain visible minority groups from seeking employment as police officers through its contacts with ethnic groups, as well as through the use of the ethnic press in its recruitment campaign.

On May 19, 1987, a report was made by Dr. Harish Jain of McMaster University to a congress of the International Society for Intercultural Training and Research in Montreal. Professor Jain found that visible minorities were under-represented in most major Canadian police forces as compared to their representation in the communities being policed. On May 26, 1987, when appearing before the Committee on Multiculturalism, Professor Jain asked that the RCMP comply with the employment equality legislation and collect statistics on the status of visible minorities in the force.

The Solicitor General (Mr. Kelleher) has been made aware of Professor Jain's proposals. In keeping with the RCMP's commendable leadership in meeting the needs of visible minorities and in attracting recruits from their midst, every effort will be made to respond to Professor Jain's suggestions. I believe I can safely say that the RCMP recognizes the importance of Canada's national police force being representative of the Canadian mosaic and that appropriate initiatives will be developed where required to achieve this objective.

CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION—BELL CANADA RATE INCREASE APPLICATION MINISTER'S LETTER TO COMMISSION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, I recently raised a question with the Minister of Communications (Miss MacDonald) concerning a letter which she sent on behalf of Bell Canada to Bell Canada Enterprises and which has been objected to very strenuously by four organizations, namely, the Consumers' Association of Canada, the Canadian Business Telecommunications Alliance, the Public Interest Advocacy Centre and the Association of Competitive Telecommunications Suppliers, a group which does not often get together but which is extremely concerned with the Minister's interference in a hearing before the CRTC for Bell Canada rates.

When the Minister responded to my question, she actually dug herself in deeper. She did not agree to withdraw her letter, which is what these organizations have asked her to do. The letter itself is very clear as to the nature of the intervention. She says:

> In accordance with this policy—

—which she cites—

> —and provided that Bell Canada submits, as evidence, an audited verification that the costs associated with the temporary transfer of its employees to BCI are recovered fully by Bell Canada, I would be prepared to review any future decision of the CRTC, which failed to reflect these principles.
>
> So, for example, were the Commission to establish or impute a level of compensation from BCI to Bell Canada that exceeded the audited costs directly and indirectly associated with these transfers, I would be prepared to recommend to the Governor in Council appropriate action—

The only action the Minister can take is to recommend that Cabinet overturn that decision. I understand that the letter was also sent to the chairperson of CRTC directly and it was submitted in the documents in Bell Canada's rate case.

This letter is, of course, totally unwarranted interference in a procedure which was already in progress. I note that the decision which the CRTC had previously made had gone against Bell Canada. Bell Canada was incorrectly told that it had to allow $25 million more for expenses on account of risk undertaking by Bell Canada International, the whole point being that one should not shunt a risky business, from which the profits would go to certain shareholders, to the consumers

who are the telephone subscribers in a monopoly service. That is a very fundamental principle as the Minister admits.

However, the decision was made by the CRTC. Bell Canada did not appeal that decision, which was an avenue open to it. Instead the Chairperson of Bell Canada Enterprises, Mr. de Grandpré, had a little chat with the Minister. As a result of that little chat the Minister came up with a very convenient letter, which is appended to the rate application. If the CRTC takes the Minister's advice, one of the results would be an additional burden of $25 million on the subscribers. That is very unfair.

• (1815)

There are other issues at stake as well. The Minister is interfering in the process. When the decision is made by the CRTC, it could then go back to Cabinet for a decision. At that point, the Minister is supposed to advise Cabinet as to whether or not it should uphold the CRTC. How can she give impartial advice to Cabinet in a matter on which she has already taken a position? How can she work with the CRTC, with which she is supposed to be dealing on a policy basis, when she is giving it a very strong hint that it had better make a certain decision?

Whatever the decision, she could be in trouble with the courts should she deal with the matter before Cabinet. If the consumers lose, they could go to the courts and ask that the decision be overturned since the Minister was involved in the case inappropriately. She has made it impossible to properly fulfil her role in this whole process.

The Minister's letter puts the CRTC in an impossible position. If it knuckles under and adopts Bell Canada's arguments, it will lose its credibility completely because it is supposed to be an independent agency. If it does not give in to the Minister, it will harm its ongoing relationship with the Minister.

There are a number of unanswered questions. Why does the Minister want telephone consumer rates to go up by $25 million so that the Government of Saudi Arabia can get cheaper telephone service? If Bell Canada was not satisfied with the decision of the CRTC, why did it not appeal? If Bell Canada International needs a $25 million hand-out, why does it not apply for a government grant?

I am extremely disappointed with the Minister's decision in the first place, and the fact that she is digging herself in deeper. When I raised the question, she responded with a gratuitous insult that hers was a balanced letter which I only need read, suggesting that I would raise a question about her letter without having read it in the first place.

In the view of these organizations that are active in the area of rate setting and very knowledgeable about CRTC processes, the Minister has abused her position by attempting to intimidate the CRTC and dictate its decision on this issue.

The Minister should be giving policy directions to the CRTC and has failed to do that in numerous areas of broadcasting policy and specialty services. She should abdicate the role of interfering in particular cases and take on the role of giving policy direction where it is needed. She has failed utterly to carry out her responsibility and is interfering in a most inappropriate manner in an independent regulatory agency.

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Mr. Speaker, the Hon. Member alleged in her question in the House on September 9 that the Minister of Communications (Miss MacDonald) had improperly intervened in a CRTC procedure on the part of Bell Canada. This is simply not the case. I am surprised that the Hon. Member, given that she has had ample time to review the Minister's letter to the Chairman of Bell Canada Enterprises, would raise this matter again.

The Minister's letter refers Mr. de Grandpré to the forthcoming CRTC proceedings as the proper opportunity for this matter to be resolved. It goes on to clearly state that the Government supports the CRTCs role in ensuring that Bell Canada subscribers do not subsidize the competitive activities of Bell Canada Enterprises.

Furthermore, the Minister reminds the BCE chairman that the onus is on Bell Canada to provide information to the CRTC that would allow the Commission to make the most informed decisions.

I fail to see how the Hon. Member can arrive at the conclusion that the Minister has taken the side of Bell Canada. On the contrary, she has told Bell Canada that it must take this matter up with the CRTC, that the Government fully supports the CRTC's role in protecting the telephone subscriber from unfair costs, and that Bell should provide additional information to the Commission.

• (1820)

The role of the CRTC is clear and has in no way been affected by the Minister's correspondence. As the Minister pointed out in her return letter to the group which had written to her about the issue, the Commission has full authority to determine this matter according to its statutory responsibility, and she fully supports its duty to make an informed, objective assessment.

The Hon. Member is very familiar with the Bell Canada Reorganization Act, Bill C-13, which dealt with the principle of separating Bell's monopoly and competitive activities. This principle exists in part to ensure that telephone subscribers do not subsidize BCE's competitive activities. The Minister has been entirely consistent with this policy.

I think that on careful reading of the Minister's letter, it is clear that rather than somehow compromising the regulatory process, as some Hon. Members have implied, in fact the Minister has expressed a great deal of confidence in the

regulatory process and that she has clearly stated her belief that the normal regulatory process is the appropriate form in which to resolve this issue.

SMALL BUSINESSES—NATIVE ECONOMIC DEVELOPMENT—CONSULTATION PROCESS—MINISTER'S POSITION

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, it was on August 11 that I asked questions concerning native economic development and a certain consultation process launched by the Minister of State for Small Businesses and Tourism (Mr. Valcourt). This process of consultation was to help develop a native economic development program within his Department. I want to take the opportunity now to raise some concerns about native economic development in general and its priority with the Government in particular.

I found it interesting that the Minister of Indian Affairs and Northern Development (Mr. McKnight), in response to my supplementary question to him on that date, chose to quote an excerpt from a resolution passed by the Assembly of First Nations in June 1987. The Minister read in part:

> Federal initiatives to date have further entangled the First Nations in a complex web—short sightedness and jurisdictional disputes. Federal Departments responsible for supporting First Nation's economic development are unable to effectively co-ordinate their activities.

Of course, that is all true. The Minister used that statement to justify the very narrow approach being taken to develop a plan for native economic development. It is interesting, however, to read what the Minister left out of that very same resolution. The same resolution from the Assembly of First Nations states in full:

> The federal Government continues to give lip service to the ideas of local control, self-determination, comprehensive community planning and adequate resources to establish appropriate infrastructures at the community level.

It went on to say:

> —that the Assembly of First Nations would prefer a Government wide review of federal support for native economic development rather than the consultation being planned by the Department of Regional Industrial Expansion on the future of its native economic programs.

The resolution then goes on to suggest that what should be happening is that native people should identify the goals they want to achieve and the means by which to achieve those goals, including what funding would be required and what changes are necessary to existing policies and programs.

I do not think the Government can logically argue that we need anything less than a comprehensive approach. Consultation on DRIE's native economic development program is not sufficient. I argue that all programs of all Departments of Government which affect native economic development must be looked at. Indian people must be intimately involved in all aspects, actively participating.

It is clear that often one part of the Government does not know what the other is doing. Programs from one source can deliberately frustrate the efforts of another Department. For example, it is not possible to deny the link between post-secondary education and future employment and economic development. Yet we know that the Department of Indian Affairs has put a cap on its post-secondary budget and students are being turned away from colleges and universities. I ask the Government, then, how it expects to provide the supply of Indian tradesmen, administrators, professionals and managers that are required. The Government knows, and it has revealed it in an important briefing note to the Minister, which states that effective delivery of devolved Indian programs, advances and local autonomy and increased employability are dependent upon effective training and education of Indians.

• (1825)

The statistics are supportive of that assertion. Some 140,000 natives will become eligible to join the labour force over the next 10 years. The problems this will create cannot be underestimated. Just to maintain employment rates at the present low levels will require 8,000 new jobs annually. Most of the new jobs will be required in rural areas where opportunities have, to date, been very limited. Operational and policy linkages between labour market programming and economic development will continue to be extremely important.

That deals with education, Mr. Speaker. Second, no one can deny the link between adequate infrastructure in a community and economic development. Yet all Hon. Members know that basic water and sewer services are lacking in the majority of Indian communities in Canada.

Third, the Minister of Employment and Immigration (Mr. Bouchard) has persistently refused to make available to Indian bands the employment funds that they were able to obtain under the former Canada Works program to build houses in their communities. The Canadian Jobs Strategy program is not in most cases applicable to Indian communities. Yet here is where unemployment is the highest.

When the Hon. Member for Rosedale (Mr. Crombie) was the Minister of Indian Affairs, he commissioned a task force on Indian economic development. It was to prepare a data base on the state of Indian economic development in Canada. The task force determined that economic development in all respects falls far short of the national average.

I would like to quote Douglas Sanders from the Faculty of Law, University of British Columbia, who said:

> The failure to deal seriously with the questions of Indian economies is the single most glaring failure of national policy in both the United States and Canada.

I conclude by saying that what the Government is doing is conducting a very narrow review and avoiding consultation. Behind it all is the present motivation of how it can reduce expenditures in this area or, if I may put it in the euphemistic terms of the Government, how to stabilize economic development resourcing at present levels.

What the Government is trying to do is to save money and to hide behind the consultative process. In the long run it is denying Indian people the economic independence that they

need to run their own lives and to get out from under a system of dependency that robs them of their own dignity, political power and the right to have the control over their own lives that they are seeking in a wide variety of ways.

[*Translation*]

Hon. Bernard Valcourt (Minister of State (Small Businesses and Tourism) and Minister of State (Indian Affairs and Northern Development): Mr. Speaker, I am somewhat surprised that the Hon. Member would treat so offhandedly the consultation process announced on July 24.

[*English*]

The consultation process which was announced on July 24 is now being branded by the Hon. Member as not comprehensive enough. What is important for natives and what we have undertaken to do is to go to the grass roots, to seek from them their views regarding the economic development program which is administered by DRIE. The Hon. Member refers to the Department of Indian Affairs and Northern Development, to CEIC, and other departments that have an interest in economic development. That is the very reason these departments are also part of this consultation process. They are part of the review group which will be able to take into account the views of natives and possibly influence the report which will be submitted to me and from which I in turn will go to the Government with recommendations.

• (1830)

In his statement, the Hon. Member has embraced a whole range of topics which are important to economic development for natives. Of course, I can appreciate the political reasons for the Hon. Member saying that our agenda is this and that. The fact remains that we are committed to working with natives to ensure that they can become economically self-reliant. It is promising to see the reception that the consultation process received from bands and tribal councils. I look forward to the results of the consultation process. If, under the previous Government a department was doing things which the other departments did not know, under this Government we work *en unisson* and we know what we do as a Government. Cabinet reviews the conclusions of this consultation process. I hope that we will come up with measures that will improve and render more efficient the programs that we wish to put in place to ensure economic development among natives in this country.

Mr. Deputy Speaker: The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 10 a.m. pursuant to Standing Order 3(1).

The House adjourned at 6.31 p.m.

HOUSE OF COMMONS

Friday, September 18, 1987

The House met at 10 a.m.

Prayers

GOVERNMENT ORDERS

[*English*]

BRETTON WOODS AND RELATED AGREEMENTS ACT

MEASURE TO AMEND

Hon. Tom Hockin (for the Minister of Finance) moved that Bill C-68, an Act to amend the Bretton Woods and Related Agreements Act, as reported (without amendments) from a legislative committee, be concurred in.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Point of order, Mr. Speaker. As the House will know, this matter was sent to committee last week. The committee moved very expeditiously and reported the Bill yesterday without amendment. After discussions with the opposition Parties, it is our understanding that it would be possible to seek consent to have the Bill proceed today and send it over to the other place.

Mr. Speaker: Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

Hon. Tom Hockin (for the Minister of Finance) moved that the Bill be read the third time and passed.

He said: Mr. Speaker, I just wanted to thank all my colleagues on the legislative committee that studied this Bill for their willingness to deal so expeditiously with it. I thank them for their co-operation in moving it through the House so quickly. Because of this co-operation Canada will have ratified the convention creating MIGA, the political risk insurance organization, by October 11 and will therefore participate in the first meetings at which time the rules and regulations for the institution will be established.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, I compliment the Minister of State for Finance (Mr. Hockin) for probably one of the shortest ministerial speeches on record. I beg the indulgence of the House if I do not quite follow his standard because I believe third reading of this Bill is an opportunity to comment and deal with issues arising out of the Act and the present state of the international financial system. I believe this House should spend a few minutes in contemplation and examination of where we stand as a country and where the system itself stands.

As some Members of the House will know, both I and the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) returned yesterday from a quite extensive trip to Central America, Nicaragua in particular. We had an opportunity to view first hand a Third World country struggling with enormous economic problems, to say nothing of the war which is viciously exacerbating those problems. We saw the importance of the international economic system to a small country like that and how poorly the system is working for those countries at this time.

• (1010)

We had an opportunity to speak with the Minister of Economic Development who said that coffee, the major export commodity of that country, had suffered a price decline in the last several months. As a result, that country will be facing an additional shortfall of some $250 million in its current accounts. Such a drop in national income goes beyond the abstract statistics for a country of three million people with a GNP of $3 billion. It means that people there can no longer have the foreign exchange to buy replacement machinery parts for their tractors. It means that consumer goods such as toothpaste and shampoo which must be imported can no longer be afforded except with the use of American dollars.

In other words, the shortfalls in the system create the kinds of pressures in a country like that which not only result in major inconvenience in the daily lives of its people, but also eviscerate the economic capacity of that country.

It is not that there is a lack of effort, because the will and the expectation to rebuild the economy is foremost in everyone's mind. One cannot be anything but full of admiration for a poor country that is making every possible effort for land reform, to transfer land into the hands of the peasants of that country so they can, for the first time, have the responsibility to be independent and responsible for their self-sufficiency. But how can they do so when they do not have tractors or irrigation pumps?

First, there is an embargo by the U.S., which we implicitly accept, and second, the international economic system no longer affords them the ability to sell their commodities at a

fair rate in order to achieve the kind of economic revenue that is required to maintain a minimum of growth.

When considering this Bill, the purpose of which is to set up a new credit system, we must ask whether we are lecturing on navigation while the ship is going down. Are we tinkering with minor repairs to the system when the system itself has some very basic flaws?

It is time for a new Bretton Woods Agreement. It is time to rethink the agreement, rather than simply tinker around the margins of the system.

When the major countries of the world came together at Bretton Woods to sign a new economic agreement on trade and international finance in 1944, conditions were very different from what they are now. The United States not only had a generosity of spirit and a belief and commitment to multilateralism, the American dollar stood as the primary and unassailable world currency. Both those conditions have changed. Certainly, the attitude of the present U.S. administration does not reflect that same commitment to multilateralism and generosity of spirit. Rather, we see an attempt to play Rambo-like politics on the economic frontiers.

In addition, the United States no longer has the economic dominance it had 30 or 40 years ago. One need only look at their own situation. They have gone from being the largest creditor nation in the world to the largest debtor nation in the world, running the largest trade deficit of any country. The only way the United States is able to support that huge deficit is by borrowing from abroad, primarily from the Japanese who now hold some $55 billion of equity and holdings in the United States economy alone.

The obvious result is that there is no longer a world currency that can stabilize and facilitate the operation of the international economy. The dollar is subject to pressures and instabilities, as evidenced by the insecurity on the world stock markets. We are seeing a curious situation in which we are trying to evade the issue of incredible problems in Third World countries. We have been trying to manage these situations on a case-by-case basis, yet knowing that every major international bank, including Canadian banks, have outstanding debts. If a bank decided to pull a card from the deck representing these outstanding debts, the whole deck would fall.

Recently, major Canadian banks had to set aside hundreds of millions of dollars, which only represent approximately one-quarter of those outstanding debts. The debt problem is being managed in a way that is designed almost to put a Draconian discipline on the debtor nations, and to serve the banking interests more than to encourage economic growth in these countries.

These countries are in a Catch 22 situation. They cannot stimulate growth in their economies because of the restrictive measures imposed upon them. All their export earnings must go to servicing the debt, so there is nothing left to reinvest into those countries to stimulate further development.

At the same time, economic aid is being pulled back by the wealthy nations in the world and commodity prices are falling. One would have to refer to the Book of Job for a text on the international economic system, where it states: "My God, why hast thou forsaken me?"

This deluge of incredible problems requires a reorganization of the system by the major players in the world. They must recognize that the U.S. currency is no longer the foundation of the international system and certainly cannot be in the future. There must be a different arrangement on our exchange rates. We must find a better solution to the debt problem than the case-by-case approach which has been adopted thus far. We must find a way of dealing with the commodity problems in the world economy, recognizing that the so-called market system we have adopted has only resulted in driving prices down and creating more instability, of which we are partly victim, and from which there is no result. The longer we simply try to tinker with the system, the worse the problem will get.

This brings me to the matter of political management. I believe the problems of the world economy have far superseded the capacity to manage them. Once again, it is a case where economics is far ahead of politics. We have not yet combined our ideas and resources to find ways to manage the system. In fact, looking at recent events, we would have to conclude that we are going in reverse. We may be running the risk of falling back even further, with ruptures in the system and a retreat back into the era of the 1930s where we had country pitted against country and regional block against regional block.

• (1020)

I suppose what I regret most is that that is a reflection also of what seems to be happening in our own country. Clearly, the case we tried to make over the past two and one-half years is that the present Government of Canada has fallen into a basic fallacy, that is, that our economic interests could be best served through bilateral relationships. Most obvious, was the attempt to negotiate a free trade deal with the United States. Instead of using our efforts, energies and imagination to try to provide leadership in the international economic system, we were also part of that retreat into protectionism, into the North America fortress. We were pulling our commitments back and that was a tragedy because at the original Bretton Woods Agreement, our own country was one of the major advocates of a new international economic order. We were one of the architects of that system. We provided much of the intelligence and recommendations which helped build Bretton Woods at the outset.

It has been of great regret to my Party, and we have said this right from the beginning that the Prime Minister (Mr. Mulroney) announced that the economic priority of Canada was a free trade deal with the United States. We asked if this meant we were abandoning our multilateral commitment? Are we retreating from the international priority we once had? The answer, of course, is yes. The people who have won out in the

decision-making councils of Ottawa have been the bilateralists, the Simon Reismans and the Derek Burneys, the Brian Mulroneys and the others—and I use the name in a generic sense, Mr. Speaker, in referring to the Prime Minister—the North Americans, the continentalists who have dominated our economic thinking; not the internationalists not the multilateralists, not those who saw in this country the opportunity and responsibility to try to reforge, remake, redefine and help reform the international economic system.

We have made a fundamental mistake. We have taken the wrong course and we have applied our energies in the wrong direction. As a result, we are now paying the price. We do not know what kind of strange combination arrangement will emerge on October 5, but we know now that the promises and expectations that were raised for that North American trade deal have been shot through with holes. It is not going to be the great economic cornucopia, and resolution to all the problems. It will not have a dispute settling mechanism. It is not going to provide for that open access. It is not going to provide for all those promises that were made. The fact is that we have allowed three years to go by and have won nothing as a result.

In the meantime, we have had to face a growing cloud and shadow in the international economic environment. We have abandoned many of our allies and friends. We have pulled back on our economic interests. One example is the trade performance of Canada last year. In every single region of the world, with the exception of the United States, our trade fell drastically, sometimes as much as 30 per cent and 40 per cent. At the same time, the Department of External Affairs was cutting back 30 per cent on our Export Development Fund, closing embassies, and consulates, and cutting back on export promotion everywhere except the United States of America. As a result, the dependency we have on that one country for our own trade was even more severe and extreme.

We have been abandoning our international commitments. We have gone asleep at the switch in terms of opening up new trade opportunities. The fastest growing economic region of the world has been in the Pacific Rim. The OECD country which has the lowest rate of trade in the Pacific Rim is our own country. We are making very little effort to try to recapture that area. The drops are severe.

At the same time, we have been facing, along with many Third World countries, major declines in the prices for our commodities. In certain respects we have a lot more in common with Malaysia, Latin America and Asia than we do with the United States, because our major exports are still earned through our commodities sales—our grain, forest products and minerals. Those are the commodities which have been suffering the ravages of an international economic system which is out of order.

Instead of applying ourselves and trying to come to grips with the need to get new commodity agreements, to provide stability of prices, to secure access to markets internationally, we have been spending all our time negotiating with the United States. Our eye has been on the wrong spiral. We have substantially missed the target. As a result, I think the world has lost a country which has in the past provided economic leadership in these matters, one which has reached out to establish a commitment and understanding and belief in international economic order.

Perhaps the primary missing ingredient is that voice in international councils trying to bring together a new meaning to a Bretton Woods type agreement. Obviously, it would be more complicated and more difficult than it was in 1944. Obviously, it is one that would have to include a much broader range of participants, with a much broader and more varied range of economic interests.

The world is not the oyster of the western hemisphere. We in the western hemisphere and Europe can no longer set the pace and dominate the world as we once could. There are many more increasingly influential economic players in the economic game, so of course the rules will have to be changed. The rules will not always be our own way. It is time we faced up to that reality. It is time we stopped hiding from that reality and began to apply ourselves in an effort to reorganize and reform the international system to meet that reality.

The Bill before us is acceptable. No one is arguing with it. There is some modest repair of the system. But it does not tackle the fact that presently there is an obvious and clear discrimination in the international banking system towards Third World countries, particularly if they are politically unacceptable to the United States. If the United States does not like the policies of a Third World country, it is not going to get loans from the International Development Bank. That is very clear. We cannot tolerate that. That is not the way an international rule of law should operate. It should not have ideological overtones. That is not the new international economic reality we must face. But we say nothing about that.

We know that the incredible weakness of the commodity markets is forcing many of those Third World countries into positions of utter desperation. Again, the voice of Canada has been stilled on that matter. We are not arguing, as we should be, in world council for effective commodity agreements. We buy once again a position from our ideological friend to the south, and everything has to be the open-market system. It is not working for us and it is not working for them. It is time we began to look at the need for forms of agreements which would provide that stability.

The international banking system is no longer dealing effectively with the debt problems of the Third World. We are simply putting off the accounting to a future date, perhaps for another generation. It is interesting when we talk about domestic orders, from time to time to hear Conservative Members of Parliament saying we have to control the debt here domestically because we do not want future generations to pay the bill.

• (1030)

Should we not raise the same question internationally? Should we not be asking the same type of questions with respect to how we propose to do that in the world market which, in many ways, has far more impact on us? Should we not also be asking what currency will make the world go round? What will be the medium of exchange if the U.S. dollar falls and falters as it has been for the last few years? It has been devalued by almost 20 per cent against the Japanese yen.

I suppose my regret is that those were not the kinds of issues or questions I heard or saw addressed by the Minister of State for Finance or by the Government in bringing this Bill before us.

I pay my compliments to the Chairman of the Standing Committee on External Affairs and International Trade who is in the Chamber. His committee will study this issue in the fall. It is an important issue. I pay my compliments to the Chairman for giving leadership in this area. However, we now have a Bill before us on this matter. It is here in the House today at third reading stage. I thought that the opportunity to raise these matters would have been before us. As I say, I know the reason why it was not. I know the preoccupation and obsession that has so dominated the thinking of the Government in terms of the North American economic trade system. Its relationships only with the United States has pushed out consideration of all other matters. It has blinded us to the wider perspectives of those international responsibilities.

I hope that as we approach the *dénouement* of that particular preoccupation and members of the Conservative caucus realize just what a tortured road they have been following and what kind of false expectations and hopes they have been creating we can get back to reality and get back to what I believe is the Canadian stewardship and task; that is to say, to provide leadership on the multilateral international economic front where we can do some good, where we can try to reorganize the rules as well as try to reformulate the Bretton Woods Agreements in trade and finance. We can try to use the capacity of our leadership to mobilize other countries to bring about that type of commitment to reform. I believe that is an honourable, useful and important calling for Canada. It is one that I hope we will soon adopt.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, I appreciate the opportunity to make a few remarks on third reading of Bill C-68, which introduces changes to the Bretton Woods and Related Agreements Act which will give Canada authority to participate in the Multilateral Investment Guarantee Agency, or MIGA as it is known.

MIGA will be able to provide insurance for foreign investors in Third World countries against non-commercial risks. The annual report of the World Bank for 1986 states that there are four categories of non-commercial risk which will be covered in particular. They are: the transfer risk resulting from host government restrictions on conversion and transfer; the risk of loss resulting from legislative or administrative action or omission of the host government which has the effect of depriving the investor of ownership, control, or substantial benefit from his investment; the risk resulting from the repudiation of a contract by the host government when the investor has no access to a competent forum, faces unreasonable delays in such a forum, or is unable to enforce a final judgment; and, finally, the risk of war and civil disturbances.

The establishment of MIGA is in general accord with the recommendations of the Brandt Commission on north-south relations. Certainly, there are advantages to seeing this type of an insurance scheme that we hope will promote increased investment in the Third World. That kind of investment flow is very important. On the face of it there are advantages both to developing and developed countries in this type of process. There are advantages to Canadian business in establishing MIGA.

MIGA has particular advantages in view of the problems that have developed in terms of loans to Third World countries over the last few years. These loans have crippled the economies of Third World countries. We have the debt crisis where countries such as Mexico, Brazil and Peru face astronomical debt servicing charges that no one expects they will be able to meet in any reasonable way. The countries of Africa, which have been crippled by famine and drought, have also been crippled by the debt loads that they have upon them. At the same time this debt structure threatens the stability of the financial system in the developed world because if some of these debtors default, that can cause a major problem with the banking systems of North America and Europe.

There are a great many advantages, on the face of it, to a system that instead of providing loans to Third World countries looks to equity investment. This means that developing countries would see only an out-flow of dollars when a venture had become profitable instead of payments having to be made whether the venture is profitable or not, as with a loan. From the point of view of the developed countries that we hope will be doing the investing, the investors would realize that a profit was required. They would invest only after they had looked twice. There would be a more realistic assessment of the risk, something that did not happen in the heady days of making some of the loans that took place in the late 1970s.

Equity investment can also create major long-term problems for the countries that receive the immediate stimulus of the investment. There can be the loss of control over key economic sectors, which is something that the present Conservative Government does not seem to recognize, or does not care about, when it comes to Canada's own economy. However, it is something that is of concern to several Third World countries. They find themselves between a rock and hard place. They know that on the one hand they need the in-flow of capital, while on the other they are very concerned that equity investment can result in a permanent loss of any control over their own economies.

This is the crux of the whole international economic situation. Are countries in the Third World going to have some control over their own economies or will those economies be managed out of New York, London, Tokyo and West Germany?

The major situation that we need to face in terms of the developing countries is that while there are increasing costs for inputs they face declining commodity prices. I would just like to quote from the World Bank annual report which discusses non-oil commodity prices:

> The dollar price of nonoil commodity exports from the developing countries declined by about 10 percent in 1985.

A decline of 10 per cent in commodity prices for countries that are already poor means that these countries have to cut back their standard of living by at least 10 per cent and more when we consider that the inputs they require in terms of oil and machinery have all gone up in price. The report goes on:

> This drop was caused both by slow demand growth since early 1985 in industrial countries and, in the case of grains, cotton, and oilseeds, by excess supply resulting from exceptionally bountiful crops or shifts in the price-support and export policies of major suppliers.

• (1040)

When prices drop for Third World countries they often respond by producing more. Our whole economic system is based on the fact that in order to compete people have to produce more. When everybody produces more it creates a glut in the market and, as a result, commodity prices fall further.

The report also stated:

> Producing countries, in need of export earnings to finance imports and debt service, have given few signs of restraining production in the face of falling prices. The average dollar price of metals and minerals fell by 5 per cent and has declined by about 30 per cent since 1980.
>
> Tin prices fell dramatically, and trading in tin was suspended at the London Metal Exchange in late October when the International Tin Council ran into financial difficulties and could no longer support the price of tin.
>
> Food prices in dollar terms declined by an average of 12 per cent, after a 6 per cent increase in 1984. The price of beverages, however, picked up substantially during the fourth quarter of 1985, influenced strongly by the coffee boom, the result of a severe drought that is expected to reduce Brazil's 1986/87 coffee crop by between 30 per cent and 50 per cent.

Bad news in Brazil where there was a drought meant good news for coffee producers in other parts of the world. That was the only possibility of good news. Since then the price of coffee has gone down. The report further states:

> The price of tea, however, declined to about half its 1984 level by the end of 1985, following large increases in production in tea producing countries. The prices of cereals and fats and oils dropped by 66 per cent and 24 per cent, respectively.

Imagine a drop of 24 per cent in the price of basic commodity exports. The report further states:

> World cotton acreage increased by 11 per cent in 1984/85 in response to favourable prices the year before; world prices for cotton then fell 21 per cent in the 1984/85 season. Since then, however, the United States and China, both major cotton producers, have taken measures to reduce cotton production.

That report is from The World Bank, a conservative organization that is not given to making extravagant claims.

The drop in commodity prices and the effect on Third World countries is the primary problem that we face. While we pat ourselves on the back for passing this law which will make it easier for investors to move into Third World countries, we must ask if it would have made any difference if the inflow of funds in the late 1970s to Third World countries had been in the form of equity investment, as this law provides for and gives some assurance for, or if it had been in the form of loans, as happened.

When commodity prices drop and input prices increase, it does not matter what the situation is. The economies of those countries are in serious difficulty. Sooner or later we will have to confront that situation. We cannot have it both ways. We cannot have an international trading structure that robs developing countries of a fair price for their commodities, and at the same time hope to have a stable investment and loan climate in those same countries.

I wish to turn to the analogy of the prairie farm in the late 1930s. My father lost a farm in Saskatchewan at that time. I do not think it would have mattered a great deal if he had had someone else who had invested and taken a share of the farm profits, rather than having a mortgage that he was unable to pay because of poor crops and prices. It would have meant that he was a sharecropper instead of a bankrupt farmer. I do not think there is a great deal of difference in the economic status of those two.

The Bretton Woods agreements were reached at the end of the Second World War in order to attempt to stabilize the international economic situation. It would be interesting to look at some of the expectations that we had at that time.

In July, 1943, Henry Morgenthau, the then Secretary of the Treasury in the United States, produced a preliminary draft outline of a proposal for an international stabilization fund of the United Associated Nations. At that time he stated that "monetary stabilization, commercial policy, the provision of long-term international credit, promotion of stability in the prices of primary products, and arrangements for relief and rehabilitation are problems that join at innumerable points", and that they had to be dealt with separately and then integrated.

He also stated that there were, "three inseparable monetary tasks: to prevent the disruption of foreign exchanges, to avoid the collapse of monetary systems, and to facilitate the restoration and balanced growth of international trade", which all required international action.

He pointed to the need to avoid the "repetition of exchange instability and monetary collapse that followed the last war", that is, the 1914-1918 war. He called for an international stabilization fund. He pointed out that while some people wished to have one agency look after all the different concerns, the United States wished to have separate agencies. He also

stated that for the fund to work needs co-operation "to reduce trade barriers and to terminate discriminatory practices that have in the past hampered the balanced growth of international trade. The nations of the world can be prosperous only if they are good neighbours in their economic as well as their political relations".

He also stated, "world prosperity like world peace is indivisible". We need to learn that lesson, yet we have a system where we are attempting to defend and develop a fortress-like mentality that allows some people in some nations of the world to exist in a degree of prosperity, and even in our own nation, there are huge gaps of poor people, while other nations live in total and absolute poverty with very little hope of getting out of the morass of debt and underdevelopment. As long as we have a system that perpetuates unjust commodity prices compared with high input costs, this situation will continue.

Like the previous speaker, I had a chance to visit Nicaragua last week with the Canadian Mission for Peace. One of the things that impressed me most, apart from the spirit of the people and their commitment to the revolution and the hope for peace, was the inflation. We had to carry a small bag of money in order to purchase lunch or supper.

That country is suffering from a United States embargo designed to cripple its economy. It is suffering a surrogate war with the United States paying the mercenary Contras to fight against and destroy development.

We visited a small co-operative in the hills of Nicaragua far from anywhere where a group of some 11 families were attempting to develop self-sufficiency and an economy where they could look after themselves. This was not a strategic economic unit in Nicaragua, except from the point of view that it was enabling those people to feed themselves. This place, where 11 families were living, was the target of a Contra attack, financed by the United States. The Contras came down in the middle of the night, attacked these people, destroyed their homes, burnt their tractors, and forced them to flee. Then those families returned and tried to rebuild.

• (1050)

This is the reality of what is happening in Nicaragua where the Government is trying to work with its people to develop a decent economy and where the United States is doing everything it can to destabilize that economy. The result is the kind of inflation about which I was speaking, inflation which is making it very difficult for that country to survive and for ordinary people to survive.

This is very germane to the topic which we are discussing. We hope that there will be increased investment in Third World countries, and we hope that it will result in improvements in the living standards of those countries. I emphasize that we must address the fundamental problems of peace and the fundamental problems of an unjust economic structure. Unless we are prepared to do that, the proposals for increased investment and for providing insurance for that investment will not amount to very much.

While we support the proposal, we urge the Government to make its voice heard on the international scene and to speak out in favour of peace for countries like Nicaragua, which means no more funding for the Contras who are waging war on the people of Nicaragua. Also our country must speak out for a just economic policy which will provide fair commodity prices.

As well our country must realize the commitment made by the Prime Minister (Mr. Mulroney) during the last election, the commitment which was made by the Secretary of State for External Affairs (Mr. Clark) when he spoke before the United Nations in 1984, that is, to move toward .7 per cent of our Gross National Product being provided for official development assistance. That commitment was made in good faith before the United Nations, but they have done nothing but welsh and back away from it. Other nations are doing the same thing, but that does not make it any better for Canada to be doing it.

Developing nations need an infusion of development assistance to develop their own economies. I urge the Government not to pat itself on the back for providing this insurance system for private investment in Third World countries. I think that is important, but even more important is tackling the question of commodity prices and reducing the threat of war and military expenditures in Third World countries.

Mr. Heap: Madam Speaker, I was very glad to hear both previous speakers on this subject, but I would like to ask the Hon. Member for Cowichan—Malahat—The Islands (Mr. Manly) to explain further his concern about trading debt for equity, having Canadian, American, or other lending countries buy up local industries or utilities with the debt that the country owes us where those industries and utilities exist. I assume the reason it would be worth while acquiring that equity is that the owners of the money in our country would expect to make money; they do not expect to lose money.

Does the Hon. Member envisage that when those countries give up the equity in their factories, their railways, or whatever it may be in exchange for their foreign debt, it will mean that they have less income in the country, lower wages perhaps, and less dividend? Second, will it have any effect in reducing inflation? Third, will there still be more debt? Will it stop the debt process, or will the debt arise again? Finally, what will happen when there is no more equity to sell off?

Mr. Manly: Madam Speaker, I thank the Hon. Member for his question. I think this is an extremely important situation.

Given the very high debts of a number of countries, there is a process by which other people are purchasing those in exchange for equity. What we need to realize is that Third World countries are not poor countries when it comes to resources. Third World countries are often extremely rich in

resources. What they do not have is control over the development of their own resources and control over the prices for which those resources are being sold on the international market.

When some of the oil producing countries got control back in the 1970s and OPEC became a very powerful cartel, we saw how the price of oil immediately went up very significantly, which resulted in some very severe shocks to all parts of the world.

If developing countries had more control over their own resources, we would be in a completely different situation. However, when people purchase equity, they are really purchasing control over resources. We have seen it in Canada in the past where our resources ended up being in the hands of foreign multinationals. This means that we as a nation have not had the capacity or ability to mould our own economic future in the way we would have liked.

I think the purchase of loans for equity will result in less control and will result in a continuing outflow of money from Third World countries, because the people who are making the purchases are still looking to get a good return. There will be a continuing outflow of money and, in addition, there will be a loss of control.

Mr. Kindy: Madam Speaker, I have just a short question for the Hon. Member. When the Hon. Member travelled to Nicaragua, did he visit the jails and the people who were incarcerated?

Why does he not talk about free elections in Nicaragua so that people can really choose the Government they deserve instead of having a dictatorship? Why does he not talk about Guatemala, a democratic country of which he should be supportive?

Mr. Manly: Madam Speaker, the people of Nicaragua have had a free election. They have not had a blood bath following their revolution.

Some Hon. Members: Oh, oh!

Mr. Manly: I would advise more members of the Conservative caucus to visit Nicaragua and see for themselves.

Motion agreed to, Bill read the third time and passed.

The Acting Speaker (Mrs. Champagne): It being eleven o'clock a.m., pursuant to Standing Order 19(4) the House will now proceed to Statements by Members, pursuant to Standing Order 21.

• (1100)

STATEMENTS PURSUANT TO S. O. 21

[*Translation*]

THE HOMELESS

SITUATION OF WOMEN—GOVERNMENT POSITION

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, 22 per cent of homeless Canadians are women—older women, single mothers, sick women. Before a national conference on accommodation for the homeless, National Action Committee on the Status of Women President Louise Dulude and Mrs. Claudette Godley, co-ordinator of Montreal's "Chez Doris" home for women, both stated that poverty is the main reason why women are homeless or living in substandard housing. The Minister responsible for the Status of Women (Mrs. McDougall) issued a press release full of pious wishes in which she concludes by expressing hope that the conference will go a long way towards improving housing conditions for women.

Mr. Speaker, knowing as we do that the Minister responsible for housing did not announce anything new at the conference, that the Minister responsible for the Status of Women paid lip service to the cause, and that this Government did not even bother to address the 600 demonstrators of the *Front d'action populaire en réaménagement urbain* who marched on Parliament Hill last Tuesday, we can only conclude that this Government simply does not have the political will to solve the homeless problem.

* * *

MINES AND MINING

CONDOLENCES TO FAMILIES OF THREE VICTIMS OF NORITA MINE ACCIDENT AT MATAGAMI

Mr. Guy St. Julien (Abitibi): Yesterday, Mr. Speaker, the people of Abitibi were shocked when they heard about the fatal accident which took the lives of three men working 2,000 feet underground on a drilling platform at Matagami's Norita Mine, a subsidiary of Noranda.

The victims are Marco Turcotte, a 22-year old married man, and two single men, Gilles Laplante and Henri Widz, aged 32 and 30 respectively. All three were Val-d'Or residents working for R.M. Limited, a drilling firm.

One third of the work had been completed when the accident occurred. The team had finished its shift and the platform was halfway up level 11—50 feet from ground level—when one of the walls of the hole collapsed above them, dragging them down their fatal fall.

The drilling company has been operating in Val-d'Or for six years and this is the first such accident.

As a former miner I can appreciate how these families feel and I offer them my condolences in their great hardshsip.

* * *

[*English*]

MULTICULTURALISM

CRITICISM OF ADVERTISEMENT

Mr. Dan Heap (Spadina): Mr. Speaker, in a *Globe and Mail* ad of September 17, Mr. Abbott, former director of the Canadian Immigration Service, downgrades those Canadians who are not Anglophones or Francophones of the professional class. Even though his poll contained many questions biased against immigrants, the multiculturalism answer nevertheless showed a clear majority of Canadians who want Canada to be made up of a diversity of people. In spite of that, Mr. Abbott and his wealthy friends want to shut out those coming from what he dismisses as the Third World.

By implication they ignore and insult Canada's Amerindians and Inuit whose land we continue to steal, they ignore and insult Canadians from China who put Canada's railway through the Rockies, Canadians from Japan who made the West Coast bloom till our Government imprisoned and robbed them, Canadians from northern, central and eastern Europe who ploughed and populated our Prairies, Canadians from Italy, Portugal, Greece and the Middle East who built and service our post-war cities, and Canadians from the Caribbean, Latin America and Asia who now do so many of our lowest paid jobs.

I call on the Government to repudiate this destructive action by a former director of the Canadian Immigration Service.

* * *

CANADIAN SPACE AGENCY

NATIONAL CAPITAL LOCATION URGED

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, the new frontier of space is upon us all, and as we as a nation take a quantum leap into the future we must make sure that we land with our collective feet on *terra firma*.

The proposed Canadian Space Agency will play the vital role in co-ordinating, managing and administering all of Canada's efforts in this exciting new challenge. The location of this agency is, therefore, vital.

Close, continuous co-operative efforts with many federal Departments, foreign countries, such as the U.S.A., Japan, the Soviet Union and members of the European Space Agency, are essential. Immediate access to the critical mass of scientists, scientific knowledge and many of Canada's leading research organizations, such as the National Research Council, the Department of Communications and many high technology firms, is essential.

My colleagues, the Hon. Member for Ottawa West (Mr. Daubney), the Hon. Member for Nepean—Carleton (Mr. Tupper), and myself agree that the logical, rational, neutral and least expensive option for Canada's Space Agency is within our National Capital Region.

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ILLITERACY

CALL FOR NATIONAL ADVERTISING CAMPAIGN

Mr. Dave Dingwall (Cape Breton—East Richmond): Mr. Speaker, recent studies show that one in five Canadians are illiterate. More than four million people cannot read or write well enough to function adequately in our society and one million more cannot read or write at all.

The problem of illiteracy spreads across all groups in society, regardless of age, economics or region. Some 60 per cent of the Canadian illiterate population are unemployed and are not looking for work. Most do not even qualify for government training programs because they have not accumulated enough years in school.

All Canadians can help solve the problem of illiteracy, but the federal Government has an especially critical role to play. The federal Government has the influence and resources necessary to begin a national war against illiteracy. The Government of Canada should begin by developing a national advertising campaign on illiteracy. Then the Government should follow it up with concrete, specific programs to assist those countless thousands of Canadians.

* * *

NORTH AMERICAN AEROSPACE DEFENCE COMMAND

THIRTIETH ANNIVERSARY OF INAUGURATION

Mr. David Daubney (Ottawa West): Mr. Speaker, today we are celebrating the birthday of an organization, an organization dedicated to preserving peace and security for the people of the North American continent.

This year we observe the thirtieth anniversary of the inauguration of the North American Aerospace Defence Command. I am pleased that our Government's defence White Paper commits Canada to continuing our partnership in NORAD. Like any good partnership, NORAD is an experience in sharing, sharing the duties, sharing information, sharing the risks, and sharing the satisfaction of contributing to a strong and vigilant North America. NORAD is a successful, vibrant, binational commitment.

On this thirtieth anniversary I congratulate all those who have contributed to this success, to the future benefits to which we look forward, and to the way in which NORAD enhances our prospects for peace and security.

* * *

SPORTS

VIOLENCE IN HOCKEY

Mr. Iain Angus (Thunder Bay—Atikokan): Mr. Speaker, this week Canadians have received four strong messages regarding hockey violence.

Yesterday the NHL, finally succumbing to public pressure, has moved to try to end bench-clearing brawls by instituting hefty fines and suspensions. Unfortunately, the NHL has not chosen to deal directly with individual fighting. Yesterday as well the federal Government's Commission on Fair Play unveiled its media campaign aimed at reducing violence in minor hockey through a series of shock-value ads that show it as repulsive. It is a good start, Mr. Speaker.

We also received bad news. In Estevan, Saskatchewan, this week a junior hockey player from North Dakota received a fractured vertebra during an exhibition game Wednesday night. There have been 107 spinal cord injuries in the past 13 years. Half of these hockey players have become paraplegics or quadriplegics.

Finally, Canada and the world saw that you can play hockey hard and fight-free of violence and draw millions of viewers. The Canada Cup showed us that if hockey is good, fast, clean, and most of all competitive, we do not need the goons at any level to attract the crowds.

Let us continue the campaign to remove violence and injury from our ice rinks.

* * *

• (1110)

[*Translation*]

NEW DEMOCRATIC PARTY

IN FASHION

Mr. Gabriel Fontaine (Lévis): Mr. Speaker, will the House of Commons become the proper setting for a fashion show? Until recently the very original socialist Members had always taken positions contrary to what is normal, and the way they used to dress had an eccentric touch. Opportunist as they are and ever prepared to shift with the winds—Aquilon or Zephir—they went to see their haidresser, their make-up artist, and their tailor.

Such is the new look of the socialists, Mr. Speaker. Henceforth they will hide their pins, their stickers, and their original colour.

In short, Mr. Speaker, they will now betray the dissident minority of society which they were trying to represent. Their new American advisor said so: You have to do this!

Anyone who refuses to toe the line will have to leave the front benches of this ever more chameleon-coloured Party.

* * *

THE HOMELESS

URGENT NEED TO REMEDY SITUATION

Mr. Carlo Rossi (Bourassa): Mr. Speaker, a good many newspaper articles recently drew our attention to the plight of homeless men and women who are denied access to temporary shelter. In a number of cases these are psychiatric patients who are not sick enough to be given a bed in an institution, but who are unable to live alone. In other cases they are individuals suffering from chronic alcoholism or drug abuse. In all cases, Mr. Speaker, they create a major problem: they are very likely to disturb other tranquility-seeking homeless people.

The *Ottawa Citizen* related the case of six women who were denied access to temporary shelter. Last week, 49-year-old Kenneth Ryan of Halifax, a vagrant well known to the police and suffering from particular problems, was killed.

This week, Mr. Speaker, in Montreal's Jeanne-Mance Park, a seriously injured older woman was found lying in a sleeping bag next to a suitcase containing all her personal belongings.

Can such destitute people be abandoned on the streets? I urge the Government to show leadership and provide community homes before winter for these homeless people who are suffering from problems which prevent them from using the same facilities as other homeless people.

* * *

[*English*]

POLITICAL PARTIES

NEW DEMOCRATIC PARTY—MINING—POSITION ON FLOW-THROUGH SHARES

Mr. Geoff Wilson (Swift Current—Maple Creek): Mr. Speaker, the mining exploration depletion allowance is a critical component of the tax rules which make flow-through shares attractive to investors. On December 16 last, in considering Bill C-23, the NDP finance critic denounced the flow-through shares. He said:

> I decided that where you have a measure which should fundamentally be rethought, we should simply tell the Government to stop it, take the measure away, start all over again and strike out the loophole.

S. O. 21

Last night during finance hearings on tax reform and the specific proposal to phase out the mining exploration depletion allowance, the same NDP finance critic was heard to endorse flow-through shares, the same flow-through shares he asked the Government to strike out nine short months earlier.

Why this flip-flop? The NDP finance critic answered the question himself last night when he said that it had been brought to his attention that there are 25 or 30 ridings across northern Canada in which this is an important issue.

Let no one think members of the NDP are prepared to let principles stand in the way of political expediency. Just watch them change their policies as often as they change their clothes.

* * *

EXTERNAL AFFAIRS

NICARAGUA—MISSION FOR PEACE RECOMMENDATIONS

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, following our visit to Nicaragua last week, the Mission for Peace is convinced that Canada can play a key role both in persuading the United States that a peaceful solution in that area is possible, and in reinforcing international momentum for peace.

Specifically, the mission recommends that Canada take a stronger, more clear position against any further funding of the Contras.

Second, it recommends that Canada should offer to participate directly in the verification process through multilateral channels, including the United Nations, and to provide financial resources to the process in addition to the offer of technical expertise.

Third, it recommends that Canada take the lead in forming a special emergency reconstruction fund as recommended by the Caracas, meeting and fourth, establish a diplomatic presence in Managua.

Fifth, it recommends that Canada increase bilateral aid to Nicaragua based on Nicaragua's proven ability to administer and effectively deliver aid and the urgent needs which exist in the country, and that Canada examine ways to improve export-import relationships in Central America.

Sixth, the committee recommended that Canada urge the United States to lift the trade embargo as a sign of good faith in the peace process, and examine ways of improving the means of transportation between Nicaragua and Canada.

Seventh, Canada should offer aid for transitional measures such as the reconciliation commissions and the resettlement and integration of those granted amnesty, and eighth, develop a comprehensive Central American policy. I urge the Government to follow these recommendations.

POLITICAL PARTIES

PROGRESSIVE CONSERVATIVE PARTY'S PARLIAMENTARY NEWS SERVICE

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, Canadians will now be offered two types of news services, one bulletin that deals with the truth and the other which should be called the "Tainted News Network". The "Tainted News Network", or TNN as it should be referred to henceforth, will report facts the way the Prime Minister (Mr. Mulroney) likes them. That will probably save a lot of money considering he will not have to kick in his television set quite so often.

Here are a few examples of "Tainted" news coverage. The true version: The Prime Minister's ship is sinking fast. The TNN version: There was a slight drizzle on the deck of the *SS Tory*.

The true version: Minister forced to resign after wife obtains a $2 million interest-free loan. The TNN version: Minister takes sabbatical to study wife's creative financing skills.

True version: Prime Minister spends $350,000 of Tory funds to renovate house and build closet for Gucci shoes. TNN version: Prime Minister creates jobs, jobs, jobs for European shoe manufacturer.

The day after the next election the true version will be: Scandal-ridden Tory Government takes a beating at the polls. The TNN version will say: Inaccurate news coverage has led Canadians to believe that that there was a slight decrease in Tory popularity.

Claire Hoy's book will come out shortly as well. It will lambaste the Prime Minister for patronage and lifestyle—

Mr. Speaker: I am sorry to interrupt the Hon. Member but his time has expired.

* * *

INDUSTRY

FIRESTONE PLANT IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, almost two weeks have elapsed since a valid offer was presented for the purchase of Firestone Canada Inc. and almost 1,300 workers are waiting to hear whether that offer will be accepted. In light of the fact that Firestone has not given an indication one way or the other, what action has the federal Government taken to ensure that Firestone is operating in good faith?

I have suggested on numerous occasions that rather than have the Minister for Regional Industrial Expansion (Mr. de Cotret) send civil servants to Akron, Ohio, in order to get the message to Firestone that the company had better bargain in good faith and be prepared to do everything possible to save those 1,300 jobs, he should carry that message himself to

Akron, Ohio. It is not enough to leave 1,300 jobs up to civil servants. The Minister and the Government must show some leadership. I urge the Minister to book a flight to Akron this weekend to ensure that Firestone is bargaining in good faith in order to save those 1,300 Hamilton jobs.

ORAL QUESTION PERIOD

[*English*]

ENVIRONMENTAL AFFAIRS

ACID RAIN—UNITED STATES STUDY

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, in the absence of the Prime Minister I will direct my question to the Deputy Prime Minister. Sulphuric gas pollution in the United States is affecting our health and our economy, our lakes, our rivers and our forests, and our buildings and agriculture. Last April President Reagan made a statement in this Chamber which led the Prime Minister to conclude that there had been a tremendous breakthrough for Canada on acid rain.

Given those facts, will the Deputy Prime Minister admit that the Prime Minister wrongly led Canadians to believe that progress had taken place by saying that an agreement with the United States was a realistic possibility? Does he admit that, in substance, the bottom line is that no progress has been made on acid rain with the United States as indicated by the publication today of this study and scientific report by NAPAP?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, those accusations are absolutely false, but what is perhaps even more disquieting is that when we are faced again with a major challenge on the acid rain question, a question which is vital to the future of Canada, the official spokesman for the Official Opposition, instead of trying to join with the Government of Canada in pressing the case for alleviation of the acid rain problem, chooses to try to make petty, partisan points out of an issue that is too important for petty politics.

My colleague, the Minister of the Environment, who is unavoidably out of the House today because of a long-standing engagement with the Liberal Premier of Prince Edward Island, issued a strong press release and statement this morning. We are challenging on a scientific basis the scientific evidence put forward by NAPAP. We understand it is not the position of the President of the United States. We intend to carry Canada's case and to protect Canada's interest. I would invite the co-operation of other Hon. Members of the House.

Mr. Caccia: Mr. Speaker, I would join in supporting the Government if its policies on acid rain had been credible so far, but they have been just a sequence of public relation stunts and nothing more than that.

CANADIAN POSITION

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, contrary to what the Secretary of State for External Affairs seems to believe, the NAPAP report is a report that was paid for by the U.S. administration, not by the scientific community of the U.S. Therefore, it is a political report.

I must ask the Secretary of State why he and the Prime Minister have been silent for the past week since John Campbell, an assistant administrator in the U.S. Environmental Protection Agency, appeared before a U.S. congressional committee in opposition to an acid rain Bill that is being proposed there. What kind of attitude is that considering the promises made in this Chamber by President Reagan and the enthusiastic demonstrations of success the Prime Minister seemed to convey to the Canadian public? He made a big deal out of it.

• (1120)

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the highly partisan spokesman for the Official Opposition and I are in agreement on one thing—the NAPAP report is a political report, not a scientific report. It pretends to be a scientific report. We are challenging its scientific basis.

I should make clear how that report came to be. It was not mandated by the administration, it was the result of an act of Congress. It is not yet the position of the U.S. administration. We trust it will not become so. However, if we are to ensure that Canada's interest in fighting acid rain is advanced, we have to continue the fight vigorously and not walk away from the table as the Hon. Member did when he was Minister of the Environment.

Mr. Caccia: We always laugh at these desperate attempts of the Progressive Conservative Party to rewrite history. The Minister should know that the NAPAP report was written by 12 federal agencies, four national laboratories, and four presidential appointees. If that is not a statement by the administration I do not know what it is.

PUBLICITY CAMPAIGN LAUNCHED BY GOVERNMENT

Hon. Chas. L. Caccia (Davenport): Mr. Speaker, I now have to raise with the Minister this sudden decision to spend money on a U.S. publicity campaign. In what is almost a deathbed repentance the Government decides in its fourth year to launch a publicity campaign on acid rain. Why did it not do it in its first year? As well, why not enlarge the budget to carry the campaign to New Brunswick and Nova Scotia where the Tory Governments have not yet signed the agreement?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I hope historians, when they read *Hansard*, will take a careful look at that question because it began by accusing the Government of doing nothing but public relations on acid rain throughout our first three years, and

ended by asking why we did not mount a public relations campaign earlier in our mandate rather than now. The Hon. Member is answered by his own absurdity. However, I am not interested in exchanging partisan remarks with him.

He talks about rewriting history. Unhappily, he has no history to rewrite. What we are trying to do is protect not the history of Canada but the future of Canada against a very real threat from acid rain.

A report was brought down in the U.S. which purports to have a scientific basis. We believe it is scientifically incomplete and wrong. We intend to challenge it and spend money doing so. We intend to be present in the U.S. challenging it. I invite the Hon. Member to lift himself above petty partisan politics and join us in trying to protect the future of Canada.

* * *

TRADE

CANADA-UNITED STATES NEGOTIATIONS—BINDING DISPUTE SETTLEMENT MECHANISM

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, my question is directed to the Minister for International Trade. While we are on the topic of rewriting history, we have heard continuously from the Prime Minister and other members of the regime that the bottom line of any trade agreement with the U.S. will be a binding mechanism for settling trade disputes. This morning the Prime Minister, in one of his musing interviews, said it may not be the right interpretation that we would have a binding mechanism—that may not be the way it appears when it is put down on paper.

Is the Prime Minister shifting ground once again on what our demands are in the negotiations? Have we changed our position? Are we now saying we do not necessarily want a binding mechanism for trade disputes?

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker, we have not shifted ground. The only thing that has shifted is the view of the Opposition on free trade.

Mr. Axworthy: The Minister may want to consult with her Prime Minister who seems to be shifting his ground quite substantially.

CANADIAN POSITION

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Mr. Speaker, the Premier of Ontario, after being briefed by the trade negotiators, has clearly indicated that matters of government procurement are no longer part of the negotiation package accepted by the Americans. They are not even on the table. Given that, is what the Government is negotiating now really a sectoral trade arrangement? Has it abandoned the notion of a comprehensive free trade agreement? Have we now once again shifted our ground from the expectations put forward to the Canadian people?

Hon. Pat Carney (Minister for International Trade): No, Mr. Speaker, we have not shifted and we are not confused. As far as Premier Peterson is concerned, he knows very well that the bulk of the new jobs created by the free trade agreement, estimated by the Economic Council at 40 per cent, would be in Ontario. It is in Ontario's interest to have a free trade agreement.

Mr. Axworthy: But you do not have a comprehensive free trade agreement.

Miss Carney: It will be comprehensive.

Mr. Axworthy: Oh, yes!

Miss Carney: It will not be sectoral. It will meet the needs of Canadians across the country.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—POSITION OF NEWFOUNDLAND GOVERNMENT

Mr. Jack Harris (St. John's East): Mr. Speaker, my question is directed to the Secretary of State for External Affairs. I have before me a letter of February 12, 1987, from the Prime Minister where he promised continuous and unbroken participation by the Government of Newfoundland and Labrador in the talks between Canada and France over the fishery dispute. What is the point of continuous and unbroken participation if the Government of Canada consistently ignores the position of the Government and people of Newfoundland and Labrador?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we do not consistently ignore the advice and representations of the Government and people and industry of Newfoundland. We have made arrangements, which I think are unparalleled in Canadian history, to involve the Government of Newfoundland, the fishermen of Newfoundland, and the industry of Newfoundland in the negotiations. They have been present for the last several months. They were in Paris for the negotiations which took place last weekend. The Premier of Newfoundland decided to withdraw, I hope temporarily, from those negotiations.

The Government of Canada has an obligation to proceed to try to establish an arrangement that will serve the interests of the fishing industry and the fishermen of Newfoundland, whatever the attitude of the Premier of Newfoundland regarding participation. I invite him back. The negotiations are going on and they would be better with his presence than with his absence.

REQUEST THAT GOVERNMENT HALT TALKS

Mr. Jack Harris (St. John's East): Mr. Speaker, how can these talks continue without the Government breaking its promise of continuous and full participation? Why does the Government not halt the talks, sit down with the Government of Newfoundland and Labrador, and come up with an acceptable position before it goes back to the negotiations?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, the letter quoted was an undertaking by the Prime Minister of Canada to do everything we can to ensure continuous participation by the Government of Newfoundland and others concerned. We are doing everything we can. We have involved them fully in briefings prior to the negotiations. We took them with us to Paris. They are welcome to be with us at the negotiations which will continue later on in Ottawa. Our commitment to having Newfoundland involved is continuous.

I repeat: This is going to be a very important decision if we achieve a negotiated settlement. It is in the interests of the Government of Newfoundland to have its Premier there. We hope he will accept the outstanding invitation of the Government of Canada to continue to play his part. We hope he will not follow the NDP line which is always to walk away.

STATEMENT MADE BY MINISTER OF FISHERIES

Mr. Jack Harris (St. John's East): Mr. Speaker, the Minister of Fisheries said in this House on January 28 that:

> Our commitment to the people of Newfoundland and Labrador is that any price which is too high for Newfoundland and Labrador is too high for Canada.

By its actions the Government has now taken the position that it knows what is best for Newfoundland and not the Government and people of Newfoundland. Is that not the highest form of unbelievable arrogance by the Government of this country?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, neither the description of the facts nor the characterization is correct. For the first time in history, to my knowledge, in a negotiation of this kind, which is clearly within federal jurisdiction but which has an immediate and dramatic impact upon not just the Government of Newfoundland headed by Mr. Peckford but also the fishermen with their representatives, the fishing industry with their representatives, and other interests in Atlantic Canada, we have brought them in. We want to keep them in because we want this to be a negotiation that will serve the interests of all of Atlantic Canada and all of Canada. That is why we have taken this historic action of reaching out. For the time being, the Premier of Newfoundland, in answer to our reaching out, has walked out. We hope he will come back.

• (1130)

INTERNATIONAL COURT OF JUSTICE—FRENCH NOMINEE

Mr. George Baker (Gander—Twillingate): Mr. Speaker, it is a matter of record that the Government wants the entire boundary dispute on the East Coast of Canada to go to a third party, the International Court of Justice in the Hague, as soon as possible. That is according to the Minister of Fisheries and Oceans.

My question is directed to the Secretary of State for External Affairs. Why did Canada go along, without a murmur of protest, when this week in the United Nations France nominated its own chief negotiator in the Canada-France fishing talks to sit as a judge on this very same International Court of Justice? Is that not a little like inviting the hangman to sit on the jury?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, once again the answer, known to everyone interested in facts rather than rhetoric, is no, that is not at all the situation.

I am not sure, but perhaps the Hon. Member can tell us when he rises, why the Liberal Party, with its presumed interest in this question, did not lead on the question of the fishery in Newfoundland, as the walk-away New Democratic Party led on the question—

Mr. Murphy: We just walk away in the polls.

Mr. Clark (Yellowhead): Excuse me, the walk-away violently NDP.

The answer with respect to the court is that Mr. Guillaume, if he is chosen to the court, will be prohibited by well known practices to sit on any case in which he has been in any way involved.

POOR FISH CATCH

Mr. George Baker (Gander—Twillingate): Mr. Speaker, Canada's new strategy is to negotiate with the French so they can fish for codfish even outside the disputed zone on the East Coast of Canada while the entire boundary dispute is sent to the International Court where the chief French negotiator sits as a judge. Boy, do we have the French on the ropes now!

Does the Minister not realize that the fishery this year is very poor and there is not enough for our own fishermen and their families, let alone negotiating the French fleet to enter our territory? How does he rationalize doing that, when his own Government has appointed a commission of inquiry that is investigating why the cod resource is so depleted on the east coast of Canada?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, there is a melange of accusation, as well as the assertion of a couple of rather unique Liberal Party principles. One is that any negotiation should be carried out here on the floor of the House of Commons, telegraphing

everything we are doing to the people with whom we are negotiating, rather than carrying it out so that it might come to a successful conclusion within the negotiating concept.

The second idea is even more breathtaking. It is that nations should not make appointments to international judiciary bodies because some issue involving those nations might sometime arise before those bodies. The way most sensible people deal with that question is to say that a person nominated to the bench cannot judge on a question in which he was involved.

The Hon. Member is suggesting on behalf of the Liberal Party that in effect Canada should no longer make nominations to international judicial agencies because some case respecting Canada might come up. That is absurd.

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CANADIAN SECURITY INTELLIGENCE SERVICE

INDIAN CABINET MINISTER—KNOWLEDGE OF PRESENCE IN CANADA

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, my question is directed to the Solicitor General. The Minister has now had an opportunity to review the transcripts of wiretap conversations which demonstrate clearly that CSIS was well aware of the presence in Canada of a Punjabi cabinet Minister several days ahead of time and yet took no action whatsoever to protect that Minister from possible attack.

Will the Minister now explain clearly to the House and the people of Canada why those who are responsible for this dangerous bungling which led to serious injury continue to work within CSIS?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I advised the House yesterday, I think the actions of the Hon. Member in releasing transcripts was completely irresponsible and could very well affect the success of the ongoing investigation in this matter. I do not intend to do anything that is going to impede that investigation. I think it is important that it proceed.

We must remember that four of the nine people involved here have already been convicted of attempted murder and sentenced to 20 years. I am not going to engage in debate on anything that might in any way impede the success of that investigation.

Mr. Robinson: Mr. Speaker, the Minister obviously refuses to accept his responsibility and answer the question.

[*Translation*]

UNION INFILTRATION BY CSIS AGENTS—GOVERNMENT POSITION

Mr. Svend J. Robinson (Burnaby): Mr. Speaker, the Minister has admitted that Marc Boivin was a paid CSIS agent with the CNTU in Quebec. Given the strong criticisms expressed by CNTU, QFL and CEQ officials concerning this dangerous infiltration of labour unions in Quebec, can the Minister assure the House that there is no source or agent of CSIS in Quebec unions or elsewhere, and especially that they never did act as agents provocateurs in the Quebec labour movement?

[*English*]

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as I have already advised the House, first, CSIS does not target labour unions because they are labour unions. That is not within our mandate. Second, anyone who is a security threat to Canada has the right to be targeted. I have admitted to the House that Mr. Boivin was a source, because he admitted that in court.

Upon learning of this, I went to the Act and called upon the Inspector General, as he is available under the Act, to conduct an investigation into these activities of Boivin. In addition to that, I asked the Osbaldeston committee—you will see it quite clearly in their mandate—to look at this whole matter of targeting and the whole matter of recruiting sources, and the whole matter of defining more clearly the roles between counter-subversion and lawful dissent. I believe I am carrying out my duties as Solicitor General under the Act in a careful and prudent way.

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DISARMAMENT

ANNOUNCEMENT OF U.S.-U.S.S.R. ARMS CONTROL AGREEMENT—VERIFICATION OF NUCLEAR TESTS

Mr. Barry Turner (Ottawa—Carleton): Mr. Speaker, my question is directed to the Secretary of External Affairs. I think we all agree that the historic announcement this morning by President Reagan and Soviet Foreign Minister Shevardnadze on behalf of Secretary General Gorbachev on arms control, arms reduction, and nuclear testing is a significant turning point for our civilization.

Considering that Canada is upgrading its seismic verification capability in Yellowknife to world-class standards, coupled with our potential satellite capabilities, does the Minister see Canada playing a verification role in this vital arms reduction progress?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I wonder if I might respond to that question with three very brief observations.

The first is that the announcement from Washington today is accepted and welcomed by all of us in the House of Commons as a very important step forward, and I am sure that Members of the House of Commons would want to endorse and be associated with the congratulations that the Prime

Minister is conveying to both President Reagan and Secretary General Gorbachev.

Some Hon. Members: Hear, hear!

Mr. Clark (Yellowhead): Second, as the Hon. Member so astutely pointed out, one of the surprising and important developments is that there has been an agreement, after an eight-year hiatus, to resume discussions on nuclear testing. That brings directly to the fore the importance of verification in which Canada has some very real expertise. That expertise will be available fully if it can be put into service.

Finally, I know that Members of the House will want to be brought up to date as fully as possible with what in fact has been discussed and decided in Washington, and what the next steps might be. I have, consequently, spoken this morning to the Chairman of the Standing Committee on External Affairs and International Trade to propose that, as a first step in ensuring that Parliament is fully informed, I would be prepared to make my senior officials available for a full in camera briefing relating to all of the information we have with regard to the nature of the agreement and subsequent steps. I think that briefing will occur on Tuesday morning.

* * *

• (1140)

DISASTERS

AIR-INDIA CRASH—AIRLINE'S SUIT AGAINST GOVERNMENT

Mr. John Nunziata (York South—Weston): Mr. Speaker, my question is directed to the Deputy Prime Minister. It concerns Air-India 182. The Minister will know that various officials of the federal Government, and the federal Government, are being sued by Air-India for $120 million. Air-India alleges in its Statement of Claim that the destruction of its aircraft with the consequent loss of life was due to the negligence of the defendants some of whom were federal government officials.

In paragraph 30 of its Statement of Claim Air-India indicates: "In the months of May and June 1985, the existence of circumstances posing a threat to Air-India's operations was brought to the knowledge of all the defendants in the form of letters and verbal communications from the plaintiff". Air-India is making a very serious allegation. It is suggesting that the federal Government is somehow negligent and responsible for the destruction of Air-India 182 because it prewarned the Government of Canada, or officials of the Government of Canada, by way of letters and verbal communications.

In view of the very serious allegations made in the Statement of Claim filed in the Supreme Court of Ontario and with the Federal Court of Canada, will the Deputy Prime Minister, on behalf of the Government of Canada, now initiate a full and complete judicial enquiry into the circumstances surrounding the destruction of Air-India 182?

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, as the Hon. Member has already said, this case is before the courts. There are very extensive civil litigation proceedings presently being carried on which go to the very heart of the defence of this Government. While the Hon. Member may have a different opinion from this Minister, it is our opinion, and that of the Department of Justice, that we cannot discuss the case because it is before the courts.

If I may, Mr. Speaker, the Deputy Prime Minister, Mr. Mazankowski—

An Hon. Member: Order.

Mr. Kelleher: —the then Minister of Transport, on June 25, 1985, said in the House as recorded in *Hansard* at page 6138:

> —in this particular case Transport Canada was not apprised of any specific threat against Flight 182. Therefore, the basic normal Air-India precautions and surveillance that they conduct were conducted in their usual manner. I repeat that we did have the additional RCMP security officers deployed as requested.

REQUEST FOR ROYAL COMMISSION INQUIRY

Mr. John Nunziata (York South—Weston): Mr. Speaker, as you know we have had a Royal Commission inquiry into the Hinton rail disaster, another into the *Ocean Ranger* disaster. We had a Royal Commission inquiry into the conduct of a Minister of the Crown. There were lawsuits launched in two of those situations. Those lawsuits did not preclude a Royal Commission inquiry.

I would like to put the question again to the Deputy Prime Minister, as we in the Opposition have done for a great number of months now. In view of the tragic loss of life—329 people were murdered in the Air-India tragedy—in view of the allegations that there were advance warnings to the federal Government, and in view of the allegations that the federal Government may in fact have been in some way responsible, does the Deputy Prime Minister not believe it is time now to have a Royal Commission inquiry into all the circumstances surrounding the destruction of Air-India 182, and to look also into the conduct of various federal Government officials and the conduct of various Ministers of the Crown at the time?

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, the Hon. Solicitor General, I think, has outlined the position of the Government quite clearly. I would simply like to remind the Hon. Member that the Canadian Aviation Safety Board did in fact conduct a full investigation into this very horrible accident and perhaps the Hon. Member might want to revisit that report and look at its findings. I think he will find that the conclusions and findings very fairly comprehensive. Perhaps, upon reflection, the Hon. Member may very well consider that the report of the Canadian

Aviation Safety Board was in fact a very full and comprehensive review.

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[*Translation*]

ACID RAIN

POSITION OF UNITED STATES PRESIDENT—GOVERNMENT POSITION

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, my question is directed to the Secretary of State for External Affairs.

What will the Government be doing, apart from buying American advertising, on the matter on acid rain? And what does the Government intend to do to convince the U.S. President of the need for a drastic reduction in acid-rain-causing emissions? What effective measures will he take to convince the President?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I very much appreciate the subject and the tone of the question!

We have already taken a major step because we have here in this House a statement from the President of the United States on the matter of acid rain. It is the first time we get such a position and we now have an obligation and a duty to make sure that the President and not a scientific group is speaking on behalf of the United States.

Secondly, the report that has just come out in the United States purports to be based on scientific evidence. Canadian scientists are absolutely not in agreement with the conclusions, and on a scientific basis we intend to question the findings of the American panel.

Of course there will be many other measures, and hopefully we can count on the co-operation of the Hon. Member and her party as well as other parties in this House, in order to be sure that Canada is protected against the threat of acid rain.

[*English*]

CANADIAN MESSAGE

Ms. Lynn McDonald (Broadview—Greenwood): Mr. Speaker, while I welcome the statement as far as it goes, I would ask the Minister if he does not admit that perhaps the Canadian Government itself has been sending out a mixed message, for example, in accepting the joint envoys' report, which was a very complacent one? Of course, it has been getting a mixed message in reply from the American President. What is the Government going to do to ensure that we have a consistent message on acid rain getting out there, and that it gets right to the top?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, we have brought the message right to the top on several occasions. We have done it more effectively and assiduously than it had ever been done before. We also have an undertaking, what we consider to be an undertaking, from the President of the United States himself. We believe it is the President who speaks for the United States, not some groups of scientists which might be put together as a result of an act of Congress.

That is not to say that we do not have a problem. We have a very major problem regarding the commitment of the United States to accept the scientific evidence and to get on with the fight against acid rain. We are going to continue to press them at the highest levels. I will raise it with Secretary Shultz. The Prime Minister will continue to raise it with President Reagan. The Minister of the Environment has already been in touch, after the so-called report which was issued the other day, with his counterpart in the United States. We look forward to extensive co-operation, Member of Parliament to Congressmen, Senator—if I may use that word—to Senator, to try to ensure that Canada's message is received as effectively and pervasively as possible.

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FISHERIES

CANADA-FRANCE DISPUTE—CONTINUATION OF NEGOTIATIONS

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, on February 10, 1987, the Prime Minister, with respect to the Canada-France negotiations, said in the House: "We hope that the ultimate negotiations will meet with the complete satisfaction of the Newfoundland fishermen whose interests we are deeply committed to protecting". The Minister of Fisheries said on January 28: "If in the process, the demands of France exceed that which Canadian fishermen and Atlantic Governments can support, there will be no agreement".

The last time I checked, Newfoundland was an Atlantic Province, her Government an Atlantic Government. It has said no to the position put forward by Canada in Paris last weekend. In light of the commitments of the Prime Minister and the Minister of Fisheries, stated fully and openly in this House, I ask the Secretary of State for External Affairs how the Government can continue with negotiations as scheduled in October when the Canadian negotiating team, that is, the federal Government and all of the Atlantic Provinces, have not reached a consensus on a Canadian position to be put before the French in the October negotiations?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I think it is quite helpful that the Hon. Member has read into the record those statements made by my Prime Minister and by my colleague, the Minister of Fisheries. They do represent the position of the Government of Canada. They are the reason why we broke all precedent and went ahead and established for the first time, I believe, in history,

this kind of full participation in an international negotiation that rests technically and legally within the domain of the Government of Canada.

Newfoundland has been present, up until Saturday night when, on instructions from its Premier, its representative left a portion of the discussions. We regret that decision. We hope that Newfoundland will come back.

• (1150)

Newfoundland has been kept fully advised of what the Canadian position was going to be.

Mr. Tobin: For how long?

Mr. Clark (Yellowhead): The Hon. Member asks me for how long. I would have to verify for how long, but certainly, to speak of the events that have given rise to recent developments, certainly since the counsel, Mr. Fortier, carried out his consultations preparatory to the negotiations in France.

We have been trying to bring the provinces in. We brought the industry in. We brought the fishermen in. We brought them into a matter, into a negotiation which, strictly speaking, is our business. We know it is too important to hide behind jurisdictions. We want to have the best possible solution for all Canadians. We hope that the Government of Newfoundland will want the best possible solution, too. It can guarantee that much more by being present than it can by walking away.

CANADIAN POSITION

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, I say to the Secretary of State for External Affairs that, strictly speaking, these negotiations are the business of every Atlantic Government and the business of every fisherman who makes his living from the sea in the Atlantic and not just the business of the Government of Canada.

Mrs. Mailly: He just finished saying that.

Mr. Tobin: I remind the Secretary of State that the Government entered into a process in which it committed itself to the principle that, if a position was put and a demand was made by France that exceeded the agreement of the provinces and if any province disagreed with the demand put and the negotiating position of the federal Government, no deal would be made.

Is the Secretary of State telling us that the Government of Canada, having done a *mea culpa* and having given an apology in the House of Commons last January for its early behind-the-back-door agreement, has now changed its position and is prepared to make a treaty with France notwithstanding the views of Newfoundland or any other Atlantic province? Is he telling us that there has been a change on the part of the Prime Minister and the Minister of Fisheries and Oceans?

Right Hon. Joe Clark (Secretary of State for External Affairs): Mr. Speaker, I have two comments, if I might. The first is that the Hon. Member quite properly drew attention to the fact that there is a brand new process here. We are not hiding behind jurisdiction. It is a process that was not in place under Liberal Governments. When Liberal Governments negotiated they shut everybody out. We are not shutting people out because that results in bad agreements. We have plenty of proof of that. We are trying to get a good agreement that will last, which is why we have brought the Government of Newfoundland, the industry of Newfoundland, and the fishermen of Newfoundland into the process.

Mr. Tobin: Is the new process still in place, yes or no?

Mr. Clark (Yellowhead): The Hon. Member asks whether or not a position has changed. Our position has not changed. The position of the Government of Newfoundland has changed for the moment in that the Premier has decided to absent himself from these discussions. We hope he comes back.

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CANADA LABOUR CODE

APPLICATION TO POSTAL WORKERS DURING STRIKE

Mr. Rod Murphy (Churchill): Mr. Speaker, my question is for the Minister of Labour. Yesterday I asked the Minister a question in which I referred to the Canada Labour Relations Board decision against Canada Post. On Wednesday I revealed the preliminary findings of the Post Office with regard to how workers felt intimidated in the letter carriers' dispute. I indicated to the Minister earlier this morning that I had talked with female workers who felt that they were threatened with dismissal unless they carried on the work that was normally done by the letter carriers.

Prior to any future Canada Post strike will the Minister ensure that his officials issue a clear statement explaining that workers do have a right to refuse work, as is the case under the Canada Labour Code?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, as I indicated yesterday and as I indicated to my colleague this morning, I am looking into the situation and will get back to him next week.

Mr. Speaker: The Hon. Member for Churchill on a short supplemental.

OBSERVANCE OF CODE BY CANADA POST CORPORATION

Mr. Rod Murphy (Churchill): Mr. Speaker, will the Minister assure us that he will live up to Section 184 of the Canada Labour Code and ensure that those provisions of the Code which have been reaffirmed by a Canada Labour Board decision this week that grant the individual the right to refuse to do struck work will be upheld and that he, as the Minister of Labour, will ensure that Canada Post lives up to the law?

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, I think that everybody, all parties and every Canadian, have to live up to the law, in particular those concerned with Section 184 of the Code.

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IMMIGRATION

HONDURAS AND BOLIVIA—INTRODUCTION OF VISA REQUIREMENT

Mrs. Mary Collins (Capilano): Mr. Speaker, my question is for the Minister of Employment and Immigration. On September 1 of this year I asked the Minister whether he would consider imposing a visa requirement on Honduras considering the increasing number of Hondurans coming to Canada, particularly to Vancouver, claiming refugee status. It has become clear over the past two weeks that some of those Hondurans have been counselled by travel agents in Honduras to use the refugee system to claim entry to Canada rather than the regular immigration system. Indeed, they have been given false expectations about what would happen when they come to Canada.

Two weeks have passed. Can the Minister advise the House if he is prepared to proceed with imposing a visa requirement on Honduras, first to protect Hondurans from being taken advantage of and, most important, to ensure that our refugee system in Canada is not compromised or unduly burdened?

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, two weeks ago we told the Hon. Member that we will consider the case of some countries from which we face problems in terms of refugee claimants. We have considered two particular cases in this regard, Honduras and Bolivia. Over the last nine months we have received 1,000 migrants from Honduras claiming refugee status and 300 from Bolivia. Accordingly, we decided as of midnight last night that visa requirements will be imposed on Honduras and Bolivia.

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CANADIAN RADIO-TELEVISION AND TELECOMMUNICATIONS COMMISSION

PARLIAMENTARY NEWS SERVICE—POLITICAL BROADCAST REGULATIONS

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my question is for the Minister of Communications or to the person designated to answer in her absence. It concerns the so-called Parliamentary News Service which should be called more appropriately the "Tory News Network" or TNN for "Tainted News Network".

As the Minister knows, in a few weeks from now the CRTC will invite public comment on the development of a proposed new policy on political broadcasting in Canada. Given the emergence of this new satellite service being undertaken by the Progressive Conservative Party, will the Minister ask the CRTC to extend its review of political broadcast regulations to include periods between elections and not just political campaigns? It is quite obvious that we need new regulations because of this type of abuse.

Hon. Pierre H. Cadieux (Minister of Labour): Mr. Speaker, considering that my hon. colleague, the Minister of Communications, is away on government business today, I will take notice of the question. I am sure that she will get back to the Hon. Member as quickly as possible.

Mr. Speaker: The Hon. Member on a short supplemental.

[*Translation*]

HOLDING OF INQUIRY—GOVERNMENT POSITION

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, my supplementary question is directed to the Secretary of State or, in his absence, to the Deputy Prime Minister, and deals with the TNM, the Tory or Tainted News Network.

The National Trademark and True Labelling Act prohibits the use of words or symbols aimed at misleading the public into believing that a service is under the patronage or control of the Government.

Is the Minister prepared to launch an inquiry to determine whether this Tory service violates the law by calling itself a Parliamentary news service?

[*English*]

Hon. Don Mazankowski (Deputy Prime Minister, President of the Privy Council and President of the Treasury Board): Mr. Speaker, I find it very difficult to figure out why the Hon. Member is so upset about a new information service. I have to tell him that we certainly appreciate and thank him for highlighting this new service. It is receiving a great deal of attention.

What we are really looking at is that individual Members of Parliament and, indeed, political Parties in Canada, as a matter of routine issue press releases literally on a daily basis. The Hon. Member talks about confusion. I have just read through a few Liberal and NDP press releases and I have not seen so much confusion in many a year. The fact of the matter is that the Hon. Member should get with it. We now live in an electronic age. This is really an electronic form of a news release. If the Hon. Member wants to sit down with members of our Party perhaps we can update his Party's communications program and advance it into the new electronic age.

• (1200)

ADMINISTRATION OF JUSTICE

DEATH OF YUGOSLAV REFUGEE IN CALGARY—REQUEST FOR INVESTIGATION

Mr. Alex Kindy (Calgary East): Mr. Speaker, my question is directed to the Solicitor General and it concerns Damir Durekovic, who was originally from Yugoslavia. He was a real political refugee who came to Canada in 1984. Tragically, his body was found last week in Calgary.

I wish to quote from his refugee examination hearing held on June 28, 1984: "The basis of his application was that he feared for his life as his father, also a refugee in West Germany, was murdered in July, 1983. Mr. Durekovic claimed that the murder was politically motivated due to the fact that his father had authored five books which were critical of the Yugoslav regime". The Croation community in Canada is very upset.

I wish to ask the Solicitor General if he will order a full and complete investigation into this tragic death.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, yesterday the Hon. Member was good enough to bring this to my attention by way of a letter, part of which he has quoted today. I was glad to be able to assist him in some small way. I asked my officials to look into this matter immediately and see what was happening.

I have now been advised by my officials that the Calgary police force are conducting an investigation, that it is a continuing investigation, and at this time it is under the purview and jurisdiction of the Solicitor General of Alberta.

If the Hon. Member has further facts to give me which may not be known to them, I will be happy to receive those facts and pass them on to the appropriate authorities.

* * *

AGRICULTURE

ASSISTANCE FOR TOBACCO GROWERS—APPLICATION OF RULES IN ONTARIO

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is directed to the Minister of Agriculture. He will know that last winter Agriculture Canada allotted $30 million to aid tobacco producers in the Provinces of Ontario, Quebec, and Prince Edward Island, in order that they could exit the industry or switch to alternate crops.

I wish to ask the Minister why the arrangement that was negotiated with the Government of Prince Edward Island which changed its targets is more flexible than that drawn up with Ontario where the rules and bureaucracy have added to the tobacco growers' frustrations instead of helping them to address the surplus problem.

Hon. John Wise (Minister of Agriculture): I appreciate the question of the Hon. Member. He must realize that in the tobacco reduction program, like many other areas, the Government has had to break new ground.

We sat down with the various provinces and the producer groups within each province and signed specific agreements that were unique and peculiar to situations.

The agreement with Ontario requires revision. The take-up is not as high as I would like it to be. Last week I met with representatives of the tobacco marketing board. I have requested that my provincial counterpart meet with the tobacco board, possibly as early as next week, for the purpose of reviewing the progress to date with the thought of relaxing the requirements in order that there can be a greater take-up in the Ontario program.

REQUEST FOR THIRD PARTY INTERVENTION TO ESTABLISH FAIR COMPENSATION PROGRAM

Mr. Vic Althouse (Humboldt—Lake Centre): Since the passage of time indicates that the Minister and his Government have decided to ignore the report of the tobacco subcommittee to the Standing Committee on Agriculture filed some four months ago, is the Minister still considering the requests made by the local governments in the various tobacco counties of southern Ontario for third party intervention with power to establish a fair compensation program to resolve the dispute between producers and the various governments as to what is a fair and equitable payment program, or has the Minister also rejected that suggestion?

Hon. John Wise (Minister of Agriculture): The Government has not rejected any recommendations from Members of Parliament, or recommendations from producers or marketing boards, regardless of what commodity they represent. The record will show that we have been extremely responsive.

The tobacco reduction program is a very responsible program. I believe it is a responsible action on our part that, as early as next week, we plan to sit down with the provincial Governments that are partners, and, of course, the third and most important partner, the producers themselves, and the marketing board, with the thought of revising the criteria in order that the take-up will be more sufficient.

Mr. Speaker: The last question will be from the Hon. Member for Hamilton East.

* * *

INDUSTRY

FIRESTONE PLANT IN HAMILTON

Ms. Sheila Copps (Hamilton East): Mr. Speaker, in the absence of the Minister of Regional Industrial Expansion I wish to direct a question to the Deputy Prime Minister.

Tabling of Documents

Given the fact that 1,300 jobs are at stake in the riding of Hamilton East, and the fact that it has been almost two weeks since a bona fide offer was placed on the table for the purchase of Firestone Canada Inc., I wish to ask the Deputy Prime Minister what action the Prime Minister, the Minister involved, or the Deputy Prime Minister has taken to discuss directly with the president of Firestone in the United States in Akron, Ohio, how important it is that a deal be consummated in the Firestone situation? Has he simply left the question to be dealt with by civil servants because, in Parliament, Hamilton East does not count? Perhaps the Conservatives have written it off because in the last provincial election they were barely ahead of the Communists.

Why are the Minister and his Government not doing something to save those 1,300 jobs? Has he written off the people of Hamilton?

[*Translation*]

Hon. Bernard Valcourt (Minister of State (Small businesses and Tourism) and Minister of State (Indian Affairs and Northern Development)): Mr. Speaker, the Hon. Member is asking what steps have been taken by the Government. She is well aware that under the direction of the Minister of Regional Industrial Expansion, some Departmental Officials are working with the company involved to bring the whole thing to a conclusion. The Hon. Member will certainly recognize that this is a private sector transaction and that all the Government can do and does indeed is to reply to the requests of interested parties. As in the case of all private sector transactions, its particulars cannot be discussed in public.

ROUTINE PROCEEDINGS

[*Translation*]

EXTERNAL AFFAIRS AND INTERNATIONAL TRADE

GOVERNMENT RESPONSE TO REPORT OF STANDING COMMITTEE

Hon. Monique Landry (Minister for External Relations): Pursuant to Standing Order 99(2), Mr. Speaker, the Secretary of State for External Affairs (Mr. Clark) and I are pleased to table in both official languages the Government's response to the report tabled by the Standing Committee on External Affairs and International Trade on Canada's Official Development Assistance policies and programs.

[*English*]

PETITIONS

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition on behalf of a number of residents of the City of Toronto who object to Bill C-55. The petitioners feel that it will have the effect of preventing refugees from reaching our borders, or if they reach our borders, they will be turned away without their claim being properly heard.

• (1210)

They also object to the concept of a safe country which has no foundation in law. They point out that a better system was proposed nearly two years ago by the standing committee of Parliament.

Therefore, they pray and call upon Parliament to ensure that Government and Parliament will withdraw Bill C-55 and substitute the sort of legislation for which the standing committee asked two years ago, and in duty bound your petitioners will ever pray.

[*Translation*]

OPPOSITION TO DISCONTINUATION OF CN RAIL SERVICES

Mr. Don Boudria (Glengarry—Prescott—Russell): Mr. Speaker, it is both an honour and a privilege for me to present a petition signed by 200 residents of my Glengarry—Prescott—Russell riding who are strongly urging the Federal Government and this Parliament to make sure that the CN Rail service between Ottawa and Montreal, and also between Ottawa and Sudbury continue to operate and does not disappear as provided in an internal document of CN Rail.

Wherefore the petitioners humbly ask Parliament to persuade the Government to take the necessary steps.

[*English*]

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Les Benjamin (Regina West): Mr. Speaker, I have the honour and duty to present a petition signed by a number of Canadian citizens from St. John's, Newfoundland and Vancouver and Surrey, British Columbia. They humbly petition the House to show that Bill C-55 will result in many, and perhaps most, refugees who reach our borders being turned away without having their claim heard on the merits of their case.

Therefore, the undersigned petitioners humbly pray and call upon Parliament to ensure that Government and Parliament withdraw Bill C-55 and substitute legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board independent of the Immigration Commission, universal access to such hearings for every

applicant in Canada, and the right to appeal on the basis of fact.

[*Translation*]

SAFETY OF REAR SEAT AUTOMOBILE PASSENGERS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, it is an honour for me to present a petition signed by residents of Brantford (Ontario), Lethbridge (Alberta), Lindsay (Ontario), Aylmer (Quebec) and Ottawa.

The petitioners are asking for changes to be made to the highway safety regulation. They believe that rear seatbelts are now inadequate and that the sufferings of highway collision victims could be greatly reduced or avoided. They believe also that the costs of medical care could be also reduced and eliminated.

For these reasons and many others, Mr. Speaker, they are asking Parliament to agree to make compulsory the installation of three-point adjustable safety belts for rear seat passengers, and also the installation of inflatable bags at the front of cars.

[*English*]

REQUEST FOR ADDITIONAL AID FOR CO-OPERATIVE HOUSING PROGRAMS

Mrs. Thérèse Killens (Saint-Michel—Ahuntsic): Mr. Speaker, I also have the honour to present a second petition signed by residents of the City of Victoria, British Columbia. The petitioners believe that delay in introducing new programs for funding co-operative housing projects and the Government's half-hearted support of its programs have meant increased hardship for those Canadians who have to resort to sleeping in tents and on park benches.

For these reasons and many more, the petitioners humbly pray and call upon Parliament to increase assistance immediately for emergency shelter and co-operative housing.

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, I have the honour to present a petition from residents of Canada from Ottawa to Vancouver. The petition asks Parliament to consider the effects of Bill C-55 and expresses concern about the refugee status determination process.

It states that while the standing committee of Parliament has proposed a new procedure for refugee determination which is quicker and fairer, the current legislation, Bill C-55, be withdrawn and new legislation be considered.

Therefore, the petitioners humbly pray and call upon Parliament to ensure that the Government enact legislation which will embody the principles of fair and quick oral hearings of refugee claimants before a refugee board independent of the Immigration Commission.

[*Translation*]

QUESTIONS ON THE ORDER PAPER

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board): Mr. Speaker, I would ask that all questions be allowed to stand.

Mr. Speaker: Shall all questions be allowed to stand?

Some Hon. Members: Agreed.

* * *

[*English*]

MOTION TO ADJOURN UNDER S. O. 29

CANADA-FRANCE AGREEMENT—FISHING RIGHTS

Mr. Jack Harris (St. John's East): Mr. Speaker, I rise, pursuant to written notice under the provisions of Standing Order 29, to move that the House do now adjourn for the purpose of discussing a matter of urgent public concern, that being the Canada-France fisheries negotiations.

Given the fact that these negotiations are now continuing and the federal Government appears to have every intention of concluding an agreement without Newfoundland's involvement, and given that such an agreement would not be placed before the House for debate, I believe that an emergency debate is required now to permit Members of Parliament an opportunity to persuade the Government to reconsider its decision to continue these talks with France.

Mr. Speaker: The Chair received notice of the application of the Hon. Member for St. John's East (Mr. Harris) who has raised a matter which is of very great concern to him, to other Hon. Members from the Province of Newfoundland and Labrador, and to all Canadians.

The House will remember that some time ago there was an emergency debate on this issue. The Hon. Member of course would urge that there has been a recent event, as a consequence of which certain persons representing the Province of Newfoundland and Labrador apparently are not, at least for the moment, with the Canadian negotiating team. The Hon. Member is concerned about that, as I am sure are all Hon. Members, and has urged upon the Chair that the House be adjourned to debate this matter on an urgent basis this afternoon.

I want to assure the Hon. Member for St. John's East that the Chair has given it very careful consideration. I feel that under the circumstances perhaps it is not necessary to go ahead with an emergency debate this afternoon.

However, I want the Hon. Member to know that the entire issue is taken seriously by the Chair, as I know it is by other Hon. Members.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House proceeded to the consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee.

Mr. Speaker: It is my obligation to make a ruling in the House in respect of amendments to Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof.

I think I should begin by pointing out to the House and to the listening and watching public that there are 77 motions on the Notice Paper in amendment to Bill C-55. I have examined these motions and will allow debate to proceed on the motions which are acceptable at this time.

I want Hon. Members to know that the majority of these amendments were received late yesterday, and I want to congratulate the staff of the Journals and the Public Bills Offices for the long hours they put in in preparing the motions and the material to brief me this morning. I know that some of our officials were working until 5 a.m. this day in order to give me the briefing I need so that the convenience of all Hon. Members is properly met.

Motions Nos. 2 and 3 will be debated and voted on separately.

Motions Nos. 4, 5, 6, 7, 8, 9, 10, 13, and 14 are attempts to amend Clause 14 of the Bill. They will be grouped together for debate, with a vote on Motion No. 13 first. An affirmative vote on Motion No. 13 obviates the necessity for a vote on the remainder of the group. However, a negative vote on Motion No. 13 requires separate votes on Motions Nos. 4, 5, 6, 7, 8, 9, 10, and 14.

• (1220)

Motions Nos. 15, 25, 26, 28, 31, 32, 33, 35 and 36 will be grouped for debate and voted on separately. All of these motions deal with the concept of a credible basis for refugee claims.

Motions Nos. 18 and 21 will be debated together with an affirmative vote on Motion No. 18 obviating the question being put on Motion No. 21. A negative vote on Motion No. 18 will require the question to be put on Motion No. 21. Motions Nos. 27, 29 and 34 will be debated together but voted upon separately.

I want to advise Hon. Members that the Chair will return to the House with a more definitive ruling as soon as possible.

Mr. Lewis: Mr. Speaker, I am not speaking to your ruling, but I just want to make a point and indicate a position in the event that I may not be in the House when it comes up.

It is my understanding that there are amendments on the Order Paper presented by the Hon. Member for York West (Mr. Marchi) who is unavoidably detained today. There has been a request from the Official Opposition that the amendments in his name be moved by another Member. We have considered this matter; we have considered it in the light of Standing Order 114(10) which points out that report stage is there to provide Members who are not Members of the committee with an opportunity to have the House consider specific amendments they wish to propose. It also goes on to say that it is not meant to be a reconsideration of the committee stage of the Bill.

I point out that the amendments that are on the Order Paper were tabled in committee, but only one was moved by the Hon. Member at clause by clause stage. I impute no motives in this but the Government is content to have these motions moved by the Hon. Member for Davenport (Mr. Caccia), I believe.

I would draw your attention, Mr. Speaker, to Standing Order 114(10) which in part reads:

> *NOTE: The Speaker will not normally select for consideration by the House any motion previously ruled out of order in committee and will normally only select motions which were not or could not be presented in committee.*

I make that point and indicate in the spirit of having debate on the amendments that we are naturally prepared to have any amendments which the Chair finds to be in order moved by the Hon. Member for Davenport rather than the Hon. Member for York West.

I do ask the Chair to consider the spirit of parliamentary reform, the spirit of the legislative committee, the spirit of the discussion, of the hearing of witnesses and the clause by clause consideration in committee where the whole purpose of clause by clause discussion is to have ample time to discuss it, and ease the work of this House, since we do have several committees sitting at one time, by placing amendments at committee and endeavouring to have them either talked out, passed or not. I ask you, Mr. Speaker, to consider that in your ruling.

I indicate formally that the Government is prepared to allow those amendments that you find to be in order standing on the Order Paper in the name of the Hon. Member for York West moved by the Hon. Member for Davenport.

Mr. Speaker: The Hon. Member for Calgary South (Mr. Hawkes) on the same point of order?

Mr. Hawkes: Yes, Mr. Speaker. It is a follow-up in the same vein. Seldom have I been on a legislative committee that spent so many hours hearing public testimony or that made so many amendments to a Bill. I think it speaks to the complexity of this Bill. We also chose in that committee to group items, I think in a way similar to the way you have grouped them for us today, but we took things out of sequence.

I would like to bring to your attention that at about five o'clock on Friday, September 11, we negatived two amendments in committee known as N-4-17 and N-4-27. I think you will find that they are identical to Motion No. 2 which is before us this afternoon. Perhaps you would like to have a little more time to examine the record and those two particular amendments, Mr. Speaker, and that it might be wiser for us to begin the debate this afternoon on Motion No. 3.

I would also suggest that throughout the course of dealing with the 77 amendments, from time to time some input from Members of the House who were actually in committee could be helpful in organizing ourselves as we proceed.

Mr. Kilgour: Mr. Speaker, my point of order relates to the fact that in the same session of Parliament, Parliament should not pronounce upon the same issues. My distinct impression is that many of the issues dealt with in Bill C-84 are being dealt with in Bill C-55. Is my understanding of that situation correct? Should we be pronouncing upon a number of issues which appear to many people to have been touched upon in an earlier Bill passed in the same session of Parliament?

Mr. Speaker: Two points of order have been raised in the last few minutes, one by the Minister of State (Mr. Lewis), and one by the Hon. Member for Edmonton—Strathcona (Mr. Kilgour). As I indicated to the House, the ruling that I have made is the first ruling; I will be returning to the House as soon as possible with respect to the remainder of the matters that must be decided.

It would be possible to go ahead at this time with Motion No. 3, while perhaps I have some time to consider the matter raised with respect to Motion No. 2. That might be the easiest way to approach things. If that met with the approval of the House I would suggest that that is how we proceed for now.

The Hon. Member for Spadina (Mr. Heap) has a point of order. I have not been ignoring him. I now have a chance to recognize him and give him the floor.

Mr. Heap: Mr. Speaker, my point relates to what was said by the Hon. Minister of State (Mr. Lewis), and the Hon. Member for Calgary South (Mr. Hawkes) about the work done in committee.

First, I wish very sincerely to congratulate the staff of Journals, the Clerks and the Speaker on their hard and speedy work. I wish to thank the staff of Journals and the Clerks for their assistance in recent days and weeks. Their work has been vital.

I wish to comment on the point which the Minister rightly raised, that our plan is to give people ample time, as the Minister puts it, in committee to consider all these matters. Well, Mr. Speaker, there wasn't ample time. I wish to draw the attention of the Speaker and the Members to a problem, in that cases like this may warrant some administrative action or possibly a reconsideration of some parts of our rules of order, particularly the one that provides that debate on the report shall begin within 48 hours of it being tabled. If it does not require it, it seems to provide for that. Although that measure was relaxed for a day this time, the situation this week has brought to a head rather extraordinary circumstances.

• (1230)

The committee's work was extraordinarily heavy. It worked for 55 hours in six days and dealt with 30 groups of witnesses, sometimes as many as four in a group, and as many as 10 witnesses in one day. Then for three days it did the clause-by-clause work on all the clauses in a Bill that is 62 pages long. The report of the committee was also fairly lengthy.

A few interim copies of the Bill as amended were available on Wednesday. The regular copies of the amended Bill were not available until after 10 a.m. Thursday. That was when debate would supposedly have begun. There were differences in line and page numbering between the interim and regular copies of the Bill which caused a good many extra hours of work in my office and I believe also in the Clerk's and Journals offices as well.

The fact is that this Bill was unusually long, unusually complex and unusually controversial. It required many carefully worked out amendments, not all of which could have been put in committee, even if there had been more time, because some amendments are consequent upon other amendments moved by other Parties in the committee. Even the Government, I believe, with all its extra staff, needed this extra day.

I am grateful for the extra day that was allowed but I would draw the attention of the House to this problem which does not occur with a Bill that has only two or three clauses or is only two or three pages long, but can occur in a case like this. I think these cases are not provided for well enough by the rules, and I would hope that it may be possible to speed up the production of the Bill as amended by committee or that the Standing Orders may give a wider discretion to allow for more time between the depositing of the report and the beginning of the debate. There has not been ample time and I regret that very much. When a very controversial, large and complex Bill is to be debated in future, I hope more time will be given both in committee and between the committee finishing and the report being debated.

Mr. Caccia: Mr. Speaker, on behalf of the Hon. Member for York West (Mr. Marchi) who has been ably watching this Bill go through committee, I would also like to express our appreciation for what has been done by the staff and by everyone involved. I would suggestion that Motion No. 2, which happens to have been proposed by the Chairman of the committee, is one that ought to stand on its own merits and ought to be debated at report stage. It is a complex motion and it deserves to be dealt with by way of normal proceedings, as other motions will be debated, motions which are already printed along with Motion No. 2 on the notice paper.

As far as we are concerned, we could start by debating Motion No. 3 as you have already ruled and we are prepared to do so.

[*Translation*]

Mr. Jourdenais: On a point of order, Mr. Speaker. I see that there is some disagreement to start the debate with Motion No. 2.

This motion stands in my name. In passing, I would like to thank the Journals Branch staff for spending last night, until five in the morning, preparing these 77 amendment motions. A lot of these motions arrived late yesterday, at five or six o'clock.

One thing that I would like to point out to my collegues in this House is that I have had no opportunity to speak on Bill C-55. I have been democratically elected to represent my constituents, and I believe that I should be allowed to explain why I have introduced certain amendments. I believe that this is my right and privilege. All of the amendments which I introduced are for the good of Bill C-55, the good of the Canadian people and the good of my constituency.

[*English*]

Mr. Speaker: I want to thank Hon. Members for their consideration while I consider the matters raised by the various points of order including the comments about Motion No. 2. I might indicate to the Hon. Member for La Prairie (Mr. Jourdenais) that the Chair of course will carefully consider his intervention and his remarks. In the meantime, I take it that it is the disposition of the House to accept my suggestion that we proceed with debate on Motion No. 3.

Mr. Dan Heap (Spadina) moved:

Motion No. 3.

That Bill C-55, be amended in Clause 9

(a) by striking out lines 46 and 47 at page 7 and substituting the following therefor:

"two weeks after the making of the order; or"

(b) by striking out line 2 at page 8 and substituting the following therefore:

"required to leave Canada, and in any case not less than two weeks after the notice is received."

He said: Mr. Speaker, this motion deals with one of the many little points in this Bill which make it not so much a means of admitting refugees as a means of keeping people out of Canada, some of whom may be refugees. It is a complex system that has been constructed. It reflects the work of some public servants over a period of half a dozen years and the earnest desire of some senior public servants in the Immigration Department.

Clause 9 concerns one of limitations to be placed upon a person who has arrived in Canada and is claiming refugee status. The clause provides that while a person is to have legal representation, he is limited in getting it. He can have a lawyer but only within some limitations. The preferred system is that he have a lawyer who is paid by the Minister.

I think the Supreme Court would look in a rather strange way at having a person who is in a contest with the Minister, a person who has been told that he has no right to be in Canada unless he can prove that he is a refugee, prove that he met the safe-country test, prove that he met the credibility test and go on to prove his claim, if he is lucky enough to get that far doing so with the help of a lawyer hired by the Minister in charge of putting him out of the country if he cannot prove it. That is not a very equal system. It is not a very good introduction for a person who, like many refugee claimants, might some day become a very fine citizen of Canada, as Rabbi Plaut keeps reminding us happened in his own case.

The Bill does allow that a person may get his or her own lawyer at his or her own expense, but the Bill wants to limit the time allowed for doing that. This particular provision appears at the bottom of page 7 of the Bill. It says he will have a lawyer appointed by the Minister unless he is represented by a barrister or solicitor who is available to take instructions with respect to such an application, in the case of a person against whom a removal order is made within 24 hours after making the order, or, in the case of a person to whom a departure notice is issued prior to the date on or before which the person is required to leave Canada.

• (1240)

In the normal experience in Canada getting a lawyer within 24 hours is often next to impossible. Getting through with a phone call to a lawyer may be next to impossible. There are competent lawyers. Most of them are not unemployed. Most of them do not regularly work, for example, on weekends, or they are not necessarily in their offices available on statutory holidays when these things may happen. If they are reachable by telephone they cannot necessarily drop whatever they are doing and that very day go out to interview a client. If they have an appearance in court scheduled for that day, it is a very grave matter not to appear. If they have an appointment with a client scheduled for that day, it may be a very grave matter to the client if it is cancelled. In fact, we have had complaints from the immigration department about lawyers who cancel their appearances for one reason or another.

What is envisaged here is that the only lawyer who might be available to this person as his lawyer of choice would have to be one who is in effect unemployed that day. It is very unreasonable. The Supreme Court has said that even a non-Canadian, someone who has come to Canada and said he is a refugee and needs the protection of Canada from the country persecuting him, is entitled to due process. That includes reasonable access to legal counsel. This is not reasonable access. It takes time to contact the lawyer. It takes time for the lawyer to act within his schedule or refer a person to another lawyer who might have time more immediately.

When the lawyer does arrive, it takes time to prepare a case on which the future of that person may depend. If the person fails at the coming inquiry for which he is to be prepared, he will not get any hearing of his refugee claim. If he is told that

he came from a safe country, that is a country considered safe in terms of this law, even if he feels the decision is mistaken in his case and that it is not safe for him, he may be sent back there.

If he passes that test but does not convince two people in that preliminary screening that he has what they call a credible basis for his claim, mainly based not on his evidence but, as the Act lays it out, on evidence they have, prior to meeting with him, in other words a preconceived opinion depending on which country it is he says was persecuting him, he has to make that case. He has to instruct his lawyer and that is not necessarily quickly and easily done, particularly in the case of a genuine refugee.

If he is a phoney, perhaps he will have a case already made, a lawyer already arranged, et cetera, and things will go smoothly. If he is a genuine refugee on the run for his life, perhaps having had to run through more than one country to find safety, he will be nervous, and afraid of officialdom. He may not know the details of our law.

The details of this law extend to 62 pages. Very few Canadians have even read the Bill, let alone claim to understand it. I suspect few Members of Parliament have read it, let alone claim to understand it. Yet this person has to face all the details of this Bill and he is supposed to get his lawyer within a day. That is in the case of a person against whom a removal order has been made or in the case of a person to whom a departure notice is issued. He has to do it on or before the day on which he is required to leave Canada. It is unnecessary and unreasonable to require such haste when we recognize that we may be dealing with a person who is in genuine danger of his life or liberty and is having some difficulty in speaking out.

We heard an excellent brief from the Women and Law Group who reminded us that not all refugees are men. Women refugees are subject to rather specialized forms of trouble to which men refugees are not. Women refugees have often experienced rape and other forms of sexual harassment by the people from whom they fled, border guards through whom they passed, security guards or jail guards where they were detained in different countries, and so on. It is not, so they told us and I take their word for it, easy for a woman in such a case to blurt out those facts to the first person in Canada who says, tell me all about it. It is the experience of competent lawyers who have years of experience dealing with cases of genuine refugees and who are respected by the courts of this country, that it may take some hours or even days of careful and skilled and sympathetic interviewing to bring out the essential facts of the story.

The present chairman of the Immigration Appeal Board gave us a case in point where a person went all the way through the process and only at the last, and because of a question from the chairman, said the reason he came on the run is because his father was killed in his home country. That was verified and that made the case, but he had not said it before because it is not easy to tell those things in all cases the first time.

The Acting Speaker (Mrs. Champagne): I am sorry, I must interrupt the Hon. Member because his time has expired.

Mr. Jim Hawkes (Calgary West): Madam Speaker, we encountered this amendment in committee with one different word. I think the amendment then was that the period of time be extended for seven days. It now is for 14 days.

I think it is important to understand just how great an improvement this proposed system is with respect to protecting the rights of legitimate refugees compared to what is in place today. If the House were to adopt none of the report stage amendments, we would still have a system that would be the finest in the world. With some of the report stage amendments, I think it would be better still.

Members have to realize that what is happening to the administrative side is that humanitarian and compassionate concerns which are permissible in the Immigration Act will be considered prior to the commencement of an inquiry. If they are relevant, the person will be landed, and if they want to make a claim for refugee status, they can do it in what is called "in-status", inside the country.

• (1250)

When we talk about a removal order or departure notice, we are dealing with a brand new system under Bill C-55 that provides a barrister or solicitor to a refugee claimant, at taxpayers' expense, from the moment they indicate to the inquiry officer that they intend to make a claim. When a claimant formally makes a claim at an inquiry, it is adjourned immediately in order to provide that claimant with counsel. The Bill requires that when the decision is made for a removal or departure notice, reasons must be given and the lawyer must be present with the claimant.

A removal or departure order means that the claim to refugee status has been rejected. This provision of the Bill does not deal with people who still have a claim to refugee status, and certainly not with people who are determined to be refugees. It deals primarily with those thousands of people who have come to this country in the last couple of years to abuse our generosity and were found to be ineligible as refugees. This Bill allows an appeal on leave to a higher court and permits the claimant to ask for a stay of execution of that removal order for a minimum of 24 hours. They are provided with a lawyer of their choice, and that 24 hours or longer can be used to instruct counsel to prepare a legal document for the higher court within 15 days.

I suggest to the Member for Spadina (Mr. Heap) that there are probably 24,000 people in the backlog who, under this system, would receive removal orders or departure notices. I ask the Member why we would want people who are determined not to be refugees to stay in the country two weeks longer at taxpayers' expense.

We have a well deserved reputation for humanity and generosity toward legitimate refugee claimants. But this part of the legislation provides some of our generosity to people who we decide are not refugees. They are provided with counsel and can stay the removal order for 24 hours. There is no good legal reason why those 24,000 people should be given two weeks when most of them had no claim in the first instance. Surely we have gone the extra mile with a 24-hour stay of execution of the order and the provision of counsel at taxpayers' expense. That is going a long way for people who try to abuse our system. I believe we should use the expense that would be incurred by that two weeks for legitimate refugees rather than the abusers of the system.

Mr. David Berger (Laurier): Mr. Speaker, it is really difficult to deal with any particular provision of this Bill in isolation. I believe one has to view any particular section of the Bill within the context of the over-all thrust of the legislation.

It would be appropriate to comment on this motion by referring to some testimony that was given before the legislative committee. I have the testimony of Professor Angus from Osgoode Hall, who I understand is an expert in administrative law and procedure. He concluded his comments about the Bill by saying:

> I think it is fatally flawed in a number of respects. It reflects a bill drafted by an administration task force which has taken an extreme position on one side: it has been opposed with extreme positions on the other side, and we have failed to define the middle ground. That troubles me very much, and I think it should trouble your committee.

He went on to say:

> Reasonable compromise has worked well in the past in this nation of ours so that we do not reach the extremes. I think the consequences may be very substantial.

He also said:

> There are individuals who feel genuinely betrayed by these provisions in terms of their participation leading up to Bill C-55.
>
> A number of individuals most surely will, as a matter of conscience, pursue civil disobedience against the provisions of these two statutes. We are going to see an elevation of conflict in society as a result of these two Bills. There will be Charter challenges.
>
> I think there is a very substantial prospect that many of these Charter challenges will proceed. It grieves me deeply that we are at this point of Bill C-55. It is a one-sided view of a very serious matter of international and national concern.

Again, an expert in the area of administrative law predicts that there will be Charter challenges to a Bill which he views as very extreme. He states that we must really study this provision.

I suggest that it is a travesty of justice when one requires a person who is subject to a removal order or departure notice to come up with a lawyer within 24 hours, when it may be a matter of life and death. It is a travesty of the fundamental principles that all Canadians believe in.

As well, the statement by the Hon. Member for Calgary West (Mr. Hawkes) about dealing with humanitarian considerations prior to the process defies logic. One knows that humanitarian considerations are those things that are raised in the last resort. They are matters that are brought up on an appeal to a Minister, on an appeal to the kind of group that has been charged with that responsibility, the special review committee. It involves people who go beyond the strict limits of the law and the strict procedures that are set down in our law to determine whether there may be any extenuating circumstances which justify giving a person an extra opportunity to be heard, or giving a person the benefit of the doubt.

Again, this question was dealt with in the hearings before the committee. The very distinguished lawyer, with many years of experience in immigration law and refugee law, Miss Barbara Jackman, appeared on behalf of the Canadian Bar Association and pointed out that senior immigration officers are enforcement officials. They are enforcement minded and their concern is removing people from Canada, not facilitating entry.

• (1300)

I support this amendment. I think it is an entirely reasonable amendment. This particular section of the Bill, the way it is currently drafted, will be subject to challenge. I really, quite frankly, cannot understand why the Government is proceeding with many of the provisions of this Bill. I do not understand why it is not willing to entertain amendments. As was mentioned by Professor Angus, if we have a Bill which is a response to an extreme position and which will be subject to Charter challenges from day one, we will not be getting the kind of process wanted by the Minister of State for Immigration (Mr. Weiner), all Members of this House and all Canadians. We will end up with a system that will become bogged down from day one. This is the overwhelming consensus expressed by many of the witnesses who appeared before the legislative committee.

I do support the amendment and I would hope the Minister of State for Immigration and his colleagues in this House would support this amendment as well, if they are indeed interested in arriving at a Bill which will improve the situation and give us a process that will work, not one which will not work.

Ms. Marion Dewar (Hamilton Mountain): Madam Speaker, I too would like ask the House to support this amendment for the simple reason that I think it is really crucial as we look at what this Bill does. There has been a good intent on all sides of the House to try to resolve a very serious problem. However, I do think this Bill is too reactionary and too rigid. This particular amendment to the Bill will add a little fairness to the whole system.

What we are looking for is something that can expedite the whole process from a humane as well as from an efficient point of view. I think it is really important to recognize something the Hon. Member from Calgary was discussing, that is, the fact that these people had already been designated as not being credible refugees. I do not think that is right. This whole

process is in place so that it is part of the refugee designation process. It seems to me that because of the state of anxiety these people are in when entering a country under the conditions in which many refugees enter the country, it is really important that they be given the amount of time necessary for them to seek a solicitor. It seems to me that two weeks is not an over-extended amount of time when we know how slow the process has been in the past and when we know how difficult it has been, and that there are probably going to be challenges with respect to the Charter which will certainly cause all kinds of bottle-necks.

In the first instance, we recognize the fact that these people have not been designated as non-refugees or refugees at this point. That is why that process is in place. Surely we must give them full and adequate hearing. That cannot happen if they have to get a lawyer within 24 hours. Just imagine how we would feel, Madam Speaker, if we were in that state of anxiety, entering into a strange country, probably fleeing for our life and the lives of our family, and being told at that point that within 24 hours we must have a lawyer or face deportation. That is not fair or just and it is totally unreasonable.

If the amendment could be accepted, it would give a little more fairness to the Bill than what is there at the moment. I think it is a very unpalatable Bill because it certainly, as the previous speaker has said, puts the most extreme position forward. Certainly, the legislation is trying to kill a mosquito with a sledge-hammer.

Over and above that, I think we must always recognize the fact that we are in the process of refugee designation and at the first hearing the decision on refugee designation is not made. To be able to have a full and complete hearing with the solicitor is very important as one goes through that process. Expecting a potential refugee to be able to get a lawyer within 24 hours is very unreasonable.

I would urge Members on both sides of the House to support this amendment. It is a very small amendment but it certainly does add to the Bill a touch of humaneness and fairness. I think that is the kind of thing we are looking for. If we get the challenges with respect to the Charter as has been predicted, we know that huge bottle-necks will form in the system. If we can help the system to work expeditiously and be able to move people through whose lives are really threatened we should do so. In fact, I would suggest that the people who are under the deepest pressure, who probably are the real refugees, are the ones who are going to suffer the most without this amendment because they are the ones who will be incapable of finding a lawyer within 24 hours.

I think it is really important that we give these people a fair hearing, but we are not going to be able to do that if we expect them to appear themselves without counsel, or with counsel who is designated by the Government of Canada, within 24 hours, and that is about the only way they can proceed. I think it is really important that this type of amendment be supported. I would urge Members on both sides of the House to do so. We will certainly be supporting it.

Mr. Ted Schellenberg (Nanaimo—Alberni): Madam Speaker, I will begin my remarks by doing something that is not done very often in this Chamber, that is, to compliment a member of the Opposition, the Hon. Member for Spadina (Mr. Heap), who, during the committee process, of which I was part, showed day by day, hour by hour, during all 55 hours, his diligence, sincerity and, indeed, his good humour as we muddled through a very complicated and lengthy process.

The Member from the Liberal Party who spoke earlier, the Hon. Member for Laurier (Mr. Berger), had he been there, or had the Liberal critic been there on a regular basis, he would have been aware that during that process we moved the humanitarian aspects from the end of the process up towards the beginning. Therefore, it is indeed a much more humanitarian Bill. Counsel is, in most cases, already there, so the provision for the 24 hours very often is not required. The person can just turn to the counsel already provided.

We heard during the committee hearings from witness after witness that choice of counsel is very often used as a delaying tactic, mostly by those who have no respect for the system as it now stands. Indeed, those who may be considered most fraudulent or bogus among the refugee class are the ones who played with the system the most and who are still playing with the present system. Switching lawyers was often the way they did it. They would select a very prominent immigration lawyer who may or may not be available at the time of the hearing, and then when he was not available, there would be another delay. This would go on for months, if not years.

I also think there is a very important distinction to be made between counsel being paid by the Minister and being responsible to the Minister. Counsel is, indeed, paid for by the taxpayers of Canada. If I may be so bold, let me say that counsel is responsible to the taxpayers of Canada to ensure that justice is done under the laws of the land.

For these reasons, and the reasons brought forward by my colleague, the Hon. Member for Calgary West (Mr. Hawkes), I would urge that Motion No. 3 be defeated.

Hon. Gerry Weiner (Minister of State (Immigration)): Madam Speaker, I, too, would like to take a moment in commending and thanking those members of the committee who worked so diligently through those 55 hours. We deeply appreciate, as do all Canadians, their efforts and, indeed, the quality of their work.

In response to the Hon. Member for Laurier (Mr. Berger) I would say that the committee represents a compromise between the views of many interveners at the committee and the concerns of the Government which gave rise to the Bill.

• (1310)

Professor Angus viewed a Bill that did not ensure that duty counsel would be a lawyer, and that did not provide the right, at inquiry, to represent himself or herself. The committee has responded to those areas of weakness in the Bill and the compromise would, in my view, satisfy Professor Angus, if not a number of other interveners.

The concerns of the Hon. Member for Spadina (Mr.Heap), and others, that many competent lawyers are not readily available is the reason that the Bill provides for duty counsel. The Government undertakes to ensure a maximum availability of competent lawyers, and the cost of those counsel will be borne by the Government.

The Government and the Minister have no interest in finding that a given claimant is not a refugee. If an error has been made, the Government has a public interest in correcting that error. When the error is not to the benefit of the claimant, the Minister would not want that error overlooked. Duty counsel, competent members of the bar, readily available at the expense of the Government, will ensure that the claimants can have the opportunity to correct that error.

This motion extends the period that a person ordered removed after inquiry has to instruct counsel from 24 hours to two weeks. There is a technical problem with the amendment because it does not provide an equivalent stay of the removal order beyond 24 hours. In any event, two weeks is unreasonably and unrealistically long. All the person concerned needs to do in 24 hours is to decide whether he wishes to seek judicial review or not and sign an affidavit authorizing counsel to act on behalf of the person concerned.

Therefore we oppose the motion.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 3 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114 the recorded division on the motion stands deferred.

We will now proceed to Motions Nos. 4, 5, 6, 7, 8, 9, 10, 13 and 14.

Motion No. 4 stands in the name of the Hon. Member for Laprairie (Mr. Jourdenais)—

Mr. Heap: Madam Speaker, I rise on a point of order. I think it was the Speaker's intention in his ruling earlier that we begin this group with Motion No. 13 which amounts to a deletion of several clauses. If that motion is passed we do not need to debate Motions Nos. 4, 5, 6, 7, 8, 9, 10 and 14.

The Acting Speaker (Mrs. Champagne): In his ruling the Speaker said that these motions would be grouped together for debate but with a vote on Motion No. 13 first. All the motions must be debated together. Therefore, I need to put all the motions to the House.

In the absence of the Hon. Member for Laprairie we will not proceed with Motion No. 4.

Mr. Dan Heap (Spadina) moved:

Motion No. 5

That Bill C-55, be amended in Clause 14 by striking out lines 30 to 34 at page 11 and substituting the following therefor:

"inquiry shall be continued."

The Acting Speaker (Mrs. Champagne): Motion No. 6 is in the name of the Hon. Member for York West (Mr. Marchi). There was an understanding that the Hon. Member for Davenport (Mr. Caccia) would move the motion. He is not in the House at the moment. Is there unanimous consent to have the Hon. Member for Laurier (Mr. Berger) move the motion?

Some Hon. Members: Agreed.

Mr. David Berger (Laurier) (for Mr. Marchi) moved:

Motion No. 6

That Bill C-55, be amended in Clause 14 by striking out lines 39 to 45 at page 11 and substituting the following therefor:

"tion refugee, the person shall, as soon as is practicable, have the claim referred to the Board for a determination."

Mr. Dan Heap (Spadina) moved:

Motion No. 7

That Bill C-55, be amended in Clause 14 by striking out lines 39 to 45 at page 11 and substituting the following therefor:

"tion refugee, the inquiry shall be concluded and the adjudicator shall take the appropriate action pursuant to Sections 32 and 32.1."

Motion No. 8

That Bill C-55, be amended in Clause 14 by striking out lines 1 to 9 at page 12.

Motion No. 9

That Bill C-55, be amended in Clause 14 by striking out line 29 at page 12 and substituting the following therefor:

"claim by notifying an immigration officer who shall refer the claim to the Refugee Division."

[*Translation*]

Mr. Heap moved:

Motion No. 10

That Bill C-55, be amended in Clause 14 by striking out lines 30 to 45 at page 12.

Motion No. 13

That Bill C-55, be amended in Clause 14 by deleting proposed Sections 48, 48.01, 48.02, 48.03, 48.04, 48.05, 48.06 and 48.07 at page 13 to 23 inclusive.

• (1320)

[*English*]

Do I have unanimous consent for the the Hon. Member for Laurier (Mr. Berger) to move Motion No. 14?

Some Hon. Members: Agreed.

[*Translation*]

Mr. David Berger (Laurier) (for Mr. Marchi) moved:

Motion No. 14

That Bill C-55, be amended in Clause 14

(a) by striking out lines 15 to 19 at page 13

(b) by striking out lines 21 to 23 at page 13 and substituting the following therefor:

"shall determine whether the claimant should be permitted to come into Canada or to remain therein and whether the claimant is eligible to have the claim determined by the Refugee Division; and"

Mr. Jourdenais: On a point of order, Madam Speaker.

The Acting Speaker (Mrs. Champagne): The Hon. Member for Laprairie (Mr. Jourdenais) on a point of order.

Mr. Jourdenais: Madam Speaker, when the Chair gave its ruling earlier, it was my understanding that, for the Motions which have been grouped, that is Nos. 4 to 13, the debate would be on Motion No. 13, and that if the vote were in the affirmative, there would be no debate on Motions Nos. 4, 5, 6 and so on, and if it were in the negative, there would be a debate. I was not here earlier when you called for the Hon. Member for Laprairie.

The Acting Speaker (Mrs. Champagne): With leave of the House, I shall now repeat in French my answer to the Hon. Member for Spadina (Mr. Heap), who asked me exactly the same question a few moments ago. The interpretation given by the Chair was that Motions Nos. 4, 5, 6, 7, 8, 9, 10, 13 and 14 would be debated together, but that there would first be a vote on Motion No. 13, as an affirmative vote on this motion would cancel the need for the other votes. That was the question and the answer is still the same.

Mr. Jourdenais: Madam Speaker, may I have the consent of the House to debate my motion?

[*English*]

The Acting Speaker (Mrs. Champagne): Motion No. 4 was in the name of the Hon. Member for La Prairie (Mr. Jourdenais). As the Hon. Member was not present, it was set aside without proceeding.

Is there unanimous consent that we return and include Motion No. 4 in this grouping?

Some Hon. Members: Agreed.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie) moved:

Motion No. 4

That Bill C-55, be amended in Clause 14 by striking out lines 20 to 37 at page 11 and substituting the following therefor:

"45.(1) Subject to subsection (5), where a person who is sub—"

He said: Madam Speaker, I want to thank Hon. Members for this opportunity to take part in the debate on my amendment No. 4.

Madam Speaker, I am in duty bound and even compelled by my conscience to rise in debates concerning certain amendments.

First, having been elected in 1984 and being a Member of the Committee on Labour, Employment and Immigration, since the beginning, I have attended many meetings, where a number of persons have appeared, stating that what we need in Canada is a system with a refugee status that is more precise, more clear cut, easier, more understandable than the one we now have, that is before Bill C-55 was put forward.

Many people are wondering and asking me: How is it that Fernand Jourdenais, Chairman of the Committee on Labour, Employment and Immigration, is the only one in his group willing to defend Bill C-55? The reason why I insist indeed on introducing certain amendments is that when the Bill was introduced in May, Members of the Committee on Labour, Employment and Immigration had very strong reactions, and some even said: We worked for two and a half years and nothing, almost nothing of what we decided in report No. 5 is written down in the Bill.

There is something in the Bill, there is certainly the basic principle of having a clearer, more open and speedier system. But out of 62 pages of proposals, we have quite a problem understanding actually, when one is outside the law profession, is not a lawyer or a judge, and you know as well as I do, Madam Speaker, that one must be cautious with the so-called "small print"!

If we look at page 11 of the Bill, Clause 45, we find something which is contrary to the principle and the aim of Bill C-55.

We are saying it will be fair, but we can already see from this clause that it will not be fair. It will not be fair because when we have refugees entering Canada, when they first meet an immigration official or somebody who represents the law these people get nervous, they are tired, they are afraid precisely because they have just fled a country where they had problems, where authority was represented by an individual who would not think twice before throwing them behind bars and torturing them if they dared utter a single word in his presence.

According to this clause, if during the interview the adjudicator asks the refugee or the person applying for refugee status: "are you applying for refugee status?", and if that person happens to be nervous or fails to understand because there is an interpreter, and for all sorts of reasons, because he feels cornered by the authorities and because in his country he has experienced difficulties with officials and was scared, if he does not answer right away even before they begin to question him, the kind of questions which, according to the legislation, are very important, like whether or not he should be transferred to the next stage so his case can be reviewed, if he does not ask for it he will not have the right during the interview to say: I want refugee status.

This is a lengthy clause, and any ordinary man who takes a close look at it will find it hard to understand that if he fails to ask for refugee status right from the start he will be turned down later on. A man can indeed be a genuine refugee, and those who will have applied will be genuine refugees, but they will be afraid to say they want refugee status because in their country anyone making such a request is likely to be mistreated.

Witnesses gave evidence before the legislative committee; unfortunately I was not qualified to sit on that committee, but some people said, and I quote:

• (1330)

[*English*]

"The principle of immediate claim may not be compatible with the claimant's emotional state upon arrival."

[*Translation*]

Others said:

[*English*]

"Newly arrived refugees may be afraid to make a claim".

[*Translation*]

This is exactly what I said earlier. Those people are so nervous—I could tell you how we had a witness one evening in committee, someone who came from Guyana; it took an hour and a half before he could speak by himself and give us answers, although ours was not the type of questioning that could have sent him to prison. All we wanted to know was what had happened when he landed in Canada, in Toronto. Finally, after an hour and a half, at 11 p.m., he started telling us what had happened during the first interview he had when he came to Canada, with the first person he met. And he was not a fellow from the woods back in his country, he was the principal of two CEGEPS, a well-educated man, well-mannered, very knowledgeable; but he was nervous indeed because he had a wife and a four-year-old child and he was afraid he would be sent to prison, as had been done in his own country.

And if Bill C-55 was written in such a way as to be fair, the Government should accept the fact that the majority of Canadians want a refugee determination formula that will allow indentification of genuine refugees as against the others, in order to offer them long-lasting protection in Canada. The Government should recognize that the refugee determination process should both protect genuine refugees and deter those who abuse it. Those two goals should not be considered as necessarily opposite, and the implementation of the four following criteria, which I hope I have time to indicate, will help us reach that goal.

First, the formula must guarantee as much as possible that legitimate refugees can be identified and protected, which Section 45 does not do. Second, the formula must be effective, which means that it must be accompanied by a fast determination process which is both economical and practical, as this is the very basis of the Bill. Third, the formula must comply with the constitutional guarantees for equity and meet the basic requirements of legal administrative tribunals. Fourth, the formula must be in tune with the international legal commitments of Canada as signatory to the United Nations Convention on Refugees, and by not allowing the claimant from saying at any time during the hearing that he claims refugee status, we are going against this Convention.

Naturally, there will be a lot of debate on this point. There has already been a lot of discussion and there will be more. However, I believe that the Government should amend Section 45 along the lines that I mention in Motion No. 4:

[*English*]

That Bill C-55, be amended in Clause 14 by striking out lines 20 to 37 at page 11 and substituting the following therefor:

[*Translation*]

Here it is:

"45.(1) Subject to subsection (5), where a person who is the sub-".

Therefore, Madam Speaker, when you realize all the good these people do in Canada after they settle down, I think it is necessary that this Section 45 be amended using the words I have just mentioned.

[*English*]

Mr. Dan Heap (Spadina): Madam Speaker, I am very happy to support the amendment of the Hon. Member for La Prairie (Mr. Jourdenais).

[*Translation*]

I commend him for the courage and generosity he has shown while defending the cause of refugees during the couple of years he was in our Committee.

[*English*]

I want to emphasize a point which has been made, that it is not reasonable to expect that a genuine refugee will always make his claim at the first moment. We have plenty of experience of bogus refugees making their claims at the first moment. That is the point; they have been coached.

I am told that there were 3,600 people who came from one country in Europe saying, "I am a Jehovah's Witness; if I go back there, I will be persecuted by the Roman Catholic Church". They would have no trouble with this clause. They would shoot right ahead and make their claim at the right time, because they paid somebody several thousands of dollars to coach them on how to do it.

Those are not the people I am concerned for. Those are not the people who will be caught by this clause if we do not amend it. They will not be caught by the clause if we amend it, but there will be people who will be unfairly caught by this clause if we do not amend it. Those will be the people, as the Hon. Member for La Prairie said, who come here nervous because of what they have gone through. In all or most cases they are in fact refugees, and what they have gone through to make them refugees in many cases also makes them nervous.

To tell them in effect, to borrow the words from another context, "speak now or forever hold your peace" is unreasonable. To marry people in our church, banns are called. We are notified that so and so will be married on such a day. When the day comes, everybody in the community has had that notice. When the officiant at the marriage is about to proceed with the act of making two people husband and wife, he says: "This is the end of the time for any objection or intervention. If anybody knows why they should not be husband and wife, speak now or forever hold your peace; don't interfere later if you don't interfere now".

Somehow or other that notion, which is quite reasonable in our marriage service, has been brought in here and turned upside down. This is not the end of a long inquiry and study. This is only the beginning of it, and it is the beginning of it only if the person knows what to say at that time. For some people there may even be a language problem. Not many refugee claimants come here speaking English as their first language. Of those few who do, many of them we suspect of not being genuine refugees.

These are the people who may have a language difficulty. These are the people who may have what we could call, in a very mild sense with great understatement, a culture gap.

Recently I met a group of refugees from a Latin American district. They were refugees from a country in which, in very recent months, the military has shot people demonstrating in the streets. Unarmed people, labour groups, or other groups demonstrating in the streets for what we would consider to be normal human rights have been shot, very often beaten, and often arrested, for doing what we take for granted as normal action by citizens who wish to get together to make their point publicly.

They sought the help of my friend who made some of the arrangements which in our culture are the appropriate things to do, and who spoke their language—Spanish. When these people, newly in the country, refugees, for the purpose of this demonstration, asked my friend, "Will the police shoot at us?", she was more than a little startled by the question. When she assured them that they would not, they said: "Well, will they beat us or will they arrest us?" My friend assured them that they would not, and they asked: "How do you know they won't?" My friend brought out the police permit.

They had asked for help from people who know the ways in our country. One way is that if you are going to use the public streets for demonstration, you talk it over with the police to make sure that it will not cause undue disruption of traffic or perhaps a collision with another demonstration. That sometimes happens in Toronto streets. My friend had a police permit and showed it to these people. They were satisfied, and they came out for the demonstration.

• (1340)

I think those people at that point learned something about Canada, but I am glad they learned, and I believe every Member of this House is glad they learned, that in Canada demonstrators are not normally shot at, beaten or arrested by police. There may be incidents involving such things, especially arrest from time to time, but it is not the normal way that demonstrators, the police and the public conduct affairs in Canada. That illustrates the baggage that a refugee may carry with him when he comes to Canada. If I stick my neck out against authority, if I question or challenge authority, can I be shot, beaten or jailed?

I grew up in Canada. The only year I was out of town was when I was in Chicago. Sometimes Chicago has a reputation for violence, but I did not notice it because I was at the university. I have been fortunate to live in a very peaceful country. I was shocked, as my young friend was, to hear stories like that of the expectations or fears of people when they come here.

We are told by the Hon. Member for Calgary West (Mr. Hawkes) that a humanitarian element is in the Bill through a recent amendment, which was proposed in the last few hours of the committee hearings, that is supposed to help the process. I am sure the Hon. Member thinks that that will be understood in the way he intends it by all concerned. What it amounts to is another prescreening. It seems that the Government, as far as possible, is adamantly opposed to letting people state their refugee claims. The Government has now introduced prescreening. It is on page 16—at least that is what I

assume the Hon. Member for Calgary West refers to. Subclause (7) on page 16 reads:

> If the Minister is of the opinion that the claimant has a credible basis for the claim and informs the adjudicator and the Member of the Refugee Division of that opinion, the adjudicator and the member shall determine that the claimant has a credible basis for the claim.

This is another prescreening. We will have an occasion to speak about that later, Madam Speaker, but I want to point out now that the Government is protecting itself massively against a person who may be a genuine refugee who wants to state his case in the place where the decision will be made. He has to pass through a series of areas. The inquiry is the main barrier, but now we are told there will be another screening before the inquiry. The Government has all these chances to stop a refugee, but it gives him only one chance to say the word that could be a matter of life and death, freedom or imprisonment if he is a genuine refugee.

We have heard a lot of nonsense about how many people are not genuine refugees. I call it nonsense because the figures have been inflated and distorted, sometimes by those who know better. Our committee found two years ago that a majority of the people who had been examined turned out to be either *bona fide* refugees or worthy of having the humanitarian programs of our Government and country applied on their behalf. That was a system unfair to the refugee claimant, according to the decision of our Supreme Court, because most of the claimants had not had an oral hearing before those who would make the decision about them. Even by an unfair test, over half of the claimants had been found to be either *bona fide* refugees or to be worthy of humanitarian protection even though they were not exactly refugees. We should not be so hasty to cut them off. We should not be so hasty to cut them off at the very first chance they have to make their case.

Mr. Jim Hawkes (Calgary West): Madam Speaker, it is quite a trick to deal with nine amendments in 10 minutes, which is the consequence of the grouping. I would like to commend the Hon. Member for La Prairie (Mr. Jourdenais) for his diligence on the committee over many months. I think the committee report was presented in November, 1985. Perhaps it is time that he reread it. I think some of the things he said earlier this day about that report are not accurate. Bill C-55 is absolutely remarkable in the degree to which it is a faithful reproduction of committee recommendations.

Regarding the whole issue of review, the committee recommended a two-person oral hearing with the benefit of the claim going to the claimant with leave to appeal to the Federal Court of Canada. That is exactly what Bill C-55 does. The basic principle of benefit to the claimant runs throughout the Bill. Provision of counsel which the committee recommended runs throughout the Bill. The presence of a refugee board member at every stage of the proceedings, not just the refugee claim, but the issue of removal and departure, is guaranteed by the Bill. The notion of a safe Third Country was deliberately included, not with that language, in our committee report and approved by all three Parties.

It is a little disturbing to listen to statements in this House and statements made in the press about how discrepant this Bill is from what the committee recommended. It is not, and the Bill goes beyond what the committee recommended in its fairness to legitimate refugees. It goes beyond any sense of speed for removal of abusers. There is absolutely no disagreement in Canada that maximum speed for the removal of abusers is not only justified but desirable. I commend the drafters for finding something faster, a series of ways dealing with the situation, than committee members could find. The Bill is very faithful to the principles of the committee report.

I have tried to look at these nine amendments and ask myself, how do we deal with them in what probably now is seven minutes instead of 10? There are absurdities. The motion from the Hon. Member for La Prairie and the motion from the Liberal Party of Canada create the following absurdities which exist in the current law. There is no end for the abuser. There has to be a point at which a claim is made and when that point is passed the person has the opportunity to claim to be a refugee so one can get on to other things. When opposition Members ask us to accept an amendment in this Chamber that provides no such point, an absurdity is created. It becomes impossible to remove someone from this country.

There are about 1,000 people a month who are discovered by immigration enforcement officers to have broken the Immigration Act, to be living and working here illegally, or whatever. The current system has no such point. Three-quarters of these people, 750 a month, are already inside this country legally or illegally, and the minute they face the inquiry for removal they claim to be refugees and five years later maybe we can kick them out. That has to stop, Madam Speaker. When an inquiry for removal begins, every single human being appearing before that inquiry has the right to a taxpayer-paid barrister and solicitor. They have counsel. The question is very simple. Are you a refugee? Yes or no. Counsel can act for the claimant and say yes. That is how simple it is.

• (1350)

We hear of all sorts of examples of frightened human beings. That becomes apparent during an inquiry. The inquiries are not simply an hour and a half long. Seldom will an inquiry on the issue of a removal be anything short of three days. Very commonly they will last at least a week and in some cases three or four weeks.

Bill C-84 allows for detention for 28 days without review by adjudicators for undocumented arrivals. Some 10,000 of them had to be referred to the RCMP for help this year. After all, an inquiry cannot be started until the identity of the person involved is known.

These fears are false. It is true that frightened people arrive in Canada. It is true that frightened people may arrive in Canada from Guyana. This law requires the past history of nationals of a particular country and its refugee claimants to be taken into consideration by the adjudicator and the refugee

board member. Guyana is a country that produces refugees. That is an evidentiary fact which must be entered on the record and must be taken into account by the adjudicator and the refugee board member. When it is evident that people are coming from a refugee-producing country, their cases must go before the board. That is what the Bill provides.

It is time we stopped dealing with the mythology surrounding this Bill and started dealing with its reality. As a group, these amendments eliminate the possibility for fast determination of bogus claimants. There is not a church group, human rights activist or any Canadian with any credibility who appeared before the committee who did not urge fast removal of bogus claimants. We will eat up all of our resources and all of the good will that exists in Canada toward bogus claimants if we cannot remove them quickly. Removing them quickly is the only way to stop others from arriving.

Some of these amendments try to get rid of the notion of eligibility. Eligibility is determined by an adjudicator and a refugee board member. What are the criteria of eligibility?

First is the question of whether or not the refugee needs the protection of Canada. Those who are already Convention refugees or who have come from a safe third country are not eligible. No one can guarantee absolute safety for every individual in every country we will put on that list, but there will not be many countries that will be unsafe. I suggest that most of the countries on the list will be European, and I suggest that people are as safe there as they would be here.

We do not want to see the constant movement of claimants from country to country. Some claimants have claims existing in three or four western countries all at the same time. The resources of three or four countries are going to a single individual. Are these people, the ones who are already in western European countries like Sweden, Denmark, Holland, France and Britain the most likely to be in need of Canada's protection? No, they are a low priority. The person from Guyana, from El Salvador, from the Middle East or from Asia is the person who needs our help. Therefore, the first eligibility criterion is whether or not the claimants need our help. If they are from a country on the list or if their cases have been determined, they do not need our help.

The next criterion relates to repeat claims or to going past the time when a claim ought to be made. That is a Canadian determination. Those who have already been found not to be refugees or chose not to claim are not eligible. Can we have an endless chain as proposed by these amendments? Should we let a claimant make another claim every time we try to remove him? There would be 10 hearings, 20 hearings, 40 hearings, an infinite number of hearings. That is absolutely absurd and is unfair to legitimate claimants. There must be a moment when the claim is made, the determination is made and removal follows. Failure to remove would be an absolute catastrophe for the system.

What is the third criterion? The Standing Committee report of a year ago June said that it had grave doubts about the protection offered to Canada by the Immigration Act and its processes. Therefore, the third eligibility criterion is security. In a case where there are security questions, instead of going to the board, it would go directly to a federal court judge who would determine whether or not the person is a danger to Canada.

We cannot be the patsies of the world. It is time we toughened the immigration laws and took away the loophole that creates a wide-open door to potential terrorism in Canada. I commend the Government for moving on this matter.

There is not one amendment in this grouping of nine that does not do serious damage to our ability to remove abusers. There is nothing in these provisions that does serious damage in any way, shape or form to legitimate refugee claimants. I believe that the parts of the Bill covered by these amendments should stay as they are.

Mr. David Berger (Laurier): Madam Speaker, it is very difficult to maintain one's composure when one hears the kind of comments made by the Hon. Member. Either he does not understand what has been said by all of the groups representing refugees and by all of the distinguished lawyers who appeared before the committee or he is purposely twisting the views of those groups.

He said that all of these groups are in favour of fast removal of abusers. Sure, they are in favour of that, but they are not in favour of a prescreening process which will not allow claimants full hearings on the merits, and he knows that. He knows about the flaws of this Bill. Nonetheless, he is trying to wrap himself in the flag.

Earlier today, the Hon. Member said that this is the most humanitarian and the best kind of refugee determination process in the world and that it will tell us who all the refugees are. I would like to refer the Hon. Member to the comments of Mr. Arthur Helton of the Lawyers' Committee for Human Rights. Mr. Helton is no slouch. He is an adjunct professor teaching immigration and asylum law at New York University School of Law, the North American co-ordinator of an exchange of legal practitioners under the auspices of the European Consultation on Refugees and Exiles, a practitioner in the United States and a student of other systems. He said that in other countries in Europe where the concept of a safe Third Country has been introduced, the determination is made on an individual basis. It is part and parcel of the process of determining whether a person is in need of protection. It is not an arbitrary decision made on the basis of whether or not a person comes from a country which is on a list prepared by Cabinet, a list subject to all the political considerations about which the standing committee has been warned.

Mr. Helton, when appearing before the committee, said the following:

> Virtually all the countries that utilize the first asylum principle regard it on an individual basis, and in making a determination decide whether or not to assess the intent or wishes of the individual. I would particularly cite Austria, France, Sweden, and the United Kingdom.

The Hon. Member has said that this law is equivalent to practice which is acceptable in other countries. He has said that it will provide safeguards and that individual refugees will always be given the benefit of the doubt, the favourite expression of the Minister of State for Immigration (Mr. Weiner). What he has said is totally at variance with the facts and totally at variance with everything that was said before the legislative committee which studied this Bill. It is totally at variance with all knowledgeable opinions expressed by editorial and opinion comments in the newspapers over the course of the past several months.

• (1400)

There are many more things I could say about the extraordinary contentions being made by members of the Government, but I see it is past two o'clock and we will get another crack at this next week.

Mr. Lewis: The clock has saved you from yourself.

The Acting Speaker (Mrs. Champagne): The Chair noticed the Hon. Member's comment about the time, both before he was given the floor and as he was completing his remarks. I would like him to know that, yes, there is a big clock in the House, but there are some other clocks on the Table and in front of the Chair, and these are the ones we work on. The Hon. Member did not go over his time and we did not go past two o'clock.

It now being 2 p.m, the House will proceed to the consideration of Private Members' Business as listed on today's Order Paper.

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): On a point of order, Madam Speaker, there have been discussions among the Parties with respect to Private Members' Business on Monday. I understand the Hon. Member for Trinity (Miss Nicholson) is unable to be in attendance, and it is my further understanding that if you sought unanimous consent for her item to be dropped to the bottom of the list, the House would consent to that motion.

Hon. Chas. L. Caccia (Davenport): Madam Speaker, we concur with what the Hon. Minister has said and agree with his suggestion.

Mr. Lorne Nystrom (Yorkton—Melville): Madam Speaker, we agree to this perfectly sensible suggestion from the future leadership candidate of the Ontario Conservative Party.

Mr. Lewis: I don't agree with that. I already have a bank loan.

The Acting Speaker (Mrs. Champagne): Order. It would help the Chair if the Hon. Minister could also provide us with a decision as to which of the motions will be heard on Monday. Do we go now to Motion No. 31, standing in the name of the Hon. Member for Bow River (Mr. Taylor)?

Mr. Lewis: No, it is my understanding that we would continue with government business that day, and the Hon. Member for Bow River's motion would come up on Tuesday and be dealt with in the normal course of events during Private Members' Hour.

The Acting Speaker (Mrs. Champagne): The Chair thanks the Hon. Member for his clarification.

PRIVATE MEMBERS' BUSINESS--PRIVATE BILLS

[*English*]

YELLOWKNIFE ELECTRIC LTD.

Mr. Jim Edwards (Edmonton South) moved that Bill S-10, an Act to revive Yellowknife Electric Ltd. and to provide for its continuance under the Canada Business Corporations Act, be read the second time and referred to a legislative committee.

He said: Madam Speaker, I am happy to speak to this particular Bill which, in summary, is the situation of a corporation in all innocence ceasing to exist under the laws of Canada and seeking to have new life breathed into it so it can effectively wind down its affairs and continue on. The Bill was sponsored in the other place by the Hon. Senator Nathan Nurgitz. It is an Act to revive Yellowknife Electric Ltd. and provide for its continuance under the Canada Business Corporations Act. The Bill was passed by the Senate on June 16th of this year, by unanimous consent, and I hope we might have unanimous consent to pass it through all stages today, depending upon the disposition of other Parties.

Yellowknife Electric Ltd. was incorporated on March 21, 1955, by letters patent issued under the Companies Act. The company's principal place of business is in the City of Yellowknife in the Northwest Territories. Subsection 125(1) of the Companies Act requires that the company file with the Department of the Secretary of State an annual summary. Yellowknife Electric Ltd. failed to file those summaries for three consecutive years. As is required under the law, notice of the company's failure to file the prescribed annual summary was published in *The Canada Gazette* on June 11 and June 20, 1966, stating that Yellowknife Electric Ltd. would be dissolved unless within one year of the publication the company filed the summaries for the three years in respect of which it was in default. Those prescribed summaries were not filed. As a consequence, Yellowknife Electric Ltd. was dissolved pursuant to Subsection 125(12) of the Canada Corporations Act.

When we examine the facts of the case, the directors of the company did not see, nor did they have any knowledge of, the default in filing annual summaries. It may be the duty of all of us to read prodigiously and religiously all the contents of *The Canada Gazette*, but some of us are remiss in that regard. Apparently the notices to file were sent to the registered office

of the company, a lawyer's office, and the solicitors for the company omitted to file same. The directors of the company simply did not know why the annual summaries were not filed. The solicitors for the company did not have any record of the notices, nor do they recollect the circumstances of the default in filing the summaries.

I and my staff have gone to some pains to determine these facts are accurate because even though this may seem like a small matter, we are proposing to occupy some time of Hon. Members and of this House in making a determination of this particular Bill. So I can speak with some conviction when I say that these facts are accurate as stated.

The company, unaware of the order published in *The Canada Gazette* on June 24, 1967, dissolving Yellowknife Electric Ltd., continued to carry on business as if it had not been dissolved. It will not be possible for the company to continue to carry on business unless it is revived. Assets are trapped inside the company and cannot be dealt with by the company as Yellowknife Electric Ltd. is technically not a legal entity. For example, the directors have no capacity to transfer land owned by the company, nor would the Land Titles Office register a transfer without a certificate of good standing of the corporation. The certificate is of course impossible to obtain because without revival there is no company. The company has complied with required publication requirements. The company has no liabilities whatsoever.

To address the question of why the Bill is in the House today, the Companies Act as amended, Revised Statutes of Canada 1952, Chapter 53, had no revival provisions for a company dissolved in circumstances such as applied in the case of Yellowknife Electric Ltd. This, with respect, could be described as a legislative oversight. Rare as those may be, this appears to be one. However, today's legislation allows revival of the dissolved corporation as an administrative matter. One simply files articles of revival with the director of corporations and the director shall issue a certificate of revival. That appears under the terms of the Canada Business Corporations Act, Statutes of Canada, 1984, 1985, 1986, Chapter 33.

• (1410)

Since the company was a corporation to which Part I of the Canada Corporations Act applied, and since there is no provision in this Act for revival of a company that has been dissolved, the company cannot be revived except by a special Act of the Parliament of Canada.

With respect to the matter of continuance, if the company had not been dissolved it would have been required to apply on or before December 15, 1980, for a certificate of continuance pursuant to the Canada Business Corporations Act.

Let me give some background on the company. The company has its objects set out in the letters patent. They provide that the Yellowknife Electric Ltd. is in the business of electrical and plumbing contracting. At this moment, it is winding down its affairs in Yellowknife. I am informed that it is the intention of the company to relocate and carry on business in Vancouver, British Columbia. It owns substantial assets, including a block of realty in Yellowknife in the Northwest Territories.

The company has no liabilities. It made an attempt to sell the realty and, in fact, accepted an interim agreement for sale and purchase, when they were made aware that the company had been struck in 1967.

The registrar of land titles in the Northwest Territories would not accept the transfer without a certificate of good standing of the corporation and this was, of course, impossible to provide as the company was dissolved.

I believe it was at this stage that it was discovered that this Bill would be necessary and that it would be necessary for the Parliament of Canada to become active in the case.

As I said at the outset, I hope the House might be disposed to deal with this matter today. I hoped that would be the case, but I am given to understand that it may not be.

In any event, I hope the facts as I have been able to outline them will be of some benefit to Hon. Members in determining the fate of this company. There was innocence, perhaps some neglect, if not negligence on the part of certain individuals in positions of trust. I am given to understand that at least one of them may have been rather elderly at the time that the responsibility was on his shoulders. I hope Members might consider the circumstances and give some consideration to the affairs of the company so that it could be restored to personhood, one might say, and continue the objects of the directors of the company.

Mr. David Berger (Laurier): Madam Speaker, on behalf of our Party I want to indicate to the Hon. Member that we would be happy to deal with this Bill immediately. In saying so, I find it remarkable that no summaries or annual returns were filed from the year 1963 to the present. It is quite astonishing that that period of time could go by without anyone being aware that no returns were filed, including 20 years elapsed from the time the company was dissolved pursuant to a notice that appeared in *The Canada Gazette* on June 14, 1967.

I understand that the company paid property tax and income tax throughout that period and that no person or corporation would be adversely affected by the passage of this Bill. I see the Hon. Member nodding in the affirmative.

I also note that this Bill has been passed in the Senate, but was referred to the Legal and Constitutional Affairs Committee of the other place. The solicitor on behalf of the company appeared before the Senate, as well as an official of the Department of Consumer and Corporate Affairs, who assured members of the other place that indeed this is a *pro forma* matter and that no person will be affected adversely by the passage of this Bill. Therefore, on that basis, we would be pleased to proceed with the passage of this Bill.

Ms. Audrey McLaughlin (Yukon): Madam Speaker, on behalf of my Party, we support the motion to refer this Bill to committee. I certainly appreciate the Hon. Member's point about it being largely an administrative matter, and we do not intend to be obstructionist, but there are several points that I believe are worthy of committee consideration, both for the protection of the petitioner as well as to give credibility to the decisions that this House makes.

It has already been stated that this involves a duly registered company which failed to file the required summaries and was dissolved. That dissolution is listed in *The Canada Gazette*.

I recognize that many small companies perhaps do not even have the resources to be monitoring such things, but when such a company comes before the House of Commons for discussion I think it is a more serious matter. Given that the company did not recognize that it was dissolved and continued to operate for close to another 20 years, one assumes that it did not submit the required summaries during that time, as it had not done before dissolution. Therefore, while not suggesting that there was a deliberate intent to mislead, certainly the company displayed poor management practices. Furthermore, while we are not discussing the assets which the company wishes to recover, we are not aware of their dollar value.

Given that there have been some rather unorthodox practices by this company which continued to operate for 20 years in which it presumably did not even submit the required summaries, we are supporting the motion that the Bill go to committee.

However, being from the north myself, I realize that these companies often work with very small resources and may overlook such things. Therefore, I hope the committee could expedite this as quickly as possible so that the matter can be redressed in the best manner possible.

Mr. Dave Nickerson (Western Arctic): Madam Speaker, I can assure you that I will be brief. The reason I am speaking is that the company is located in the area that I represent.

Today we are dealing with a very simple administrative, *pro forma* type of matter. It is almost unbelievable that the NDP would be so obstructionist as not to allow all three stages of the Bill to be dealt with this afternoon. There is absolutely no reason why we should debate it, at considerable expense to the taxpayers of Canada and to the company officials involved. However, if that is the way they like to operate, I guess we must live with them.

• (1420)

What I do want to do, Madam Speaker, is to pay tribute to the Yellowknife Electric Company, which has not operated now for several years but at one time was a force to be reckoned with in the electrical contracting field, and to pay tribute to the principles of that company, in particular Mr. Al Marceau, who has done much for the City of Yellowknife over many years. I promised to be brief, Madam Speaker, and I was brief.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The House has heard the terms of the motion. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to, Bill read the second time and referred to a legislative committee.

Mr. Lewis: Madam Speaker, I think you would find a disposition in the House to call it three o'clock.

The Acting Speaker (Mrs. Champagne): Is there unanimous consent to call it three o'clock on this beautiful Friday afternoon?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): It being three o'clock p.m., this House stands adjourned until Monday next at 11 a.m., pursuant to Standing Order 3(1).

The House adjourned at 2.21 p.m.

HOUSE OF COMMONS

Monday, September 21, 1987

The House met at 11 a.m.

Prayers

ROUTINE PROCEEDINGS

[*English*]

CONSTITUTIONAL ACCORD, 1987

PRESENTATION OF REPORT OF SPECIAL JOINT COMMITTEE

Mr. Chris Speyer (Cambridge): Mr. Speaker, I have the honour this morning of laying upon the Table the report of the Special Joint Committee of the Senate and House of Commons, reporting on the 1987 Constitutional Accord.

I want to make two brief comments with respect to the report. Our report concludes that the Accord is an historic act of national reconciliation between French-speaking Canadians and English-speaking Canadians. It is supported by 11 First Ministers representing all major political Parties in the country.

It had its origins in promises made to Quebecers during and after the Quebec referendum of 1980. We believe that its detailed terms have to be looked at in light of this great purpose and objective but we have also reached a conclusion, after reviewing 301 written briefs and hearing 131 witnesses over five weeks of testimony, that these detailed terms are in fact good, and good for all of Canada.

I would also like to point out the tremendous debt that we owe to the committees' directorate at the House of Commons, Mr. Eugene Morawski, Miss Elizabeth Kingston and Andrew Johnson, for the prodigious effort they extended on behalf of all the committee in allowing us to have this report ready for today. I do not want to neglect the many people who helped them, such as typists, translators and others. We owe a great debt to the Committees Branch.

Some Hon. Members: Hear, hear!

PETITION

UNIVERSAL ACCESS TO FAIR ORAL HEARINGS BEFORE REFUGEE BOARD

Mr. Dan Heap (Spadina): Mr. Speaker, it is my honour and duty to present a petition from a number of residents of the City of Toronto who object to Bill C-55 on the ground that it will have the likely effect of excluding from Canada many people who have arrived asking to make refugee claims who are in fact real refugees according to the standards of law.

It points out that there was a better system proposed by the Standing Committee on Labour, Employment and Immigration, which has widespread support from religious, legal and other public groups in Canada. Therefore, they request the Government and Parliament to withdraw Bill C-55 and substitute for it legislation embodying the principles of fair and quick oral hearings of claims of refugee claimants before a refugee board that is independent of the Immigration Commission and universal access to such hearings for every applicant in Canada, and the right to appeal on the basis of fact. In duty bound, your petitioners will ever pray.

* * *

• (1110)

QUESTIONS ON THE ORDER PAPER

(Questions answered Orally are indicated by an Asterisk.)

Hon. Doug Lewis (Minister of State and Minister of State (Treasury Board)): Mr. Speaker, Question No. 169 will be answered today.

[*Text*]

RCMP—COST OF SERVICES TO NEW BRUNSWICK AND NEWFOUNDLAND

Question No. 169—**Mr. Howie:**

During 1986, in (*a*) New Brunswick (*b*) Newfoundland (i) did the number of RCMP persons deployed decline and, if so, for what reason (ii) how many persons were deployed and what amount was paid to the Government for their services (iii) what rate per person was charged for police services?

Hon. James Kelleher (Solicitor General of Canada): (a) & (b) (ii) During fiscal years 1985-86 and 1986-87 the number of RCMP regular members in provincial policing duties in New Brunswick and Newfoundland declined by 14 in each province. The reasons for decline are the Royal Newfoundland Constabulary and the New Brunswick Highway Patrol

assuming responsiblity for duties which had previously been performed by the RCMP.

(ii) For the fiscal years 1985-86 and 1986-87, the numbers in New Brunswick declined for 296 to 282 and from 448 to 434 in Newfoundland. The Province of New Brunswick reimbursed the Government of Canada $13,372,120 and $14,522,551 respectively. The Province of Newfoundland reimbursed Canada $22,503,206 and $23,641,324 respectively for the same periods.

(iii) A rate per person is not struck, in relation to total police services in the Provinces of New Brunswick and Newfoundland.

[*English*]

Mr. Speaker: The question as enumerated by the Minister of State (Mr. Lewis) has been answered.

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

Mr. Speaker: Shall the other questions stand?

Some Hon. Members: Agreed.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed from Friday, September 18, consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motion No. 4 (Mr. Jourdenais, p. 9105), Motion No. 6 (Mr. Marchi, p. 9104), Motion No. 7 (Mr. Heap, p. 9104), and Motion No. 9 (Mr. Heap, p. 9104).

Mr. Speaker: I have a brief further preliminary ruling to present to the House.

On Friday, September 18, 1987, the Chair made a preliminary ruling in respect of the motions on the Notice Paper in amendment to Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof. Following consultations with the Hon. Member for Spadina, (Mr. Heap) the Chair will now make a definitive ruling on the grouping presently before the House.

Motions Nos. 4, 6, 7 and 9 will be grouped for debate but voted upon separately. Motions Nos. 5, 8, and 10 will be dropped, as it is not the Hon. Member's intention to proceed with them.

Motions Nos. 11, 13 and 14 will be debated together. There will be a separate vote on Motion No. 11. An affirmative vote on Motion No. 13 obviates the necessity for a vote on Motion No. 14, however, a negative vote on Motion No. 13 requires a separate vote on Motion No. 14. Motion No. 12 will not be selected as it is similar in substance to Motion No. 11.

Should debate be completed on Motions Nos. 4, 6, 7 and 9, the House will then proceed with Motions Nos. 11, 13, 14. The next grouping to be put to the House will be Motions Nos. 27, 29 and 34 which will be debated together but voted on separately.

I should advise Hon. Members that consultations are continuing on the remaining motions in amendment and the Chair intends to give a final ruling at three o'clock this afternoon. Thus, the House will now resume debate on Motions Nos. 4, 6, 7, and 9 which were proposed to the House last Friday.

I want to express the appreciation of the Chair to the Hon. Member for Spadina for his co-operation in the consultations since Friday, and to some other Hon. Members who have made representations. As I say, there will be further consultations taking place between now and a little later in order to be sure that we are making rulings which are fully understood by all Hon. Members.

[*Translation*]

Mr. Jourdenais: A point of order, Mr. Speaker.

Mr. Speaker: The Hon. Member for La Prairie (Mr. Jourdenais) on a point of order.

Mr. Jourdenais: Mr. Speaker, I am simply seeking clarification. I did not hear Motion No. 15 being called. You called Motions Nos. 11, 12, 13, 14, 27, 29 and 34, but I did not hear you call Motion No. 15 which was supposed to come up for debate after Motions Nos. 4, 5, 6, 7, 8—motions debated last Friday—and I should like to know what happened to Motion No. 15.

Mr. Speaker: As I said earlier, I expect to make a ruling on the other amendments this afternoon, including Motion No. 15.

[*English*]

Mr. Heap: Mr. Speaker, I simply cannot remember from Friday's debate, which was somewhat hurried in several ways, what action we took on Friday on Motions Nos. 4, 6, 7 and 9, specifically whether I spoke to any one of them. I think I probably did. However, because of the uncertainty about the ruling, I am not quite sure how it is ruled.

Mr. Speaker: Perhaps I can assist the Hon. Member for Spadina. We are resuming on Motions Nos. 4, 6, 7 and 9, and I think the record will show that on those motions grouped for debate the Hon. Member has in fact spoken.

Mr. Marchi: Mr. Speaker, with respect to Motions Nos. 4, 6, 7 and 9, are you saying we are addressing them collectively or are we going individually? I would like to speak to Motion No. 6, particularly, but I am not sure whether we are on Motion No. 4 or are taking all four motions as one cluster.

Mr. Speaker: I thank the Hon. Member for his question. Perhaps I can reread the preliminary ruling. Motions Nos. 4, 6, 7 and 9 will be grouped for debate but voted upon separately.

Mr. Sergio Marchi (York West): Mr. Speaker, I would like to address Motion No. 6 which was presented as an amendment under my name on behalf of my Party.

Essentially the intention of Motion No. 6 is to remove the prescreening process and allow the refugee claimant to go directly before the refugee board. This was one of the key amendments we put forward for discussion at report stage. There are essentially three overriding principles, three overriding amendments that every witness wanted this Parliament and this Government to make, namely, amendments to prescreening, to the safe country concept and to the appeal mechanism.

Our prescreening amendment is our first amendment, that is, if we are going to establish a refugee board and put in place a refugee board that is distinct from the immigration program and immigration flow, in order to deal specifically and with a great deal of expertise on refugee claims, it would be our contention, and the contention of every single witness who came before us and who wrote to us, that we should provide accessibility to that refugee board.

Anyone who comes to this country and claims to have a reason to fear going back to one's country, should have legitimate grounds to be assessed by the refugee board. Therefore, many groups and many witnesses have found it very dangerous to place around that refugee board a barrier, a wall. That wall is defined by having a prescreening.

On the one hand, the Government is saying it is putting in a refugee board which is a new and improved processing, with which I would agree, but at the same time it is saying it is going to have a prescreening which is going to determine who will be able to access the refugee board. We believe very strongly that this is the wrong procedure.

If we are going to provide for a refugee board, we should allow the refugee board to make the determination on who is properly a refugee or non bona fide refugee. Regardless of the answer of the refugee board, this House and this Parliament would at least be assured, and have some satisfaction and comfort in knowing that the refugee board, which is mandated to deal with refugee matters, has given a ruling rather than two officers at the border crossing. The two officers at the border crossing will say, "Let us hear part of your story, but do not give us all your story because that will be part of a complicated hearing before the refugee board". If you, Madam Speaker, were a refugee claimant and were coming to this country—God forbid, because no one would want to be a refugee—you would not want to give only part of your story in order for one of the two officers to get a taste of whether you merit or do not merit a further hearing. A real claimant fleeing persecution would want to put all the facts and all the circumstances on the table in order to convince those two officers clearly and profoundly that, indeed, the protection of this country was required.

• (1120)

What groups have argued quite legitimately and logically is that we would be adding another burden of bureaucracy at the front end of the system. Rather than having each claimant appear at one hearing of the refugee board we would be asking refugees to do it twice. We would be asking them to do it once at a prescreening and then, if the person is approved, they will have to do the same in front of the refugee board.

From the point of view of accessibility and of ensuring that the two officers in the predetermination process do not rule against a legitimate refugee who will be sent packing back to his or her country in the face of danger, and also from the view of expediency and time, it makes more sense to have one hearing. It makes more sense to have a hearing done quickly and fairly. That is why we moved Motion No. 6. We did so in order to remove the prescreening process and to allow claimants to go directly to the refugee board.

We believe that that is the proper, just and most effective manner of trying to deal with claimants who arrive on our doorstep. We cannot allow a newly created refugee board to be diluted by two officers at some border-crossing where in fact they will make the most important determination. What is the use of having a refugee board if two officers at the border are going to refuse access to the board to a refugee claimant?

If we really want to deter abuse and discourage people from making frivolous claims, then I suggest that a one-hearing process directly to the refugee board, which would take less time, is the best disincentive to people making fraudulent applications. If they know that they can make it once at the prescreening process and drag that on and then perhaps go into another hearing before the refugee board, then that will not deter people as much as saying, "You have one hearing and one hearing only. It is before the refugee board. If you are turned down you have an appeal, yes, but the refugee board hearing is what really counts".

We have submitted this amendment in the hope that the Government will remove the prescreening process, reduce the time for hearings and allow maximum security for the safety of individuals without having to undermine the integrity and the effectiveness of the refugee board through a prescreening process.

This is one of the three very fundamental changes that have been advocated by organizations which were basically split into two camps. Members of one camp said that there are so many fatal flaws that the Bill is unamendable. They suggested that the Government withdraw the Bill and go back to the drawing board. The other camp advocated the following. Members of that camp said, "If you are going to allow Bill C-55 to stand on the books, then we urge you to change three essential items, namely, the prescreening process, the safe

country concept and the appeal process". They said that the appeal had to be beefed up, the safe country concept eliminated, as well as the prescreening process. They said, "If you make changes in those three areas, then the Bill will be acceptable and we can move on with the reform that has been waiting for three years. However, if you do not change these three areas in a substantive and meaningful way, any other changes become almost academic." They said that if we did not offer protection for refugees at a prescreening and if we wish to orbit them by safe country and if we do not want to offer them a proper appeal, then what is the use of crossing the t's and dotting the i's on page 41 of the Bill?

Those are the three basic tenets of the Bill. If those are not changed the spirit of the Bill will not be changed and the other amendments that we can dither over and spend lots of time on will become meaningless in comparison to the other three areas. We therefore strongly advocate that the Government show some movement in these three areas.

Motion No. 6 addresses itself to one of those three areas, namely, the elimination of the prescreening to allow for maximum safety of the individual and to allow the individual to take part in one hearing which would reduce the time that we have to have refugees in the system. Reducing the time will give more fairness, clarity and add a disincentive to those who wish to make frivolous claims.

Ms. Margaret Mitchell (Vancouver East): Madam Speaker, I rise to speak in favour of Motions Nos. 7 and 9 as presented by my colleague. I understand that he has spoken in detail to these motions.

We have a great concern that the Bill will not give a fair hearing to individuals. It provides for a hasty process with only an adjudicator and a member of the refugee board to talk quickly to people at the port of entry. We feel it is important that there not be this hasty method of excluding people from a fair hearing with proper legal counsel and the opportunity for appeal. Therefore, we are asking that the recommendation in the Bill for an inquiry at the port of entry be changed and that this matter should go directly to the refugee board for processing.

As I have said several times in speaking to the two immigration Bills, I fail to see why the Government has not paid heed to the recommendations of the Standing Committee on Labour, Employment and Immigration, the all-Party committee of the House which recommended an efficient, effective and more streamlined method of processing refugee applications. In essence, as I understand it, that is what we are suggesting here. We want people to have the chance of a full hearing. We do not want it to be delayed unnecessarily. We want maximum administrative efficiency, something which we do not have now in government procedures. We do not want people to be turned back at the port of entry.

I am particularly concerned about the port of entry in my province where many Latin American people arrive, coming from the United States. We know that if they are left in the third country, in this case the United States, they may very well be deported since there is certainly not as much acceptance and sympathy there for people coming from countries where there is considerable upheaval.

In speaking in particular to Motions Nos. 7 and 9 moved by the Hon. Member for Spadina (Mr. Heap) we ask that they be accepted.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Madam Speaker, I rise to speak in favour of Motion No. 6 put forward by my colleague. The purpose of this amendment is to eliminate the prescreening that is provided for in the Bill. We want to eliminate it because it denies to refugee applicants universal access to the refugee determination process.

Under the prescreening provision in the Bill those who will sit on that hearing will decide whether or not the applicant comes from a safe country, and I say "safe country" parenthetically. If they decide that an individual or individuals come from a safe country then they are denied a full hearing on their claim for refugee status and sent back to that safe country.

• (1130)

Prescreening is wrong because it is almost impossible to provide a universal definition of what is a safe country. A Salvadoran coming from the United States to Canada and claiming refugee status, who was sent back to the United States because the United States was considered a safe country, could very well be returned to El Salvador where his life would be in danger. Therefore, the United States is not a safe country for the Salvadoran.

On the other hand, for a refugee coming to the United States from Poland or Czechoslovakia, the United States may very well be a safe country for that Polish or Czechoslovakian person, and they would not be sent back to Poland or Czechoslovakia.

The problem with the safe country concept is that conditions change in the refugee world instantaneously from day to day. What is a safe country today may change overnight due to some revolution or some massive movement of people, and that country would not be a safe country tomorrow. As I previously stated, a country may be safe for refugees from some countries but not from other countries.

Consequently, through this amendment we are moving that the prescreening be eliminated, and that the person be sent to a fast, efficient hearing on his full claim as a refugee as quickly as possible. In general terms that was proposed by the report of Rabbi Plaut, who considered this matter for more than a year. He was appointed by the previous Liberal Government, and he reported to this Government. He strongly recommended that there be universal access to the refugee determination process, and that there be no prescreening where a certain group is eliminated before they have an opportunity to prove their full case.

Having received the report of Rabbi Plaut, the Standing Committee on Labour, Employment and Immigration re-examined this whole matter and heard witnesses. I was a member of the committee. The members of that committee, Liberals, NDPers, and Conservatives unanimously recommended that there should be universal access to a refugee determination process that would be fast, fair, and efficient.

That provision in the Bill flies in the face of what was recommended by the Plaut Commission, and by the unanimous report of the Standing Committee on Labour, Employment and Immigration. This amendment should be supported. We should follow the recommendations of Rabbi Plaut and the standing committee, and almost every refugee support group in the country, the churches, and so on, who are universally opposed to this provision of prescreening. That provision should be eliminated, and we should provide for a fair, fast, and efficient refugee determination process that would be open to all applicants. That is what is proposed by this amendment, and I would ask the House to support it.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I wish to speak briefly in support of this series of amendments, particularly Motion No. 9, which would eliminate the prescreening process and allow refugees to appear directly before a refugee board. The prescreening process at the border is specifically designed to eliminate a large number of claimants. That type of fine mesh being applied before claimants have the opportunity to appear before a refugee board will eliminate legitimate refugees.

The purpose of this motion is to open up the system to ensure that people who are legitimate refugees have the opportunity to appear before a refugee board, and that they are not summarily dismissed by some kangaroo type court that takes place before they have a chance to get into the country, and before they have a chance to appear before a refugee board and receive some semblance of due process.

The prescreening process is particularly directed at people from Central America, from countries like El Salvador and Guatemala. At the present time in the United States these people are targeted for removal. A small percentage of people have attempted to claim refugee status in the United States from countries like El Salvador, where everybody knows there has been widespread oppression and violations of human rights. A miniscule number of refugees have applied to get into the United States and be accepted as landed immigrants or as refugees. The American Government is planning to return these people to what is almost certain death or torture. By having this prescreening process in place, the Canadian Government is playing right into the hands of the Americans.

I urge Members on the opposite side to look at this situation, take account of what is happening to Central American refugees in the United States, people who have a genuine and legitimate claim to refugee status, and not allow this type of prescreening process to be placed in Canadian law which will deny refugees a decent hearing with some semblance of due process. I urge Members opposite to give this some consideration and not just follow blindly in how they are told to vote, to think of the implications for Canada's refugee policy. If they do, I am sure that they will support this motion.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, I wish to say that I certainly respect that members of the Opposition have the right to oppose both the Bill and its concept. In doing so, I wish to say that it is not very good for them to use language like "kangaroo type court" when referring to provisions in the Bill. That does not serve the purposes of good debate. It is designed to inflame and caricature an honest process. I hope that when Members disagree, which they are entitled to do, they do so on a solid, cogent, argumentative basis and not use this type of language.

When my friend, the Hon. Member for Notre-Dame-de-Grâce—Lachine East (Mr. Allmand) spoke of the safe country concept, I wonder if he has paid any attention to the amendments that we have brought forward in the Bill. He stated that there is no possibility of universal application of the safe third country concept. He has completely ignored what the original Bill stated, and the amendments that we have brought forward.

If the Hon. Member checked with the Hon. Member for Spadina (Mr. Heap), he would find that, although the Hon. Member for Spadina may not accept the amendments we brought forward, we have certainly gone a long way in redefining the safe third country concept in order to ensure the security particularly of Latin Americans in the United States. I hope the Hon. Member will be careful that when he speaks to a measure he speaks to it from an informed position, and not in the manner he has at present.

It is true the amendment moved by the Hon. Member for York West (Mr. Marchi) would eliminate prescreening. This Member has always spoken about dealing with those people who would defraud the system, who are bogus claimants. If this Member has talked about anything, it is that. At the same time he talked about genuine refugees. I ask Members opposite how we know that they are genuine refugees until they have gone through the system? It seems to me that Members opposite are asking for us to give legitimacy to prejudging on the part of the claimant, or the people who are sponsoring the claimant. We do not know if they are genuine claimants until they have gone through the system.

The Member brings forward a motion that would eliminate prescreening. I wish to read to Members a list of the people that he wishes to have direct access to the refugee system and would not be prescreened, as he calls it.

• (1140)

The following people would have direct access to the refugee system: war criminals; terrorists; persons convicted in Canada of serious criminal offences; persons guilty of espionage; people who are already recognized and protected as refugees in

another country; a person who has already claimed refugee status in Canada before—once, 10 times, 100 times, or 1,000 times—and has been denied; people coming from safe third countries; and people who have no credible basis for claiming refugee status.

These are the people that those who sponsor and support this motion want to have direct access to the refugee process. That is unacceptable; we cannot do that.

On the one hand they say that we must clean up the system so that it will work. On the other hand they bring in a motion which will clog up the system and make sure that it will not work.

If there is one thing we must protect in Canada, it is a system in which people can have confidence. We must make sure that bogus claimants are eliminated quickly and that the refugees which the system determines are real refugees will find protection in Canada and the security they deserve. This motion would destroy that, and we cannot allow it.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The first question is on Motion No. 4. Mr. Jourdenais moved:

Motion No. 4

That Bill C-55, be amended in Clause 14 by striking out lines 20 to 37 at page 11 and substituting the following therefor:

"45.(1) Subject to subsection (5), where a person who is the sub-".

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the motion stands deferred.

The next question is on Motion No. 6. Mr. Marchi moved:

Motion No. 6

That Bill C-55, be amended in Clause 14 by striking out lines 39 to 45 at page 11 and substituting the following therefor:

"tion refugee, the person shall, as soon as is practicable, have the claim referred to the Board for a determination."

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

The next question is on Motion No. 7. Mr. Heap moved:

Motion No. 7

That Bill C-55, be amended in Clause 14 by striking out lines 39 to 45 at page 11 and substituting the following therefor:

"tion refugee, the inquiry shall be concluded and the adjudicator shall take the appropriate action pursuant to Sections 32 and 32.1."

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion will please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed will please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), a recorded division on the proposed motion stands deferred.

Mr. Gray (Windsor West)): Madam Speaker, I rise on a point of order. I understand that a number of motions are before us. It is the wish of the Official Opposition that if its amendments cannot be carried by voice vote, there be recorded votes on them.

Rather than have us go through this interesting and somewhat archaic procedure of shouting out the yeas and nays and then rising for each of the remaining motions, I wonder whether it would be the disposition of the House to agree to have the same results in respect of the three motions Your Honour has put to us so far apply to the others.

The Acting Speaker (Mrs. Champagne): I thank the Hon. Member for Windsor West (Mr. Gray) for his suggestion. There is one motion remaining in this grouping, Motion No. 9, standing in the name of the Hon. Member for Spadina (Mr. Heap). Mr. Heap moved:

Motion No. 9

That Bill C-55, be amended in Clause 14 by striking out line 29 at page 12 and substituting the following therefor:

"claim by notifying an immigration officer who shall refer the claim to the Refugee Division."

Do I have unanimous consent of the House to defer the division on this motion?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): Therefore, the recorded division on Motion No. 9 stands deferred.

I should like to refer to the next group of motions to be debated. Motions Nos. 11, 13, and 14 will be debated together. There will be a separate vote on Motion No. 11. An affirmative vote on Motion No. 13 obviates the necessity for a vote on Motion No. 14. However, a negative vote on Motion No. 13 requires a separate vote on Motion No. 14.

Mr. Sergio Marchi (York West) moved:

Motion No. 11

That Bill C-55, be amended in Clause 14 by striking out lines 46 to 49 at page 12 and lines 1 to 11 at page 13 and substituting the following therefor:

"47. Every person who claims to be a Convention refugee shall be referred to the Board for a hearing on the claim.

The Acting Speaker (Mrs. Champagne): Dealing with Motions Nos. 13 and 14, they were before the House on Friday, but I will reread them for the benefit of Hon. Members. Mr. Heap moved:

Motion No. 13

That Bill C-55, be amended in Clause 14 by deleting proposed Sections 48, 48.01, 48.02, 48.03, 48.04, 48.05, 48.06 and 48.07 at page 13 to 23 inclusive.

Mr. Marchi moved:

Motion No. 14

That Bill C-55, be amended in Clause 14

(a) by striking out lines 15 to 19 at page 13

(b) by striking out lines 21 to 23 at page 13 and substituting the following therefor:

"shall determine whether the claimant should be permitted to come into Canada or to remain therein and whether the claimant is eligible to have the claim determined by the Refugee Division; and".

Mr. Marchi: Madam Speaker, as I understood you, the only motion before us for debate at this time is Motion No. 11.

The Acting Speaker (Mrs. Champagne): Motions Nos. 11, 13, and 14 will be debated together.

Mr. Marchi: I thought Your Honour said that Motions Nos. 13 and 14 were debated on Friday.

The Acting Speaker (Mrs. Champagne): They were introduced, but they are now part of a different grouping following the new ruling made by Mr. Speaker earlier this day.

We are now debating Motions Nos. 11, 13, and 14, and there will be a separate vote on Motion No. 11. The Hon. Member for York West (Mr. Marchi) has the floor.

• (1150)

Mr. Sergio Marchi (York West): Madam Speaker, I will begin with the words of the Parliamentary Secretary to the Minister of Employment and Immigration (Mr. Friesen) who said a few moments ago that he was highly offended by the use of some words by some Hon. Members and he threw out the words "kangaroo court". He said we should not be using terms such as "kangaroo court". Then he proceeded very quickly to suggest that because we were moving Motion No. 6 in order to delete the prescreening clause, that somehow myself and other members of my Party and those who support Motion No. 6 were, in his words, in favour of criminals, terrorists, killers and other individuals. That is a highly irresponsible statement and it puts the debate into the gutter. His stand is very hypocritical to say the least. He suggested that the words "kangaroo court" were the wrong words but suggested that somehow he has a monopoly on virtue and that other Members of Parliament are in support of those various classes of individuals. Not only is that irresponsible, it is highly inaccurate. There is not one Member of Parliament, not one Canadian in this country, who is in favour of the number of different types of individuals which the Parliamentary Secretary had the temerity to suggest.

Motion No. 11 is similar to Motion No. 6 which was rejected by the Government. Motion No. 11 reads:

—by striking out lines 46 to 49 at page 12 and lines 1 to 11 at page 13 and substituting the following therefor:

"47. Every person who claims to be a Convention refugee shall be referred to the Board for a hearing on the claim."

That is our amendment, Madam Speaker. It does not say that we are in favour of possible criminals or terrorists. It does not say, as the Parliamentary Secretary advocated, that we would be judging the person to be a legitimate refugee. How do we know a person is a genuine refugee if we do not have a prescreening, he asked. The Parliamentary Secretary is trying to imply that because we do not want a prescreening we are suggesting that the person is a bona fide claimant.

Once again, this reflects a misunderstanding on that side of the House. It is even more worrisome when we hear that from the Parliamentary Secretary to the Minister of Immigration, because by deleting the prescreening we would not be passing judgment on the individual claimant. We would be changing the process by which a judgment on the individual is rendered.

If we allow the prescreening to stand, we are giving the authority and power to the prescreening officers to keep a person out of the country for whatever reason. Perhaps the officers had a rough morning and perhaps they misjudged and misread the individual. The new refugee board will not have a chance to render a decision on a person who is turned away.

Couple that with Bill C-84. The person coming in on a boat will not even touch shore, but that is another argument. The Member is trying to suggest that we allow the prescreening to prejudge. We say that is wrong. We have a court and a system of justice which says to the Supreme Court judges, the various other justices in the different courts, "You be the arbitrators. We will create the laws but you adjudicate any rights or wrongs." We are not telling someone to go to the Supreme Court but that we might prejudge him or her first and send in a written analysis. That is a different system, of course, but it is the same principle.

What we will have is a refugee board and a prescreening process that will or will not allow that person to go to the board. This is a prejudging. If the person is allowed to go to the refugee board, the two officers and the evidence they collected at the beginning of the process can be used against the claimant at the board. So much for the Government saying that it is a non-adversarial role, because that is not true. The Government has to decide whether it is adversarial, like in a court of law, or it is non-adversarial. It should be non-adversarial and refugee board members should be allowed to make the determination.

If I were a claimant, those two officers and the information they collected at the border could be used against me at the board by a government official or government lawyer. If the Government wants to have a refugee board make the determination and the Minister has said that the board has the integrity, the knowledge, the expertise and the structure to make a fair, effective decision—with which I and my Party agrees—why is it necessary to build a Berlin Wall, as Rabbi Plaut suggested, around the refugee board by designing a prescreening process? Those forces are not pulling in harmony but in opposite directions. Motion No. 11 suggests that the prescreening be deleted to allow a claimant to go to the refugee board.

Let us have the assurance that whatever decision is rendered by the refugee board we can be satisfied that the decision was properly made. We do not want to question ourselves. We do not want nightmares and we do not want to think about whether we should have left the decision to the refugee board of the lady from El Salvador. We do not want to wonder whether she had a little more to say which the prescreening would not allow her to say, or whether we made a mistake. If we have, and if we do make a mistake, that mistake can be fatal. Why should we have that on our conscience as a Parliament and as a country?

Would it not be better as a progressive country, as a privileged country, to afford protection for an individual and allow his or her story to be heard at the refugee board hearing? Why at the border crossings must we say to the claimant, "Look, don't give us all your story, just a bit, so we can get a taste of what you are fleeing. We will know whether you are right or wrong and we will either send you to the refugee board or send you packing".

If you were a claimant, Madam Speaker, would you want to give a little bit of your story or would you want to give all the facts and circumstances? Obviously you would want the latter. I would. If you go to a court and the judge says "I have only an hour. I know you have been fighting this prison term for 20 years of your life, but just give me enough facts and I will make a decision on that". That is not the way it works.

The refugee claimant will want to tell his or her story. We ask nothing more. The claimant asks nothing more. Why have an individual give just a little bit of the story at the prescreening stage? This process will take more time and it will create another bureaucratic level. We will have two hearings instead of one and that will encourage more frivolous claims. Logic dictates that you have one good hearing before one competent body, namely, the refugee board. What is so wrong with allowing claimants to go through the system and to be judged by those who should judge them and not by an immigration adjudicator who has enforcement on his or her mind because of the duty of those officers?

• (1200)

We do not want to pass judgment on who is genuine or not. We are not in favour of the drug traffickers and terrorists the Parliamentary Secretary mentioned a few moments ago coming into the country. We are in favour of a legitimate process to render a legitimate decision. With the prescreening the Government is making a predetermination and prejudgment. Therefore, it is wrong and we hope that the House realizes that and will vote in favour of Motion No. 11.

Mr. Dan Heap (Spadina): Madam Speaker, I rise in support of Motion No. 11 and, since they are grouped together, in support of Motions Nos. 13 and 14.

The Acting Speaker (Mrs. Champagne): If I may have the attention of the House for a moment, I think an explanation should be given at this time.

Motions Nos. 13 and 14 were introduced on Friday and the Hon. Member for Spadina (Mr. Heap) as well as the Hon. Member for Calgary West (Mr. Hawkes) and the Hon. Member for Laurier (Mr. Berger) spoke on those motions. However, they did not have the opportunity to speak on Motion No. 11 as it had not been introduced at the time. Hence, the Chair will consider this to be a new debate and Hon. Members who would like to participate in debate on Motions Nos. 11, 13 and 14 may do so. The Hon. Member has the floor.

Mr. Heap: Madam Speaker, as it happens, I will use my 10 minutes to concentrate on Motion No. 11, but my remarks will cover the others as well.

Motion No. 11 is the attempt to correct the error the Government made in establishing this unfortunate system of screening and particularly the notorious concept of a safe third country. Apparently this is a concept invented by the Canadian Government. It has no standing in law outside Canada. There are no agreements in force between Canada and any other country in this respect. There may be some bilateral agreements between France and Germany or countries like that, but there is no standard concept of a safe third country.

More than 40 witnesses spoke to the committee during the 44 and a half hours of hearings. The Government waited until those witnesses had finished speaking before it introduced, during the clause by clause hearings in the committee, an amendment to the safe third country clause.

That clause had indicated that a person is not eligible if the claimant came to Canada from a country other than the country of the claimant's nationality or where the claimant has no country of nationality, the country of the claimant's habitual residence that has been prescribed as a country that complies with the United Nations Convention on the Status of Refugees either universally or with respect to the persons of a specified class of persons of which the claimant is a member. In other words, we would comply with the Convention for all people or only for people from country *x* if a certain claimant happens to come from country *x*.

That was the way the clause read in the morning. Then the Government changed its mind and brought in a different clause in the afternoon. Now the Government only wants to comply with Article 33 of the Convention rather than the entire Convention.

This is typical of the way the Government conducted the hearings on this long, complicated and highly controversial Bill. We went through the Bill in about seven days. Over 40 witnesses appeared before the committee and the committee had about two days to handle all the amendments that could be put in that time. Some of the amendments were changed more than once by the Government itself, a Government which has all the resources the public and Opposition would like to have to study this kind of Bill.

There are two major faults with the Government's amendment. The Hon. Parliamentary Secretary tried to suggest that I was favourable to it. He did not actually say that I supported it, but he certainly gave the impression to some that I was favourable to it and I wish to correct that impression.

Even though witnesses and the Opposition asked that the Convention be respected, this amendment does not respect the Convention. First, it leaves out such limited tests as the Government had included in its original draft. One such test is whether or not a person can make a refugee claim in the country to which we send him back. That test is not included in the Bill any longer. The Government can send a claimant back even if it does not think that the person can make a refugee claim there.

Article 33 of the Convention is the article dealing with *non-refoulement* or not returning a refugee to the country from which he is fleeing. However, there is nothing in this clause to say that we must pick a country which complies with the right of a refugee claimant to make a claim. If we ship him back to country *x*, country *x* might say that it does not like the colour of his eyes and it will send him back to his home country without finding out whether or not he is a refugee. Country *x* may feel that if Canada did not want to put the claimant through the refugee claim system, why should it. Canada so far has been a leader; not the Government but the people of Canada got the Nansen Medal last year for good treatment of refugees. If Canada does not want to give this guy a chance to make a claim, why should country *x*? It might ship him back to the country from which he is running without even learning that he is a refugee. It will try to cover its own guilt and our guilt in that way.

The second thing wrong with this amendment is that Canada did not sign just Article 33 of the Convention, it signed the whole Convention and there are a lot of obligations under the Convention. If we send a person to a country that does not honour those other obligations we are abandoning those parts of the Convention.

Article 16, for instance, provides that a refugee shall have free access to the courts of law when in the territory of contracting states. Article 17 provides that a refugee be able to earn wages or be gainfully employed. There are so-called refugees in Germany who are not allowed to earn a living. Germany does not comply with that article of the Convention.

Another article of the Convention indicates that all contracting states shall accord to refugees lawfully staying in their country the same treatment with respect to public relief and assistance as is accorded to their nationals. Many countries who have signed the Convention do not comply with that article. There is a similar article dealing with labour legislation and social security. Canada signed all those articles of the Convention, not just Article 33.

We must ask how a person will be treated in the country to which we send him back, even if we think that that country complies with the non-refoulement article only, the only one for which the Government has shown respect. It has shown contempt for the other 40-odd articles of the Convention which we signed 20 years ago.

On the surface, the Government's amended version appears to be better. The Government has persuaded Canada's Ambassador to the United Nations to say on the radio this morning that since the Government has fixed the Bill up, the UN might like it better. I do not think that Canada's Ambassador to the United Nations knows any more than he did the last time he opened his mouth and was properly criticized for not knowing what he was talking about on this point.

• (1210)

In administration, this clause may actually turn out to be worse than the one it replaces because there is no guarantee that when a person is shipped back to country *x* he will have a chance to make his refugee claim there and no guarantee that he will have the rights of refugees, other than *non-refoulement*, which the convention requires and which Canada should require.

We heard warmhearted statements from the Minister last spring that we would only send refugees back to countries that would give them the same treatment that Canada gives them. That is a lot of malarkey. The Government abandoned that along with many other of its promises. We will send them back without knowing how the country will treat them. The Government is pulling a shameful dodge with Clause 14, Section 48.01(1)(a). I hope that Members will instead support Motions 11, 13 and 14.

Mr. Jim Hawkes (Calgary West): Madam Speaker, it was a bit of a surprise to hear the Hon. Member for Spadina (Mr. Heap) supporting Motion No. 11 because he was in attendance during all 55 hours of hearings, the clause by clause study, and certainly most, if not all, of the hearings which took place in the fall of 1985, and a lot of the hearings and visits in between. I think the Hon. Member does understand this very complex Bill and how particular amendments might affect it.

I have read Motion No. 11 more than once. I am not surprised that the motion was moved by the Member for York West (Mr. Marchi) because he did not attend all the hearings. In fact, he was at about 10 per cent of them and missed the entire clause-by-clause study. The moving of this amendment is not a discrepancy from past behaviour. This particular amendment puts us in the exact situation in which we are today. It creates an impossibility to remove; it effectively wipes out the removal decision. It provides the opportunity to re-enter the system again and again.

This motion would do another very important thing. Because the Government has a concern for legitimate refugees and an understanding of the fear and trepidation with which many true refugees arrive at our border points, through this Bill they will be provided with a barrister and solicitor. Right from the moment that they face any significant decision, such as a denial of entry to this country, and through all of the eligibility and credibility stages to learn whether they are legitimate refugees, they will have counsel. This amendment would take that counsel away. It would eliminate the protection which is provided to claimants by the decision of the state to provide a barrister and solicitor. I am not sure that that is what the mover of the motion intended, but that would be the impact.

We heard a lot from the Member for York West about the need for a single hearing. That is consistent with the advice which we received from many groups, to decide as many issues as possible in a single hearing. It is possible to decide in a single hearing whether a person is a refugee deserving of the protection of Canada. However, there is another decision which must be made in every case, that is, whether the person is entitled to enter Canada or should be removed from Canada. The advice of the committee was that the two issues should not be mixed.

Motions Nos. 11 and 14 in combination indicate the emergence from the Liberal Party of Canada of a new thought which no one has recommended. These two motions together clearly say that refugee board members should be making immigration decisions about who is eligible to come into this country and who is not, who should be removed from this country and who should not. They are saying that the people appointed to the refugee board, because of their sensitivity to countries with specific conditions around the world and to the true plight of refugees, to hold a non-adversarial hearing and encourage people to tell their story about persecution and torture, should suddenly be made enforcement officers making expulsion decisions.

That is the consequence of Motion No. 14 and it is consistent with Motion No. 11. The Liberal Party of Canada wants refugee board members to become policemen on immigration matters. I hope that that is unacceptable to all Members of this Chamber. It is inappropriate.

Through this Bill we are proposing that we decide, at a single two-person oral hearing, whether a person is admissible to Canada, should be removed from Canada, and has any basis of a claim to the protection of Canada. If there is any possibility that the person might need the protection of Canada, the Government says that they should go forward to the refugee board, made up of compassionate and knowledgeable Canadians, where they should have a non-adversarial hearing to determine whether or not they need the protection of this country.

However, all cases where there is no evidence of the need for the protection of Canada will be dealt with in a single hearing. Under the scheme of the Bill the adjudicator alone, in the presence of the refugee board member, will make the removal and admission decision, which is an immigration decision. The refugee board member or the adjudicator will send that person forward for a full refugee board hearing. We will not be asking

the refugee board member to become an expert in Canadian immigration law. We will not ask the refugee board member to become a policeman of inquiry. That is totally inappropriate and totally inconsistent with the role that we will ask them to play in Canadian society.

By voting down these amendments we retain the right of all claimants to have a barrister and solicitor represent them at the inquiry, to meet with them subsequent to inquiry if there is a removal order issued, to prepare the legal documentation, and to apply for leave to the Federal Court of Canada. Surely that is an important principle. Surely we support the provision of counsel in order to protect the rights of the claimant under the Canadian Constitution and Canadian law.

• (1220)

It should be crystal clear to all Members of the House that these amendments were not well thought out and their implications were not well understood. The consequences of the adoption of these would indeed be a tragedy for the legitimate refugees who come to our shores.

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I want to speak briefly in support of Motion No. 13 which would delete Sections 48, 48.01, 48.02, 48.03, 48.04, 48.05, 48.06, and 48.07 from the Bill.

I want to speak particularly about the concept of a so-called safe third country because there is no safe third country that will be safe for all people. People who apply for refugee determination status require that they be heard on the merits of their individual case rather than being lumped together to be shipped back to some country with which we happen to have good diplomatic relations.

I want to draw the attention of Members opposite to the very serious difficulty of declaring that some country is not a safe country for individual refugee claimants. For example, how will we indicate that the United States is not a safe third country for refugee claimants from El Salvador or Guatemala? It is not a safe country for them, but how will we be able to indicate that without getting ourselves into some diplomatic *brouhaha* with the United States? We are treading very dangerously in respect of our relationship with the United States today and will presumably always need to have some account of our diplomatic relationships with the United States. The Government is building itself a diplomatic time bomb with this concept of a safe third country. It will either face diplomatic embarrassment at some point or there will be a less than fair process for refugee claimants.

Perhaps I can make this more clear by referring to the Government's response to the Standing Committee on External Affairs and International Trade. Last spring the standing committee made its report on official development assistance and said that the Government should establish a grid regarding human relations, and that development assistance should be tied to human relations. In its response, the Government indicated that this was a very dicey step to take because it did not want to become too public in stating the human rights situations in other countries.

If that is true with regard to Third World countries to whom we might be thinking of giving development assistance, it would be even more true in terms of dealing with powerful nations like the United States, with whom we are less than equal.

According to previous regulations, there are some 18 or 19 countries to which we would not return any refugee claimants. With this concept of a safe third country, we do not know that those safe countries will not return refugees to these countries to which we previously said people should not be returned.

I want to quote an E-mail correspondence we received from the General Secretary of the Canadian Council of Churches concerning Bill C-55. Mr. Donald Anderson states:

> We appreciate government work to try to improve Bill C-55. Unfortunately our deep concerns remain. How can we know if a person claiming to be a refugee needs our help if we do not hear their problems? Each person claiming to be a refugee should have a right to have their individual circumstances assessed and their case decided on its merits before competent independent decision-makers. To us, this is the intent of the Convention and Protocol.
>
> Immigration programs may legitimately choose who comes on humanitarian grounds and may set priorities on countries they may come from. We understand the attractiveness of this approach.
>
> Bill C-55 provides for exclusion of people not on the basis of their individual circumstances, but by a political Cabinet decision that the country they transited before arriving in Canada is deemed to adhere to Clause 33 of the Convention, that is, it is deemed the transit country will not return the person in any manner whatsoever to a country where he or she may face persecution. This is a far shot from our obligation to give an individual who arrives in Canada a fair hearing of his or her claim to need our protection.
>
> Also, there is no meaningful appeal to any of the critical decisions made which can remove claimants from Canada in proposed inquiries or hearings.
>
> We cannot accept legislation which sets aside a claimant's right to just procedures in the name of administrative convenience.
>
> We urge you to reconsider, to abandon this Bill C-55 and to speedily replace it with one conforming with the principles of allowing every claimant a hearing on the merits and a meaningful appeal. There are alternative processes we can surely all support.

I urge Members opposite to think very carefully about this entire concept of a safe third country which, in fact, has absolutely no validity whatsoever in the facts of the situation.

Hon. Lloyd Axworthy (Winnipeg—Fort Garry): Madam Speaker, during the entire process of this legislation, second reading, committee stage and now, I never quite understood how the Government deals with the fact that this law we are considering contravenes Canada's signature to the UN Convention dealing with refugee matters. That Convention requires that Canada provide the opportunity for a claimant to be given the chance to present his or her case in front of an independent tribunal to determine its merits. Yet this Bill clearly precludes certain classes of people from making that claim. That is a clear contradiction of an international obligation, to say nothing of the intrinsic transgression of the rights of the individuals involved.

It is a very serious undertaking for a government to knowingly and clearly contravene that kind of international obligation. It must be for reasons of great emergency of state that we would so clearly go back on our word and commit this kind of incredible retraction from an undertaking to an international statement made by the Government of Canada on behalf of Canadians.

The Government has never been prepared to say why it is doing so. We know that much media attention has been given to the fact that certain Sikhs arrived on our shore and the House was recalled because of a crisis. However, that still does not explain Bill C-55. It does not explain that there is a clear alternative to the methods being chosen.

The motion points out that it did not have to be done this way. It did not have to automatically preclude large numbers of people from being given the opportunity to present their case. We have pointed out in this House many times that if they happen to come from a so-called safe country, that is an automatic exclusion regardless of the merits of the case. Yet we know there is no such thing as an absolutely guaranteed safe third country. Look at the statistics.

• (1230)

The previous speaker to me talked about the United States. I think we all admire it as a democratic country with an open political system based upon a constitution and bill of rights, yet we know that at the present moment, if one is a refugee claimant from Central America, one's chances of being accepted into the United States refugee determination system is about 3 per cent or 4 per cent as compared to being a claimant from eastern Europe where one's chances of acceptance are around 50 per cent or 60 per cent. The conclusion one must draw from that simple statistical analysis, therefore, is that there is a high degree of political judgment being applied in the refugee system of the United States. For Central Americans it is not a safe third country.

I can speak from personal experience with respect to many of those who are involved in the sanctuary movement, the very movement about which the Pope spoke in San Antonio last week in an appeal to the United States Government to legitimize the sanctuary movement. We in Canada were, up until now, accepting refugees in that sanctuary movement because those people knew their chances of an opportunity to be heard in the United States were virtually nil. We are now excluding that class of people. By the way, when that class of people made claims under the sanctuary movement and appeared before the refugee advisory committee, a large proportion of them were accepted as bona fide refugees.

We have had historical experience since 1982 of Central Americans in the sanctuaries of the United States being given access to our refugee claim system and being accepted as bona fide refugees. We now have a Bill in the House which will exclude that class of people from even making a claim and having it heard. Clearly that is a contradiction of our obligations under the Act. The case evidence is before us.

It is very hard to have any justification for this, and we have heard none from the Government. It has evaded any commentary on that central point. It is no wonder that every single organization in this country, every single reputable group working in the field of refugee matters, such as the Canadian Bar Association, church groups and aid organizations, and every single international organization, including the United Nations High Commissioner for Refugees and Amnesty International, every group which has knowledge, and respect and credits in this area, has condemned this part of the Bill. Yet the Government stands in the face of that kind of evidence and refuses to acknowledge that it has made a mistake in this particular area and refuses to find any way of trying to make a correction.

The amendments before us are simply to respond to the historical evidence, the treaty evidence and the testimony of all those who have come before the committee to say the Government has made a mistake. It is a grievous and terrible mistake. Do something to correct it.

It is hard to fathom when there has been such a weight of argument why there is such obduracy and insensitivity to this matter. It is really hard to fathom, unless what the Government is really saying is that it now believes we should no longer accept the UN covenant on refugee matters in terms of universal right of access to determination. I say that because during the debate on this Bill earlier the Minister of National Health and Welfare (Mr. Epp) rose to say that he does not believe in it. He is not the Minister of Immigration but he is a member of Cabinet and, therefore, provides us with some suspicion that perhaps what he was saying reflects a much broader point of view.

If that is the case, the Government should say so. It should clearly say it is abandoning its international commitment and tell it to the United Nations Commission for Refugees. The Government should at least have the honesty to admit that it no longer will adhere to that basic fundamental principle which we have adhered to as a country for 20 or 30 years. At least we would then have it out in the open. At least we would know what we are dealing with, rather than trying to slip it in by the back door. That is why these amendments are very crucial. If it is simply a matter that the Government has made a mistake, then it still has an opportunity to correct that mistake. However, if the fact is that it is fundamentally changing its commitments, and this country's commitments on refugee matters, at least it should have the guts to say so.

Hon. Chas. L. Caccia (Davenport): Madam Speaker, there is a tendency around here to believe that interventions made in this House are of a partisan nature. That is quite understandable. After all, this is a partisan place. We therefore tend to look at interventions by government Members as being pro-Government and the Opposition as being in opposition for the sake of opposing. That is why I would like to put on record

instead the opinions, not of the Opposition, but of groups which appeared as witnesses before the committee when the Bill was studied. I would like particularly to put on record the statements and comments which were made on the particular question of prescreening by groups that felt the clause before us ought to be amended.

No one could accuse the Canadian Bar Association of being a body of wild-eyed radicals whose intent it is to disturb the system or to create dangerous situations. That is why it is important to know what it said in committee when it appeared on August 31.

The Canadian Bar Association said that the screening process and the lack of discretion for the immigration adjudicator and member of the refugee division concerning access criteria prevent a complete evaluation of claims and do not comply with the Convention in allowing *refoulement* without inquiry on the merits? In other words, the Canadian Bar Association came down with the suggestion that the review be carried out by two members of the refugee division and in favour of what is commonly described as full universal access. It was suggested that, it be done through at least two members of the refugee division, people who are knowledgeable on matters relating to refugees.

On August 28 the Immigration Appeal Board, another institution that you know, Madam Speaker, is well established across the country because it consists of Government-appointed Canadian citizens, also expressed its disagreement with the way the Bill is written. It said that the immigration process should not interfere with the refugee determination process because particular situations, as the Hon. Member for York West (Mr. Marchi) so well articulated in his speech, might be penalized.

Let me put on record what the Refugee Status Advisory Committee said on the same date. It said there is danger in not evaluating all the proof during the screening process and that there is danger in denying access to the genuine refugees.

On September 2, the Coalition for a Just Immigration and Refugee Policy said we should not limit access to the determination system. All these organizations came down in favour of full universal access by way of an alternative process.

• (1240)

What did the Mennonite Central Committee have to say on September 2? It said that the screening process, the one being proposed by the Government and which we are attempting to amend today, will not permit an individual evaluation. This is a group of people which, as everyone knows, has had considerable experience in the field of refugees. It is a group which consists of thoughtful Canadians who have taken to heart the whole matter of refugees over many years. They have a considerable record of performance and experience in this regard. They also said that the short timeframe and the burden of proof on the claimants make access to the determination system very difficult. At that time they assumed that that timeframe would be 72 hours. Granted, things may not have been expressed at that time very clearly for them to make that point. However, they went on to ask this. Why not give a universal hearing on the merits before members of the refugee division? Here again we see the emphasis being placed on the refugee division.

On September 3 Rabbi Plaut appeared before the committee. He was in favour of full universal access. He said that the screening process consists of a hearing but with the disadvantage of not hearing all the evidence, as the Hon. Member for York West put it a short while ago. Rabbi Plaut went on to say that, nevertheless, it will take almost as long as a real hearing. This is why we are baffled by the apparent insensitivity on the part of the Government to accept an approach by all those who have appeared before the Committee with credentials and with the intention of improving the quality of the legislation to make it work better.

Pierre Duquette appeared before the committee on September 3. He said that screening will be as long as a full hearing but will not have the advantages of a full hearing.

The witnesses to whom I have referred were not put up by the Liberal Party of Canada. They are individuals or members of organizations who came forward on their own.

The Hispanic Congress on September 3 made the comment that the period of 72 hours is too short.

On September 4 an interesting observation was put on the record by Professor Angus who said with respect to the timeframe that if it were as short as 48 hours or 72 hours then that would clearly be open to a challenge under Section 7 of the Charter. I am sure that the Government does not want this Bill to be brought before the Supreme Court on a Charter challenge. This is another reason we have difficulty in understanding why these amendments are not meeting the favour and support of the Government.

On September 8 the Canadian Council for Refugees made the comment that it is not fair to preclude people from making claims. That is the Council's interpretation of how the Bill as proposed by the Government would work.

The non-governmental groups stated on September 8 that immigration officials should not be involved in any refugee matters. That is the same point being made by the Immigration Appeal Board and the Canadian Bar Association.

Again on September 8 we find that the National Association of Women and the Law stated that, in essence, screening should be eliminated.

The Canadian Jewish Congress on the same day said that screening is done partly by an immigration official as proposed in the Bill. The Congress stated that this confusion of immigration and refugee issues is unfortunate, which is what the Hon. Member for York West and others have been saying for many, many weeks. The Congress went on to indicate that it

would be preferable to have refugee division members handle this particular phase of the process.

On September 8 John Frecker of the Law Reform Commission of Canada said that where there is as much concern expressed about procedures as there has been about the access tests, we would do well to take a second look because legal challenges might well tie the system in knots. Why do members of the Government, in particular the Parliamentary Secretary, not address this particular comment? It would be interesting to have on record their assessment as to whether the Bill would not be eventually tied up in knots in terms of legal challenges.

John Frecker went on to say that there is an alternative. It is that it is possible to have a hearing by one refugee division member only.

Before concluding may I draw to your attention, Madam Speaker, what the Canadian Employment and Immigration Union said on the same day as Mr. Frecker. Representatives of the union said that adjudicators have had no involvement before this time in refugee issues, which is one of the reasons this amendment is now before the House, and therefore they would have to be carefully trained. This is why if we run through the testimony given we will see that the evidence is strongly in favour of refugee division members handling this particular process, this particular link in the totality of the chain of the process.

You can see what is motivating us, Madam Speaker. It is not just a partisan opinion. It is the process itself that has generated this amendment. There was a consultation with interested parties in committee. Nevertheless, that consultation did not seem to produce any result from what are credible sources of competent groups in the country.

Mr. Ernie Epp (Thunder Bay—Nipigon): Madam Speaker, I appreciate this opportunity to say something in support of Motion No. 13 which would amend Clause 14 of Bill C-55 by deleting a series of proposed sections, all of which are designed to create barriers to access for persons who may have more than valid refugee claims but who will, if the Government has its way, be prevented from having any access to Canada's refugee determination process.

I want to join with others in the opposition Parties, and in particular with my good friend, the Hon. Member for Spadina (Mr. Heap), in opposing the Government's intention. It is of course the Hon. Member for Spadina who has put forward Motion No. 13.

We have before us a fundamental question of humanity as it will operate in Canada's refugee determination system. We have here a fundamental proposal by the Government to deny Canadian humanity in the application of the law. In considering that possibility, while I see government Members sitting silent while we in the Opposition speak to the importance of Canadian humanity, I want to consider what is involved with this particular proposal.

Its essence is a proposal to allow a couple of persons, one of them an immigration officer, to ask very limited questions. They will ask not whether someone is actually a refugee or has a valid refugee claim to put forward, but whether the person has come from a country which is not itself the country from which he or she has escaped, whether this is a safe third country, as the jargon goes, to which such a person might be returned. They will ask if there is any credibility to the claim that the person is making in terms of the country involved, not the person himself or herself.

• (1250)

Then two possibilities will be considered. Did the person come from a country with which we have good relations and to which that person may be sent back because he or she will not suffer in that country; or is the person conceivably making a claim to being a refugee in a country with which we again may well have good relations and which we do not wish to regard as productive of refugees?

The last years have given us good reason to recognize that the individual experience of persons in various countries including, tragically, sister nations of the Commonwealth can be such that they have every reason to put forward a claim to being refugees. In fact, they are in danger of their lives; they may have suffered severely in their bodies; they may have experienced torture or psychological terror of a most serious type.

Immigration officers who are quite unsympathetic to the claim of persons from that country generally, may deny them the opportunity to put their claim forward. That is the chief concern with the motion put forward to delete all those provisions and raise a barrier to a person who wishes to put a refugee claim forward to the Canadian authorities and the established refugee determination process. This is an attempt to raise a barrier against refugees and against the whole spirit of Canadian humanity which has opened our door to refugees in the past, and which did so quite triumphantly in the summer of 1986. Suddenly this past summer it was slammed shut as the Conservative Government saw an opportunity to turn its back on Canadian humanity and come up with extreme legislation which could only pander to some of the worst tendencies that exist in Canadian minds and hearts, and begin playing to Canadian prejudice.

The consequence of the proposal in Bill C-55 is a rejection of our commitments to the United Nations, to the community of nations to which we have been joined since the end of the Second World War. It is a rejection of our commitments under the Convention, and under the UN Charter of Rights. This charter states that every person who, in his or her experience has been forced out of their society or country for fear of life and safety, has a right to have their claim to refugee status considered. Under the UN Convention which we joined with other nations to ensure safety for refugees, those particular commitments are being denied in this Bill.

It seems a light matter to Conservatives across the country, and to those whose prejudices are pandered to by this legislation, to deny our international commitments. What can we say of a government which is committed to observing the law and upholding it, when it sets out to deny the statement of the Supreme Court of Canada, and to flout the decisions of the Supreme Court of this country which has declared that anyone who is within our borders has the right to have a claim to refugee status considered? What can one say of a government that will do that? What right does it have to make law when it does not know how to observe the law, and when it finds new devices to raise barriers, play to prejudice, and create the worst tendencies in this country?

If there is any question of that being rather strong language, surely those who scanned the half page of an advertisement in *The Globe and Mail* last week know that it is true. The questions asked and the argumentation put around those questions by this so-called Immigration Association of Canada were attempts to incite the prejudices that exist, and those feelings that immigrants who are coming to this country, particularly refugees from the southern hemisphere, are changing the nature of our society and we should do something to end that.

It is often forgotten that this country is, in a particular sense, a country resulting from the arrival of refugees. Canada is bilingual because after French-speaking settlers and immigrants from France had settled for more than a century and a half in the St. Lawrence Valley, the colony of Upper Canada was created in response to the arrival of refugees who had lost the war for the British Empire in North America, and those who had been defeated by the American colonies assertion of their own independence. The arrival of refugees in what became Upper Canada, later Ontario, New Brunswick, and Nova Scotia, was the first of many experiences of the arrival of refugees.

In fact, in a sense I am here because in 1926 my father and his family came to Canada as refugees from Soviet Russia. They were fleeing a system of government which had threatened the lives of members of the family, and others of the community. In Canada they found a safety for which they were devoutly grateful, and for which I am devoutly grateful.

With those Canadian traditions, I find it profoundly offensive that the Government should raise barriers and pander to prejudices which exist in some Canadian minds. In the era of the Charter of Rights and Freedoms we have been doing our best to remove them from Canadian public life and lessen, if not end entirely, their impact on employment, services to individuals, and so on. The Government which did all too little in the way of achieving progress in employment equity is here in the immigration area explicitly playing to those prejudices.

On the one hand we may say that this is something that bureaucrats in Immigration have been seeking, because they have been talking to their opposite numbers in other countries of the European community, and countries where similarly grim attitudes have come into play. Those countries have often experienced far more in the way of population movement, and the appearance of refugees than Canada. At this point Canada may be the last country that still wishes to maintain principles of humanity. At least, many of us in this country do, whatever the Government thinks. Surely, it is not fair to blame those in the Immigration Service who have been listening to others and thinking about ways in which the Canadian system could be tightened up. In our system of parliamentary government, it is never fair to blame the officials or the bureaucracy for what is happening. The buck stops on desks on the other side of the House.

Quite explicitly, I wish to say that last January when the Minister of Employment and Immigration (Mr. Bouchard) made comments about his home district of the Lac-Saint-Jean area and spoke of it as untouched by immigration and other realities, the controversy aroused a good deal of noise in the House and little attention in the country, because there were people who did not believe that the Minister of Employment and Immigration actually meant that. Since I made the charge at the time and asked him to withdraw those comments, I have long since been convinced that he did mean what he said.

The Minister of Employment and Immigration is quite happy with what is happening these days, and he is encouraging this Immigration Association of Canada, led by someone who had a leading role in the immigration service in years past and who is now out of the Public Service. The Minister is quite happy to encourage attitudes opposed to immigration, opposed to the appearance in Canada of refugees—having some type of a lily-white Canada in which people from the southern hemisphere are not wanted, particularly those from Central and South America where too many countries still have repressive regimes threatening people with danger and forcing them out of their borders. The Canadian Government does not wish to respond to that situation, and it is giving us this type of legislation.

The Acting Speaker (Mrs. Champagne): On a point of order, the Hon. Member for Calgary West.

Mr. Hawkes: Madam Speaker, it is quite inappropriate in the Chamber, and one of our long-standing traditions, that Members do not deal with the issue of motivation. I feel that the Hon. Member is being particularly sleazy in dealing with the Minister of Employment and Immigration (Mr. Bouchard), and ascribing motivation to that Minister. It is totally inappropriate behaviour in the Chamber.

The Acting Speaker (Mrs. Champagne): It being one o'clock I do now leave the Chair until two o'clock.

At 1 p.m. the House took recess.

S. O. 21

AFTER RECESS

The House resumed at 2 p.m.

STATEMENTS PURSUANT TO S. O. 21

[*English*]

EXTERNAL AFFAIRS

NICARAGUA—BAN LIFTED ON PUBLICATION OF *LA PRENSA* NEWSPAPER

Mr. Jim Manly (Cowichan—Malahat—The Islands): Mr. Speaker, in the Central American peace process the Government of Nicaragua has shown further evidence of good faith by lifting its ban on the publication of *La Prensa*.

Nations find it very difficult to maintain full freedom of the press when, like Nicaragua, their independence is threatened by war from outside.

Prior to its closure in June, 1986, *La Prensa* had been giving its support to the American-financed Contras who were waging war on their own people. Even as she announced the reopening of her paper, Violeta Chamorro said that she would print information even if it endangered the security of the Sandinista Army.

If Canada were at war, we would neither expect nor want to see freedom of the press carried to such an extent that newspapers would print information which could endanger the Canadian Armed Forces. By reopening *La Prensa*, therefore, Nicaragua is taking a great leap of faith in the peace process.

The Reagan administration in the United States now has an obligation to show similar evidence of good faith by stating clearly that it will not provide any Contra funding while the peace process is on track.

* * *

AIR CANADA

CALL FOR PRIVATIZATION

Mr. William C. Winegard (Guelph): Mr. Speaker, a few days ago I met a large group of Air Canada pilots at the Rotary Lobsterfest in Guelph. We ate lots of lobster, but we also spent considerable time talking about Air Canada.

It is becoming increasingly clear that members of the staff of Air Canada want the company privatized. They do not want 10 per cent turned over to the private sector, or even 50 per cent; they want 100 per cent turned over to the private sector. They want new aircraft, new spirit, and new opportunities.

Let us agree to let them have those opportunities. Let them lead the way in turning this Crown corporation into a private enterprise. They deserve the chance.

[*Translation*]

THE HOMELESS

URGENT NEED TO REMEDY SITUATION

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Mr. Speaker, in addition to drawing public attention to the deplorable living conditions of more than 40,000 Canadian men and women, the Canadian Conference on the International Year of Shelter for the Homeless, which took place in Ottawa last week, will have made us fully aware that the situation is critical and that concerted efforts must be made to try to remedy it.

Unfortunately the Conservative Government did not get the message. Once again it has been unable to show the leadership required to implement concrete measures designed to solve the problems of these thousands of men, women and children who live under difficult and even miserable conditions.

Over the past year more than 1,000 persons have slept on streets and sidewalks in my riding of Ottawa—Vanier, while 11,000 youths aged 15 to 24 have been without work. A great many people were on social welfare rolls, including most of the 19 per cent of single-parent families that, as we know, are among the most destitute in our society. By contrast, during the last three years of the federal Liberal Government, 765 subsidized housing units were built in Ottawa—Vanier alone, but in the past three years since this Government took office only 270 such units have been built.

By refusing to offer a helping hand to the needy, the Conservative Government shows its inability to live up to the mandate given to it by Canadians, men and women alike, both rich and poor.

* * *

[*English*]

VIA RAIL

TREATMENT OF PASSENGERS WAITING TO BOARD TRAINS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, VIA Rail is suffering intense competition from airlines, bus lines, and auto transportation, yet it insists upon putting the convenience of its policies ahead of the comfort of its passengers.

Hundreds of people regularly line up in stations at Toronto, Ottawa, and other cities, often for an hour, before being allowed to board trains that are standing empty in the stations.

In contrast, passengers may comfortably wait seated in trains long before they leave stations at London, Paris, Rome, and New York.

If VIA wants business, it will find success from a tried and true formula—put the customers first.

HEALTH

INTRODUCTION OF ANTI-SMOKING LEGISLATION

Ms. Sheila Copps (Hamilton East): Mr. Speaker, it was only a few short weeks ago that we heard the Minister of National Health and Welfare (Mr. Epp) wax eloquent about what he called the toughest anti-smoking legislation in the western world. He was going to introduce a clean air environment for federal employees. He was going to introduce restrictions and a ban on advertising.

However, what do we now hear through the grapevine? Unfortunately the Minister felt the heat, and he is apparently considering getting out of the kitchen. The Minister says that he does not know whether he will proceed with the legislation because he is getting too much heat from the back-benches of the Conservative Party.

I want to tell him that we on this side of the House feel that anti-smoking legislation has been a long time coming and that he should continue with the legislation.

[*Translation*]

I should like to tell him that if he is not prepared to stand the heat generated by the political issue which non-smokers' rights have become, we are prepared to do just that and we ask that he table forthwith the anti-smoking legislation instead of heeding the advice of his Party's back-benchers who are dead set against such a measure.

* * *

[*English*]

HISTORIC EVENTS

SEVENTY-FIFTH ANNIVERSARY OF FIRST ITALIAN CHURCH IN HAMILTON

Mrs. Shirley Martin (Lincoln): Mr. Speaker, last night I had the pleasure of joining with 1,100 Canadians of Italian heritage in celebrating the seventy-fifth anniversary of St. Anthony of Padua Church, the first Italian church in Hamilton, Ontario. It was established to serve the spiritual needs of immigrants from Italy working in the steel mills of Hamilton. Those steel mills are still contributing to the growth of our area as are the descendants of those first immigrants.

• (1405)

The Italian community brings a rich, cultural heritage to Canada of which it can be justly proud. But first and foremost, Mr. Speaker, these people are Canadians and this was amply demonstrated last evening. Yesterday's tribute was not only to St. Anthony's Parish but to the great contribution that Canadians of Italian heritage have made and continue to make, not only to the growth of the Hamilton area but, indeed, to all of Canada. I am pleased to join in this tribute.

[*Translation*]

PUBLIC SERVICE

THE LATE AILEEN MANION

Mrs. Marion Dewar (Hamilton Mountain): Mr. Speaker, yesterday Canada grieved at the tragic loss of an extraordinary woman, a woman who worked steadfastly for the rights and dignity of Canadian working men and women. Aileen Manion, who was the first woman elected to the Executive Committee of the Public Service Alliance of Canada, died yesterday at her home here in Ottawa.

[*English*]

In her role as vice-president of the Public Service Alliance, Aileen was personally involved in the struggle for equal pay for work of equal value, presenting her union's first equal pay case to the Human Rights Commission. Ms. Manion devoted long hours to issues faced by her union members and was instrumental in establishing educational programs for union representatives.

Her loss will be deeply felt by all of us in public service and by the working people whose causes she championed.

[*Translation*]

Mr. Speaker, on behalf of all Members of this House, I would like to extend our deepest sympathy to the family and friends of Ms. Manion's family and friends.

* * *

[*English*]

ENVIRONMENTAL AFFAIRS

ACID RAIN—CONDEMNATION OF UNITED STATES REPORT

Mr. Stan Darling (Parry Sound—Muskoka): Mr. Speaker, in the wake of the National Acid Precipitation Assessment Program report issued in the United States last week, I call upon all Canadians to demonstrate outrage and disappointment with its content. To echo our own Minister of the Environment (Mr. McMillan), the report is incomplete and unacceptable to a fault. Fortunately, there are many U.S. politicians with vision and verve who continue to strive toward acid rain abatement.

In a letter addressed to me on September 9, Congressman Robert C. Smith of New Hampshire said that over 140 members of the U.S. House of Representatives are calling for a reauthorization of the Clean Air Act of 1987. In addition, the Chairman of the U.S. House Science, Space and Technology Subcommittee on Natural Resources is enthusiastic to have our own Special Committee on Acid Rain appear to present Canada's case.

It seems the life-threatening depletion of the earth's ozone layer could be the best friend acid rain abatement ever had.

We now have proof that international transboundary agreements to preserve the environment are attainable. A similar agreement for acid rain must be forthcoming in North America before we drown in our own industrial excrement.

* * *

HOUSING

HOUSING NEEDS OF URBAN NATIVE PEOPLE

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, the International Conference on Shelter for the Homeless has come and gone without any action being announced by the Government. We would have expected a whole plethora of announcements to deal with multi-problems that were dealt with at the conference. Maybe the Government just lacked ideas and did not know what to do. I would like to give the Government suggestions for at least one area.

Let us take the area of housing for urban native people, an area crying out for action. Is the Government not aware that the infrastructure is in place to deliver housing? We have some 80 urban native housing corporations across the country which are presently delivering 1,000 units. Why does the Government not double that number, add another 1,000 new units, in order to deal with this crisis in housing? This would show that the Government is putting a priority on the needs of people and that it is ready to act and not just talk.

It is time for action, Mr. Speaker. I wish the Government would put a priority on the question of the homeless in Canada and recognize that it can do something concrete and immediate for urban native people.

* * *

[*Translation*]

REGIONAL ECONOMIC DEVELOPMENT

PETITE-NATION REGION—GOVERNMENT'S PERFORMANCE

Mrs. Lise Bourgault (Argenteuil—Papineau): Mr. Speaker, last Friday, the Minister of Employment and Immigration travelled to Papineauville, in my beautiful constituency, to announce the participation of 19 municipalities to the Community Development Program.

Thanks to that program, a business assistance centre will be set up as early as November 1, 1987, with $1.5 million funding to help provide businesses with local technical and advisory services, and also with financial assistance in the form of loans of up to $75,000. Moreover, a community development assistance committee made up of 12 Members will receive a $200,000 subsidy to realistically appraise the opportunities for development and diversification of our rural economy.

Mr. Speaker, this is another example of this Government's success in fighting unemployment, especially among the young, and a further example of this Government's commitment to private entreprise.

Thanks to that program, the Petite-Nation area can take up the challenge of full employment and ensure its economic and social development. This is one of the best news the Papineauville area has received over the last decade, and this was made possible by a Conservative Government!

* * *

• (1410)

[*English*]

FARM CREDIT CORPORATION

NEED FOR ADDITIONAL FUNDING

Mr. Maurice Foster (Algoma): Mr. Speaker, last week a poll was made public which indicated that 33 per cent of grain farmers and cash-crop farmers are expecting to have to leave their land within two years. This is a devastating poll which was carried out across the country. It comes at a time when the Government has not taken any action to replace the financial security and position of the Farm Credit Corporation.

The Farm Credit Corporation went into a negative equity position of $124 million last April and the Government has failed to act for six months. How can the Farm Credit Corporation, which is designed to help Canadian farmers who are in financial difficulty, help them when in fact it has been allowed to go broke and no action has been taken by the Government for six months?

* * *

THE ECONOMY

GROWTH IN 1984-1987 PERIOD

Mr. John A. MacDougall (Timiskaming): Mr. Speaker, since September, 1984, the Government has followed an economic renewal program that has shown great results across the country. The litany of successes includes the creation of 907,000 jobs with over 88 per cent of these full-time, an unemployment rate down from 11.7 per cent to 8.8 per cent, interest rates at their lowest in years, housing starts at their highest level in eight years, consumer spending and confidence up, and investors enjoying a return to a stable economic environment.

With our responsible policy of deficit reduction, Canadians have seen the deficit fall from a record $38.3 billion in the last year of the Liberal administration to $29.3 billion this fiscal

year. This will be the first consecutive three-year decline in the deficit in three decades.

Most important, our responsible fiscal policies have allowed the Government to protect better our existing levels of social programs and promote the Canadian standard of living for future generations. In short, the Government's actions have restored the confidence of Canadians and of the world in our economy.

* * *

DEPARTMENT OF EMPLOYMENT AND IMMIGRATION

WORKFORCE REDUCTION IN TORONTO REGION

Mr. Dan Heap (Spadina): Mr. Speaker, The Ottawa *Citizen* has reported today that whereas the Government acknowledges that, of 24 enforcement officers in the Toronto region, 10 have been removed over the past year or so, cutting the force to 14, the President of the Canada Employment and Immigration Union local estimates that there are hundreds of criminal immigrants who are going uninvestigated simply for lack of person-hours to do so.

The Government, the Minister or the administration have ordered another internal inquiry into the allegations that were made about mail openings and other problems raised with the post office, but this series of internal inquiries which the union calls witch-hunts will not solve the problem. It will not solve the problem because it allows senior management and regional management to cover up their mismanagement at the expense of any whistle-blowing employee, of whom two have already been fired in the Toronto region. They were fired because they asked to have clear instructions about their work and could not get clear instructions, or could not get instructions that complied with the laws they were supposed to carry out.

• (1415)

I call upon the Government to admit that it cannot solve this by cover-ups through internal departmental inquiries, and to appoint an independent inquiry into the allegations being made of mismanagement in the Toronto and Ontario region in the Canada Employment and Immigration Commission, particularly with respect to immigration.

* * *

FISHERIES

USE OF SEAL OIL AS FURNACE FUEL

Mr. Dave Nickerson (Western Arctic): Mr. Speaker, a few years ago the Canadian sealing industry was all but ruined by the activity of Greenpeace and similar organizations. Now, with the assistance of government, the northern sealers are striking back.

The National Research Council of Canada has helped to fund the Koomiut Co-op of Pelly Bay to study the use of seal oil as a furnace fuel. The test project would use 1,000 seals. Blubber will be rendered into fuel oil, skins will be used for leather, some meat will be used for human consumption, and all the waste products will be ground up for dog food. Take that, Greenpeace!

* * *

[*Translation*]

HOUSE OF COMMONS

PRESENCE IN GALLERIES OF FORMER MEMBER OF PARLIAMENT

Mr. Speaker: Order, please. I am pleased to inform the House of the presence in the Galleries of Mr. Léonel Beaudoin, former Member for Richmond from 1968 to 1979.

Some Hon. Members: Hear, hear.

ORAL QUESTION PERIOD

[*English*]

ABORIGINAL RIGHTS

PAPAL VISIT—SELF-GOVERNMENT—CONSTITUTIONAL DISCUSSIONS

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, yesterday John Paul II fulfilled his own promise to our native peoples by visiting Fort Simpson. While he was there he urged upon all of us aboriginal self-government. I think parliamentarians ought to ask ourselves whether we will fulfil our own promise to our native peoples.

Will the Prime Minister agree to place self-government at the top of the agenda for future constitutional discussions as recommended by Liberal Members in our minority report? Will he agree to pursue the issue of self-government until it is achieved?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, at the most recent First Ministers' Conference I proposed an amendment which would have recognized the right of the aboriginal peoples of Canada to self-government. Not only did I propose it, I fought for it very actively at the First Ministers' Conference on aboriginal rights. I fought for it very actively, and it was almost achieved, in 1985 at the First Ministers' Conference.

It is very much a priority of the Government of the people of Canada. We will keep trying until such time as we have achieved this fundamental objective.

MEECH LAKE ACCORD—REQUEST FOR AMENDMENT

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I find it difficult to understand why the issue of aboriginal self-government would have in any way impeded a constitutional accord.

Will the Prime Minister agree to ask his provincial counterparts to review and amend the Accord to reinstate, at the top of the agenda, the issue of aboriginal rights and self-government at all future constitutional conferences until the issue is disposed of, recognizing the inherent constitutional rights of our native people?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I think it would be evident to anyone concerned about the well-being of the aboriginal peoples that one of the principal reasons for Canada's failure in this regard at federal-provincial conferences was the fact that Quebec was not part of that process. It is my judgment that had Quebec been there the results in 1985 and 1987 would have been clearly different.

One of the great benefits of the Meech Lake Accord, once it is completed and with Quebec at the table, will be to put the partners of Canada in a much better position to ensure that the aboriginal peoples finally secure that degree of justice to which they are entitled. That is another very important reason why I hope all Members will support the Meech Lake Accord.

[*Translation*]

ABORIGINAL PEOPLES—PROMOTION OF GOVERNMENT AND POLITICAL AUTONOMY—GOVERNMENT POSITION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, it is hard to understand how recognizing and putting back on the agenda the rights of our native people can threaten the Constitutional Accord. The native people cannot wait indefinitely.

Since the Prime Minister will be meeting the premiers in the coming weeks, could he not ask them to take this opportunity to promote native self-government and to provide our native people with the territory and the resources required to give real meaning to this initiative?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, for my part, the rights of the native people are still on the agenda. They have never been excluded from this agenda, despite the fact that we did not succeed at the last federal-provincial conference in meeting the basic requirements of the native people. One of the major reasons for this was the exclusion of Quebec in 1981. Quebec had a very impressive record as far as protecting the rights of the native people, but it was excluded from the constitutional process. One of the major components of the Meech Lake Accord would be to have Quebec rejoin the constitutional family, and its presence at the constitutional table would have a very positive impact on the future of the Canadian native people and their basic rights.

I therefore believe that even though I have stated publicly that, for my part and for the Government, the issue of our native people remains on the agenda, we have a better chance of succeeding in meeting our fundamental objective if Quebec sits at the constitutional table.

• (1420)

[*English*]

CONSTITUTIONAL REFORM—SCHEDULING AND MECHANISM

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, my question is also directed to the Prime Minister. As the Prime Minister knows, the aboriginal leaders of Canada have called for a renewed constitutional process. That process is to deal with treaty and aboriginal rights. The Pope, when he was in Fort Simpson, was very supportive of this demand. I want to add my gratitude to His Holiness for keeping his promise to return to Fort Simpson and for calling for dignity and equity for Canada's aboriginal peoples.

Some Hon. Members: Hear, hear!

Mr. Penner: Is the Prime Minister prepared now to take steps immediately to develop, along with the aboriginal leaders, a schedule and a mechanism for completing the unfinished business of aboriginal constitutional reform? I am not asking for vague generalizations from the Prime Minister, but am asking for something very specific, that a schedule and mechanism be put in place immediately.

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, my intention to complete the unfinished business in regard to native peoples, who were left in a situation of neglect for more years than this country should even bear to mention, begins today with the tabling of the Meech Lake report. Its conclusion will provide for Quebec's return to the Constitution and that will have a very important beneficial effect on the capacity of Canada to deal fairly with the native peoples, as it ought to have dealt with them. I have made it very clear that my objective and the objective of my Government is that degree of justice for native peoples.

It happens that we inherited a situation which almost precluded that objective. Parliament is now in the process of redressing this injustice. I am satisfied that given Quebec's quite impressive record over many decades in dealing with its own native peoples, its presence at the constitutional table as a full partner will have a most beneficial effect in favour of justice on behalf of the native people.

FUNDING OF ABORIGINAL ORGANIZATIONS

Mr. Keith Penner (Cochrane—Superior): Mr. Speaker, let me try another specific question. The Prime Minister knows that funding to enable aboriginal organizations to pursue constitutional reform has been cut. Aboriginal leaders have called for a restoration of those moneys. Today the Constitutional Committee, which tabled its report, supports that request. Is the Prime Minister now prepared to restore this funding so that preparatory work for successful constitutional negotiations for aboriginal people may continue? Is he

prepared to make the announcement this week that the funding has been restored so that what he says he wants to accomplish can have a possibility of succeeding?

• (1425)

Hon. Bill McKnight (Minister of Indian Affairs and Northern Development): Mr. Speaker, the commitment of this Government and that of the Prime Minister to making Canada whole again under the Constitution of Canada will always and continually reflect the needs of the aboriginal people of Canada.

I draw to the Hon. Member's attention that on August 6 the Prime Minister wrote the four aboriginal leaders in Canada. In his letter he said:

> —once it is clear to me that conditions are conducive to a successful aboriginal constitutional conference, I will not hesitate to convene First Ministers for discussions around this issue.

We have had artificially imposed deadlines in the past which, unfortunately, did not lead to success. To impose another artificial deadline on something as important as aboriginal self-government in Canada at this time I think would be counter-productive.

[*Translation*]

PRINCIPLE OF SELF-GOVERNMENT FOR NATIVE PEOPLE—HOLDING OF CONFERENCE—GOVERNMENT POSITION

Hon. Edward Broadbent (Oshawa): Mr. Speaker, my question is directed to the Prime Minister. He stated he agrees with the principle of self-government for native people. All Parties here in the House endorse this concept. In this context the Prime Minister made a positive reference to Mr. Bourassa of the Quebec Government.

My question is quite simple. The Government of the Province of Quebec is very sympathetic concerning the needs of native people. All Parties here are in agreement. Would the Prime Minister be prepared to get in touch with Mr. Bourassa and the other premiers and convince them that a conference on this objective should be included in the Accord?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the idea of a conference on such an objective is quite acceptable. I said so publicly. I even predicted after the failure of the last federal-provincial conference on native rights that, despite that failure, we would ultimately be successful in securing a degree of justice in favour of native people. That has already been done.

What is missing is an important player around the table, keeping in mind the political realities which prevailed. As a result of the intervention of First Ministers in Edmonton, we deemed appropriate to conclude the Meech Lake Accord which, I should think, will have a very beneficial impact on the lives of native peoples within a foreseeable future in Canada. I know I can count on the support of my hon. friend in this respect.

[*English*]

REQUEST FOR AMENDMENT OF MEECH LAKE ACCORD

Hon. Edward Broadbent (Oshawa): Mr. Speaker, I totally agree with the Prime Minister's desire to have Quebec there. We all welcome that distinct possibility right now with the adoption of this Accord. I want to address my question to the Prime Minister in the context of assuming Quebec is going to be there. It is the one province that has already accepted the Accord.

Does the Prime Minister not think it is desirable to improve the Accord by adding a limited number of amendments that are consistent with it, particularly in this instance on the important question of the principle of self-government, including the idea of a commitment to a particular conference? Why can the Premier of Quebec and the other Premiers not be asked to initial and support this kind of limited amendment that is totally consistent with what they have already agreed?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I do not think that is required. I have already stated on behalf of, I think, all parliamentarians, that there is going to be a conference. We are going to deal again with the absence of justice for our native peoples. I have made that very clear.

Mr. Tobin: Justice delayed is justice denied.

An Hon. Member: Where were you for the last 20 years?

Mr. Mulroney: I indicated, Mr. Speaker, that clearly we would want to try to create conditions as propitious as possible for success, to lend themselves to success on behalf of the native peoples. They have been let down too often in the past for us to try again without a reasonable assurance of success.

• (1430)

It is my judgment, and I may be wrong, that the native peoples of Canada stand an infinitely greater chance of success with the Confederation having been completed by Quebec being present at the constitutional table in their behalf. With Quebec there I think we can state with a good measure of conviction that at that point in time we can deal, probably successfully, with this historic and legitimate grievance on behalf of the native peoples of Canada. That would be my undertaking to the House of Commons.

Some Hon. Members: Hear, hear!

Oral Questions

CONSTITUTION

MEECH LAKE ACCORD—EQUALITY OF WOMEN

Hon. Edward Broadbent (Oshawa): Mr. Speaker, in dealing with another area of concern I want to ask the Prime Minister the following question. Although it is certainly not my view that the distinct society clause in the Accord threatens sexual equality rights, or any other rights provided in the Charter, as the Prime Minister knows there have been expressed concerns to the contrary. Since out of an abundance of caution in other areas amendments were accepted, if I can put it this way, between Part A and Part B in the development of the Accord, will the Government consider appropriate wording for the same reason to help obliterate those concerns about the equality impact on women, in particular, that have been expressed?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, people will have to vote up or down on this, yea or nay, in favour of the Meech Lake Accord. It is our judgment, and it appears to be the judgment of the parliamentary committee, that the overwhelming weight of the evidence sustains the view that individual rights of this kind are not negatively impacted by the inclusion of the reference to distinct society. That is my view. That is the view of the Government.

I know that there are views at variance with this, and they have been respectfully considered by the parliamentary committee. As I understand it, it is the judgment of the parliamentary committee that in the national interest we ought to proceed and that fundamental assurances can be given as to the protection of those rights without any changes being made in the wording of the distinct society clause. We believe that one cannot have it both ways. One has to be for or one has to be against. But one cannot be on both sides of a fundamental issue.

Some Hon. Members: Hear, hear!

* * *

FISHERIES

CANADA-FRANCE DISPUTE—REPORTED MEETING BETWEEN CANADIAN NEGOTIATOR AND FRENCH PRIME MINISTER

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my question is for the Prime Minister. This morning the Premier of Newfoundland telexed the Prime Minister asking him to confirm an allegation that Canada's chief negotiator in the Canada-France fish talks, Yves Fortier, held a secret meeting with French Prime Minister Jacques Chirac last week during the two days of negotiation in Paris. The Premier says that the Canadian negotiating team, including Newfoundland, was unaware of the secret meeting and unaware of the matters discussed during that meeting.

In light of last January's agreement between Canada and France signed behind Newfoundland's back, an agreement for which the Prime Minister's Government apologized, can the Prime Minister today absolutely assure the House that no secret meeting took place in Paris and that no secret deal has been made once again behind Newfoundland's back?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I can assure the Hon. Member that no such secret meeting, as he characterizes it, took place in Paris. There was a courtesy call, for lunch, I believe.

I might say that had members of the delegation from his province hung around they would have been told that such a meeting was occurring, as the other delegations were.

REQUEST THAT TALKS BE SUSPENDED

Mr. Brian Tobin (Humber—Port au Port—St. Barbe): Mr. Speaker, my supplementary question is directed to the Minister of Fisheries and Oceans. Is the Minister telling the House of Commons that the only meeting that took place was a lunch meeting with all the Canadian delegation present? Or is he denying that a private meeting occurred between Canada's negotiator and the Prime Minister of France? He knows that in light of the history of this Government's bungling of these talks, and in light of the history of its apology for one secret deal, no private meeting is acceptable to all members of the Canadian team. I ask him to confirm or deny that a private meeting took place.

If such a meeting took place I ask him to suspend Canada's chief negotiator and to suspend these talks until common ground can be found between the Government of Canada and all of the partners in ensuring a fair and equitable fish treaty between Canada and France.

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, this line of reasoning is ludicrous coming from a member of the Party that created this problem in the first place, and who sat for years, along with his colleagues, and did nothing about it.

Some Hon. Members: Hear, hear!

Mr. Tobin: Answer the question!

Mr. Siddon: Mr. Speaker, we sincerely regret the fact that the Premier of the Hon. Member's province has chosen to withdraw from this process.

Mr. Tobin: Was there a meeting, yes or no?

Mr. Siddon: We are trying to rectify a problem that results from 20 years of neglect and indecision on the part of the Government of which the Hon. Member was a part.

Some Hon. Members: Hear, hear!

THE CONSTITUTION

MEECH LAKE ACCORD—CREATION OF NEW PROVINCES

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, my question is addressed to the Prime Minister. The Accord suggests, for the first time, that unanimity will be required for the establishment of new provinces, particularly in relation to the Yukon and the Northwest Territories. Given the obvious injustice of this and the comments found in the report of the committee, will the Prime Minister undertake to contact Premiers to work toward redressing this injustice?

Some Hon. Members: Hear, hear!

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, I do not have to contact the Premiers. I think that they are acquainted with my strong views and the views of my colleagues in regard to moving along, as quickly as is possible, the right to provincehood of the people of the territories. This is very much a front and centre issue with us. We want to work very carefully and closely with all the people involved in this regard.

FEDERAL, PROVINCIAL, AND TERRITORIAL CONSULTATION

Ms. Audrey McLaughlin (Yukon): Mr. Speaker, given that the report of the Constitution Committee states that there will be considerable discussion with the provincial Legislatures and provincial Attorneys General, will the Prime Minister undertake to assure residents of the territories that equal consultation will take place with the Ministers of Justice and the territorial Legislatures to continue the constitutional review?

Right Hon. Brian Mulroney (Prime Minister): Mr. Speaker, the position of this Party and of this Government in regard to provincehood and legitimate rights for the Yukon and the Northwest Territories is well known. We believe that the Meech Lake Accord is another step along the road of nation-building which will ultimately and happily, we think, conclude with all Canadians being represented in this process, along with rights for native peoples. Only then will the Government be pleased with the process.

In regard to consultation, I would be delighted to give my hon. friend the assurance that the historic degree of consultation that I have undertaken as Prime Minister, and which my colleagues have undertaken, which has changed the atmosphere of federal-provincial relations from one of confrontation to one of genuine co-operation, shall be actively pursued and maintained with the Yukon and the Northwest Territories.

Some Hon. Members: Hear, hear!

REFUGEES

COST OF WELFARE FOR REFUGEE CLAIMANTS IN TORONTO

Mr. Alan Redway (York East): Mr. Speaker, I have a question for the Minister of Employment and Immigration. The Minister is aware that Metropolitan Toronto has asked the Government to pay at least a portion of the $1.5 million a year which it costs it to process welfare payments for refugee claimants. Bearing in mind the fact that refugees are a matter of federal rather than local jurisdiction, will the Minister assure the House that the Government will grant that request? Surely the Minister does not expect Canadians to foot these bills out of their property taxes.

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, the Hon. Member asks a good question. It seems to outline some of the confusion that exists in Ontario with respect to what the Government of Canada has to support in terms of the cost for social welfare recipients, especially those who claim welfare. Some 50 per cent of the cost is paid by the federal Government, while the other 50 per cent is paid by the province. Any agreement between the provincial level and the municipal level has to be decided between both parties.

The federal Government does not have the right to interfere in a decision concerning the share of costs between municipalities and a provincial Government. Any complaint at that level has to be dealt with at the provincial level. The Canadian Government respects this commitment and pays 50 per cent of the cost.

* * *

• (1440)

CANADIAN SECURITY INTELLIGENCE SERVICE

LIAISON WITH ROYAL CANADIAN MOUNTED POLICE

Hon. Bob Kaplan (York Centre): Mr. Speaker, my question is directed to the Solicitor General.

We all know that the RCMP and the Canadian Security Intelligence Service have deliberately been given overlapping mandates. It is the responsibility of the Minister to see that jurisdictional issues that arise between them are settled.

The other day the Minister told us that he had set up a liaison committee between the two services to end what he called "the state of confrontation" that existed during the time of his predecessor, the present Minister of National Defence.

Will the Minister tell the House if that committee has done any effective work? Have any issues been resolved between the two services? If so, what issues have been resolved? It is obvious that national security is threatened by the confrontation that continues to exist between the agencies.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, let me say at the outset that never at any time did I accuse my predecessor, nor would I, of not having carried out his duties in a proper and efficient manner. Indeed, he did discharge his duties properly and efficiently.

Some Hon. Members: Hear, hear!

Mr. Blackburn (Brant): That's because he is not a lawyer.

Mr. Kelleher: Shortly after assuming office in July, 1986, I immediately had meetings with the then head of the RCMP and CSIS. I sat down and discussed liaison problems with them and the exchange of information.

An Hon. Member: They weren't listening, Jim.

Mr. Kelleher: On August 14, by written direction, I set up liaison committees and liaison officers, which has gone a great length to eliminate and minimize problems between the two services.

GOVERNMENT POSITION

Hon. Bob Kaplan (York Centre): How does the Minister then explain the problems in the service which continue to result from a lack of clarity on the part of the Government about what product it expects the Canadian Security Intelligence Service to deliver, and what assistance is it to receive from the RCMP in doing its job?

Mr. Beatty: I guess it must be a problem left to us by you.

Mr. Kaplan: You left it to us.

Mr. Rossi: You stand up and answer. You know all about it.

Hon. James Kelleher (Solicitor General of Canada): Mr. Speaker, I can only repeat that in my opinion both services are carrying out their duties properly, efficiently, and are working together.

Mr. Blackburn (Brant): Efficiently! Wait a minute.

Mr. Kelleher: If the Hon. Member has specific instances of non co-operation and non-liaison, then I would appreciate receiving them. I will attend to solving them immediately.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—NORTHERN COD STOCK

Mr. John R. Rodriguez (Nickel Belt): Mr. Speaker, my question is for the Minister of Fisheries and Oceans.

Mr. Blackburn (Brant): Good luck!

Mr. Rodriguez: I am fishing.

I wish to quote some comments which were made in an emergency debate in this House on January 28 by the Minister responsible for Newfoundland in this Government's Cabinet:

> It is our fishing industry, it is our life in Newfoundland the same as the wheat fields are the life of Saskatchewan, or oil and gas might be the life of Alberta. That is why the Government of Newfoundland and the industry and union representatives should never have been left out of this last week.

Mr. Hees: Louder, John, louder.

An Hon. Member: Can't hear you, John.

Mr. Rodriguez: Now, Mr. Speaker, I have their attention. Now they agree, and the Minister was right. The northern cod stock is vital to the life of the people of Newfoundland. It is an extension of the people of Newfoundland.

Therefore, my question to the Minister is this. How does he reconcile what government representatives have said in the House, and what the Prime Minister put out in the statement issued by the Minister of Transport with respect to the importance of northern cod stocks—how does he reconcile those statements with the give-away of the northern cod stocks to France to the detriment of the best interests of the people of Newfoundland?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): I regret the fact that the Hon. Member did not quote a particular statement in order that I might focus on the essence of his allegation.

Mr. Broadbent: He did.

Mr. Blackburn (Brant): Are you deaf?

Mr. Siddon: I can assure the Hon. Member that the Government, unlike either of the two Parties opposite, believes in sincerely seeking solutions to difficult problems, solutions which often require difficult and protracted discussions.

I can assure the Hon. Member that I am absolutely confident that when a package is arrived at, under the capable leadership of Yves Fortier, the result of that solution will be good for the people of Newfoundland and Labrador, the fishermen, and all whose interests are affected.

RESULT OF TALKS—PROVINCIAL AGREEMENT REQUESTED

Mr. John R. Rodriguez (Nickel Belt): In light of the fact that we have experienced Liberal Governments which negotiated away the natural resources of the provinces behind the backs of the Premiers of the provinces, this Government is doing it right in front of the eyes of the Government of Newfoundland.

My supplementary question to the Minister is this. In light of what the Minister has said, is he prepared to give an assurance to the House, and to the people of Newfoundland, that no agreement will be entered into between France and Canada with respect to fisheries off the East Coast of Canada

until the Government, the fishermen, and the industry in Newfoundland have given their agreement to it?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I think that I hear the Hon. Member suggesting that one province should have a veto over a matter which is of such national importance as this.

Mr. Rodriguez: You are giving it to them in the Meech Lake Accord.

Mr. Siddon: I can assure the Hon. Member that in the spirit in which we have entered into continuing consultation with all affected parties, including my colleagues, the Atlantic Council of Fisheries Ministers, we are confident that the approach being taken here will prove to be acceptable to the fishermen—

Mr. Rodriguez: You are washed up.

Mr. Siddon: —and the people of Newfoundland and Labrador. It will end for all time an unhappy boundary dispute which must be resolved in this way, and in this way alone.

* * *

LITERACY

REQUEST THAT GOVERNMENT ESTABLISH NATIONAL PROGRAM TO REDUCE ILLITERACY

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Mr. Speaker, my question is directed to the Minister of Employment. During the past two weeks we have had several reports indicating the critical state of illiteracy in Canada. There are over four million adults who are functionally illiterate. This represents 24 per cent of the Canadian population. Few of those people will continue to find work, or even qualify for training programs.

In these circumstances how can the Government be satisfied with a $1 million secretariat and a symposium as a solution to this serious problem? Is it not time, for the good of the country and these individuals, that we have a five-year national literacy program with set goals and adequate funding to reduce these shocking figures substantially?

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Last week, Mr. Speaker, within the context of the Unemployment Insurance Act, I replied to my colleague the Hon. Member for Nickel Belt. Let us say first of all that the Secretary of State currently carries out a number of studies, but intends, together with the provinces, to develop a number of mechanisms in connection with this issue. Essentially, the people who are collecting unemployment insurance benefit overpayments are entitled, especially under Section 39, when the costs of these courses are paid—

[*Editor's note: A child is crying in the Galleries*]

An Hon. Member: As they say, the truth comes out of the mouths of babes.

[*English*]

Mr. Broadbent: Even the child does not agree.

Mr. Nystrom: There goes another disenchanted voter, Brian.

Mr. Speaker: The Chair has no intention of fixing responsibility for that outcry.

[*Translation*]

Mr. Bouchard: Mr. Speaker, this is almost the same tune as I am used to hear from the other side.

But here is what I mean to say to my colleague. Under the Unemployment Insurance Act, there are mechanisms available to people taking training courses supervised by employment centres which entitle them to collect benefit payments, I think that my honourable friend will understand that, within the limits of the current legislation and funding, we are unable—we do wish we could, but we are prevented from doing so not because of a lack of will but because of the lack of available financial resources—to assume the overall financial responsability for people already collecting unemployment insurance. The door would then be wide open to abuse, something, I am sure, my honourable friend would not want to happen.

[*English*]

GOVERNMENT POLICY

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Considering the gravity and size of this problem, the measures announced by the Minister and the Secretary of State are not adequate. There is no sense of urgency.

On behalf of these over four million Canadians, I plead with the Minister to reconsider his answer and to think about a national literacy program to reduce this awful situation in Canada.

[*Translation*]

Hon. Benoît Bouchard (Minister of Employment and Immigration): Mr. Speaker, that is what I have just said in my answer. Before putting together programs... You did it yourself for years but you failed, because of a total lack of consultation. My colleague, the Secretary of State, is in consultation with the provinces, and will set up mechanisms, but as for the employment's strategy, it will work, because we will take into account the provinces' opinions.

• (1450)

[*English*]

AGRICULTURE

REQUEST FOR COMMITMENT TO DEFICIENCY PAYMENTS

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, my question is for the Prime Minister or his deputy. A recent poll of farmers confirmed that many farmers lacked confidence in their future, with 59 per cent seeing no improvement in their condition in the foreseeable future.

Since the poll confirms the prediction of FCC that between one-quarter and one-third of farmers will be squeezed out in the next few years, will the Government now acknowledge that it is contributing to this low confidence level by its continued refusal to make a solid and detailed commitment to deficiency payments in the coming year?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I believe the Government and every Member in this House are aware that agriculture is going through a bad period internationally, and not only here in Canada. That recent poll has merely brought to light the importance, as it has indeed been done by the Prime Minister for over a year now, of impressing upon world powers the urgency of putting an end to the price war that seriously affects wheat producers not just here in Canada but elsewhere in the world. To that end, Mr. Speaker, I think the Canadian Government did everything it could do last year when it injected $1 billion, something absolutely unheard of, that is almost four times more in deficiency payments as had been done in the past. The Minister of Agriculture has been meeting with farm leaders during the last few weeks, and in this recent poll, as the Hon. Member has failed to mention it, the Minister of Agriculture is shown as being approved by 60 per cent of Canadians who wholeheartedly support the Minister of Agriculture's commitment to the interests of farmers.

[*English*]

SUBSIDIES ISSUE

Mr. Vic Althouse (Humboldt—Lake Centre): Mr. Speaker, do the Minister and the Government not recognize that part of the very lack of confidence in the future of farmers was due to the Government's call, through the Prime Minister at the Venice Summit, for a subsidy-free world, at the very time when this generation of farmers is depending upon subsidies to get them through?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): I think, Mr. Speaker, that since the Prime Minister's meetings with foreign leaders at the various summits, including the Tokyo and the Venice Summits, we have put agriculture on the agenda of the major powers. We are all conscious that this war must be scaled down. We are doing every possible effort, including in our negotiations with GATT. I think the interests of Canadian farmers—farmers know that this Government is always there when farmers need it.

* * *

[*English*]

FARM CREDIT CORPORATION

LACK OF FINANCIAL RESOURCES

Mr. Maurice Foster (Algoma): Mr. Speaker, my question is for the Prime Minister and concerns the serious situation in agriculture. We are seeing the greatest exodus of farmers from the land since the 1930s. A full 33 per cent of grain farmers and cash crop farmers expect to be off the land in two years.

The Government has allowed the Farm Credit Corporation, which is there to help farmers, to go into debt to the tune of $124 million for the last six months. How does the Prime Minister expect the Farm Credit Corporation to help farmers stay on the land when the Government itself has allowed the FCC to go broke?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, it is still somewhat amazing to hear such words coming from a Member of the previous Government under which interest rates hovered between 14 per cent, 15 per cent and 18 per cent, and which we have brought down to 10 per cent and 11 per cent. Those were very positive aspects for farmers. We also applied a program based on the costs of commodities, something which had never been done by the previous Government, and about which we consulted the Canadian people that helped thousands of Canadian farmers. We will continue monitoring that sector very closely with respect to interest rates. You may be assured of that!

[*English*]

FARM FORECLOSURES

Mr. Maurice Foster (Algoma): Mr. Speaker, I have a supplementary question. I would point out to the Minister that the Government has raised the FCC rate of interest twice this summer, at a time when farmers are in the worst financial crisis in years.

Some Hon. Members: Oh, oh!

Mr. Foster: I would also point out that, according to the FCC's own report, the Government expects to seize the farms of 6,000 farmers, involving 2.2 million acres, over the next two years.

Why do the Minister and the Government not bring in programs to keep these farmers on the land rather than seize 2.2 million acres of land and thousands of farms over the next two years?

Why do they not take some action by bringing in some reforms and assistance to keep farmers on the land?

[*Translation*]

Hon. Pierre Blais (Minister of State (Agriculture)): Mr. Speaker, I wish the Hon. Member would look at what we have been doing since we came to Government; he would see that we have set up a Farm Debt Review Committee, that we have kept interest rates under constant review and that they have been brought down significantly over the last three years—and you should be able to recognize that they were reduced to a significant point—this is a whole lot more than what you did when you were here, when interest rates were much higher.

We have no lessons to receive in that area, far from that. Concrete steps were taken.

* * *

[*English*]

AIR CANADA

PRIVATIZATION—GOVERNMENT POLICY

Mr. William C. Winegard (Guelph): Mr. Speaker, my question is directed to the Minister of State for Privatization and relates to my comments earlier in the day about Air Canada.

I should like to ask the Minister whether it is still her intention to privatize Air Canada. If the answer to that question is yes, as I hope it is, I should like to know if it is also her intention to ensure that the employees of Air Canada are given an opportunity to purchase a significant percentage of the shares?

Hon. Barbara McDougall (Minister of State (Privatization and Regulatory Affairs)): Mr. Speaker, let me say that what I have said about Air Canada to date is that it is under serious review. I have not said that it is my intention to privatize it. I have said that it is under review. That review is continuing.

I might point out that it took Britain five years to get to a big privatization. We are moving much more quickly on ours. We have done 11.

However, in answer to the second part of the Hon. Member's question, let me say that the employees of Teleglobe and of FBI in Newfoundland, who are very happy shareholding employees, are a good example of the kind of thing we would want to do in the future.

CANADA POST CORPORATION

HIRING OF STRIKE-BREAKERS

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, my question is for the Minister responsible for the Post Office.

[*Translation*]

Mr. Speaker, Canada Post has already started advertising for strike-breakers. In view of what happened during the last postal strike, has the Minister not learned that the hiring of strike-breakers probably will create violence on the picket lines? Has the time not come to act in a more civilized way and abandon this policy of hiring strike breakers?

[*English*]

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Mr. Speaker, my position on that is very similar to the position expressed by the Hon. Member's colleague, the Hon. Member for Yorkton—Melville, who said on June 18 of this year, when discussing whether to allow the Post Office to continue operating during a strike: "it is a very tough issue because you have two conflicting realities. The postal workers must be treated fairly and justly but other Canadians must continue to receive their mail".

That is a pretty good description of the situation. The position of the Government is very clear. The social responsibility of the Post Office is something we ask of management. We expect both sides to obey the law, and it is illegal, contrary perhaps to the position of the New Democratic Party, to use violence in pursuit of objectives in Canada.

Mr. Keeper: Mr. Speaker, I must say that I resent the implication that the NDP is advocating anything that is illegal.

Some Hon. Members: Oh, oh!

Mr. Speaker: The Hon. Member will put his question, keeping in mind the time.

GOVERNMENT RESPONSIBILITY

Mr. Cyril Keeper (Winnipeg North Centre): Mr. Speaker, what I would like to know from the Minister is whether he and his Government are capable of learning from experience. Does he not think that a Government has more responsibility, a responsibility beyond condemning violence and, in fact, a responsibility to put in place policies that will avoid violence, that will ensure we can have negotiated settlements which people can understand? Does he not think that Canadian society has a measure of civilization and that we do not stoop to the level of—

• (1500)

Mr. Speaker: The Hon. Minister.

Hon. Harvie Andre (Minister of Consumer and Corporate Affairs): Somewhere in that tirade, Mr. Speaker, the Hon. Member did say that we should seek a negotiated solution. On

that point I am in absolute agreement. I can hear the Hon. Member. Will the Hon. Member be reasonable for a moment?

I would hope that both Parties will have an opportunity, based on the conciliation commissioner's report which we expect in the not too distant future, to find a negotiated settlement. In the meantime it does no good whatsoever and no good purpose is being served, either for the union or for the public, for the New Democratic Party to suggest that under the threat of violence one must capitulate and say that there is no alternative. That is wrong, bad policy, and the New Democratic Party knows it.

* * *

FISHERIES

CANADA-FRANCE DISPUTE—NEGOTIATOR'S MEETING WITH FRENCH PRIME MINISTER

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, I have a question for the Minister of Fisheries following up on a question posed by a colleague from Newfoundland. Was there or was there not a private meeting between Maître Yves Fortier, our chief negotiator in the fisheries dispute, with the Prime Minister of France, Jacques Chirac?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I thought I answered that question when I responded to the Hon. Member's colleague.

Some Hon. Members: No.

Mr. Siddon: It is my understanding that Monsieur Fortier paid a courtesy call on the Prime Minister of France. It was an opportunity for lunch, as I understand it, and I don't know whatever general discussions but there was no element of those discussions which could be characterized as being secret. In fact, members of the delegation of all participating provinces and the industry who were present in Paris on Monday were fully advised as to the nature of that meeting.

NATURE OF DISCUSSION

Right Hon. John N. Turner (Leader of the Opposition): Mr. Speaker, would the Minister be good enough to tell us what was discussed at that meeting if it was not the fishery? Why wasn't the rest of the delegation informed or invited? Why particularly was the delegation from Newfoundland not informed that there would be a private tête-à-tête between our chief negotiator and the Prime Minister of France?

Hon. Thomas Siddon (Minister of Fisheries and Oceans): Mr. Speaker, I would like to ask the Right Hon. Leader of the Opposition why he and his Party and colleagues to his left are constantly looking for some negative sinister motive in everything that is done.

I would tell you, Mr. Speaker, and assure this House that anything discussed among the negotiators and with the benefit of the provincial and industrial representatives was discussed for the benefit of the fishermen and the people of Newfoundland and Atlantic Canada.

Mr. Speaker: I regret that the following will be the last question. The Hon. Member for Scarborough West.

* * *

NORTH ATLANTIC TREATY ORGANIZATION

ARMS GAP BETWEEN NATO AND WARSAW PACT NATIONS

Mr. Reginald Stackhouse (Scarborough West): Mr. Speaker, my question is for the Minister of National Defence. Among the good news in recent days has been the possibility of an agreement to remove short and medium-range missiles from Europe, but the flipside of that welcome announcement is the effect on NATO's capability to deter Warsaw Pact aggression.

Will the Minister advise the House what consideration NATO members are giving to closing the conventional arms gap between the Warsaw Pact and NATO?

Hon. Perrin Beatty (Minister of National Defence): Mr. Speaker, as the Hon. Member points out, a very significant agreement was reached, one that was welcomed by all of those with interests in Europe and who want to see a long-term agreement to promote peace.

However, left untouched were a number of important areas, such as conventional imbalances between East and West where the Soviet Union and the Warsaw Pact maintain an advantage of two or three to one at the present time in chemical weapons and a range of other areas. We are hopeful that progress can be made in these areas, in addition to being able to reach deep cuts in terms of strategic weapons, which will leave the world a safer place.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee, and Motion No. 11 (Mr. Marchi, p. 9119), Motion No. 13 (Mr. Heap, p. 9105), and Motion No. 14 (Mr. Marchi, p. 9105).

Mr. Speaker: I would ask the co-operation of the House because it is my duty and obligation to make a final ruling on the groupings and admissibility of the various motions or, in

common parlance, on the amendments that have been brought before the House at report stage of Bill C-55.

I regret to advise that the ruling is fairly lengthy because of the great number of motions. Hon. Members have been extremely co-operative with the Table in assisting to bring about a ruling which not only upholds the procedural niceties but tries as much as possible to give to Hon. Members who are moving motions the maximum of free speech on these important matters.

I am now ready to make a final ruling on the motions on the Order *Paper* put forward in amendment to Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof.

To recapitulate the debate so far, a division has been deferred on Motions Nos. 3, 4, 6, 7 and 9. Motions Nos. 5, 8 and 10 have been dropped by the Hon. Member for Spadina (Mr. Heap).

Motions Nos. 11, 13 and 14 are now before the House. That grouping will be followed by debate on Motions Nos. 27, 29 and 34 which will be debated together but voted on separately.

Motion No. 12 was not selected as it is similar in substance to Motion No. 11. That was the situation at one o'clock today. Now to continue.

Motion No. 1 is similar to a motion moved in committee and ruled out of order in that it attempted to define the rule of the adjudicator by way of amending the interpretation clause which, of course, is contrary to our procedural practice. I concur in the decision of the committee chairman and must similarly rule this motion out of order. The Hon. Member is referred to Beauchesne's Fifth Edition, Citation 773(10). In addition, this motion is attempting to amend the parent Act, the present Immigration Act of 1976, by introducing definitions which are not in that original Act. As Speaker Lamoureux said on June 11, 1970, it appears that the amendment seeks to go beyond this Bill to amend the Act itself. In other words, it has sought to make a change which would not only affect the Bill before us but as well the Act which the Bill itself seeks to amend. I regret to say that in most circumstances this motion and amendment cannot be accepted.

Motion No. 2 will not be selected as a similar motion was debated and negatived in committee. In this regard, I thank the committee member, the Hon. Member for Calgary West (Mr. Hawkes), for bringing this point to the attention of the Chair on Friday.

Motions Nos. 15, 16, 28 and 46 were debated and decided in committee. Consequently it is my view that they ought not under the circumstances to be selected or proposed to the House.

Motion No. 17 will be debated and voted upon separately.

Motions Nos. 18 and 21 will be debated together, with an affirmative vote on Motion No. 18 obviating the question being put on Motion No. 21. A negative vote on Motion No. 18 will require the question to be put on Motion No. 21.

Motions Nos. 19 and 20 will not be selected for debate. A motion substantially the same as Motion No. 19 was disposed of in the legislative committee. Motion No. 20 is similar, and neither motion will be selected for debate.

Motions Nos. 22, 23, 24 and 30 deal with the concept of a safe third country and will be debated together but voted on separately.

Motions Nos. 25, 31, 32 and 33 will be grouped for debate but will be voted on separately. All of these motions deal with the concept of a credible basis for a refugee claim. After consultation, the Hon. Member for Spadina has agreed to drop Motions Nos. 26 and 36.

There will be a separate debate and vote on Motion No. 35.

Motion No. 37 standing in the name of the Hon. Member for Spadina and Motions Nos. 53, 57 and 70 standing in the name of the Minister sponsoring the Bill will be grouped for debate but voted on separately. Motion No. 69 will not be selected as its content is covered in Motion No. 70.

Motion No. 41 will not be selected as its content is covered in Motion No. 40 which will be debated and voted separately. Motions Nos. 43 and 44 will be grouped for debate but voted separately.

Motions Nos. 45, 47, 48 and 49 all deal with Clause 14 and will be grouped for debate but will be voted on separately.

• (1510)

Motion No. 50 will not be selected as it was debated and negatived in the legislative committee.

Motion No. 54 is similar to Motions Nos. 55 and 56. Thus Motion No. 54 will not be selected as it is the same as Motions Nos. 55 and 56 and was placed on the Notice Paper later. They will be debated together and a vote on Motion No. 55 will be applied to Motion No. 56.

Motion No. 58 standing in the name of the Hon. Member for York West (Mr. Marchi) is the first in a series of amendments which attempt to introduce a new concept into the Bill, a concept which was not contemplated in the Bill as read in this House a second time. When the Bill was last before the House, it provided for limits on the number of steps in the process of refugee determination. Here, however, the Hon. Member is attempting, through a series of amendments, to prolong this clearly limited process.

As all Hon. Members are aware, the consideration of a Bill at the report stage is now a more formal repetition of the committee stage with the rules of debate which are proper when the Speaker is in the chair being applied. According to Erskine May, Twentieth Edition, at page 549, the proceedings at report stage should not therefore amend the Bill in a manner destructive of the principle of the Bill.

The proposals calling for a definitive role for the Deputy Chairman of the Convention refugee determination division in the refugee determination process appears to the Chair to go beyond the principle of the Bill. It is clear from all of the

authorities, Beauchesne, May and Bourinot, that amendments which attempt to go beyond the scope or principle of a Bill are out of order. I regret to have to inform the House that I cannot put Motion No. 58 to the House. I must add that there are 10 other motions attempting to reach the same or a similar object. Therefore, Motions Nos. 38, 39, 42, 51, 52, 62, 63, 64, 66, 71 and 72 are out of order and will not be put to the House for debate.

It might be helpful to Hon. Members and also to the public if the Chair made an observation here. The Chair is bound by procedural laws. It may very well be that Hon. Members or members of the public may think that certain amendments that have been put forward at report stage are of such substantive importance that they ought to be debated and put to the House. The position the Chair is in, of course, is that it is not for the Chair to rule on whether the purport of the amendment or its substance is worthy of debate. It is for the Chair to decide whether, within the procedural rules set for the admission of amendments at report stage, the amendment is procedurally acceptable.

The second thing I would like Hon. Members to consider, and I also say this for the benefit of the public, is that while the admission or otherwise of an amendment or a motion is bound by the procedural law and that is what the Chair must decide, the Chair also has a discretion in grouping the amendments for debate. That is a less exact science.

In this case, given the number of amendments and especially given the concerns of the spokespersons for Her Majesty's Loyal Opposition and the New Democratic Party, the Chair has tried to extend some particular latitude in trying to have a grouping which will enable Hon. Members to give as much time for debate, explanation and persuasion of those amendments as is appropriate. I think I must say that the Hon. Member for York West and the Hon. Member for Spadina have given exceptional courtesy and co-operation to the Chair in this regard.

Motions Nos. 59, 60 and 61 are dependent on or consequential to Motion No. 58 and therefore will not be put to the House.

Motions Nos. 65 and 67 will be debated together but voted on separately.

Motions Nos. 68, 73, 74, 75 and 77 will be debated and voted upon separately.

Motion No. 76 causes the Chair some procedural difficulty. The motion attempts in part to amend another Bill that is still susceptible to amendment in the legislative process. Bill C-58 was just last week referred to a legislative committee for review. It appears to the Chair that Part (c) of this motion goes too far in the way of amending Bills by amending a parent Act, the Act which is already on the statute books, and a Bill which has not yet been adopted by the House. Therefore, the Chair will only propose to the House parts (a) and (b) of Motion No. 76. The revised Motion No. 76 will be debated and voted on separately.

I hope the Hon. Minister of State (Mr. Lewis) will understand the difficulty the Chair has been in on this particular ruling. That motion is a motion that was brought in by the Government. On Friday last the Hon. Minister of State raised a point of order concerning the moving of amendments in committee. The thrust of his comments was that motions or amendments ought to be put while the committee is still sitting and if the opportunity to do so there is not taken, then the question of whether or not they should be accepted at report stage is one the Chair should consider.

I can say that the Standing Orders do not empower the Speaker to force Members to move amendments in committee. Nevertheless, the Minister is correct in that the Standing Orders do state in part:

> The Speaker—will normally only select motions which were not or could not be presented in committee.

I would hope Hon. Members would take note of that. As I say, there is nothing in the rules which absolutely forbids the moving of motions or amendments at report stage just because they were not necessarily moved at committee stage. The rules indicate that the practice of moving amendments or motions earlier in committee is preferable, but it is not an absolute rule. I thank the Hon. Minister of State for drawing this point to the attention of all Hon. Members.

On Friday last the Hon. Member for Edmonton—Strathcona (Mr. Kilgour) raised the issue of Parliament pronouncing twice upon the same issue in the same Session. I have given careful consideration to the Hon. Member's comments. The Hon. Member was referring to Bills C-55 and C-84. Just to clarify for the benefit of all Hon. Members, let me quote Beauchesne's Citation 701(1):

> There is nothing in the rules and no precedent to prevent the setting down of more than one bill or motion dealing with the same subject.

While it is true that the House should not be called upon to decide the same question twice in the same Session, nothing prevents the House from dealing with the same Act more than once. It is a distinction which is perhaps a fine one but I hope that the Hon. Member for Edmonton—Strathcona will accept that the Chair has given the matter careful consideration. I thank the Hon. Member for raising the issue and for allowing the Chair the opportunity to clarify the matter.

I want to thank all Hon. Members who made themselves available for consultations. The House will now resume debate on Motion Nos. 11, 13 and 14.

Mr. Hawkes: Mr. Speaker, I rise on a point of order. I thank you for the thoroughness and completeness of your ruling. It will, I think, be very helpful to us.

Re-reading the motions, I find that in Motion No. 57 there is a Clause (b) which is substantially the same as the motion I moved, Motion No. 65. I would be quite happy to stand my proposed motion down in favour of Motion No. 57. It covers more topics but the wording is identical except for one word. It

is not a substantive change and it might make things go a little bit quicker if that were to happen.

• (1520)

Mr. Speaker: I want to thank the Hon. Member for Calgary West (Mr. Hawkes). I will consider, shortly, what the Hon. Member has proposed and perhaps come back to the House in a few minutes. I want to look carefully at the motions referred to. I think Hon. Members will understand that the Chair, perhaps not the Table officers, and perhaps not even all Members, cannot remember the details of 77 motions off the top of the head. Considering the complexity, I know the Hon. Member would give the Chair several minutes at least to reflect on the suggestion.

The House will now resume debate on Motions Nos. 11, 13 and 14.

Mrs. Sheila Finestone (Mount Royal): Mr. Speaker, I rise to support the amendment presented by the Member for York West (Mr. Marchi) which I think is a fair and sensible recommendation. It considers the barriers to refugees being granted true access to a fair system of hearing in this country.

The danger we are facing, through a tightening of the screws, is that we will not permit legitimate refugees, who are coming here to seek a safe haven access to the system. Under this proposed streamlining we will require applicants to deal first with two people, an immigrant adjudicator and a member of the refugee board.

I think we are asking the member of the refugee board to take on a burden which is unfair to put on any human being, that is, to say yea or nay in a potentially life-threatening situation. The Government cites the independence of these gatekeepers. I think the refugee board should determine what kind of safeguards should be put in place for Canada. How much responsibility should rest on the shoulders of one person?

Canada has enjoyed growth and development, economically, socially, politically and culturally, because we were open and hospitable and accepted refugees who came to our shores and were able to grow and develop away from the lifestyle of terror which they fled. No one flees without good reason.

Canada has had a very proud record. We have shown compassion toward the plight of refugees seeking haven in Canada. Canada accepted 37,149 Hungarians in 1956-57, 11,943 Czechoslovakians in 1968-69, 7,069 Ugandans in 1972-73, 700 Cypriots in 1975, 9,000 Vietnamese in 1975-78, 9,000 Poles in 1982, and thousands of others from Iran, El Salvador, Lebanon, Sri Lanka and Guatemala since then.

Canada has taken in over 360,000 refugees since the 1950s with yearly quotas of about 12,000. In 1986 we admitted 12,146 government-sponsored refugees and 5,067 privately sponsored. In August, 1984, the refugee backlog was 11,538 cases. It grew to over 20,000 in May, 1986, and stands currently at approximately 23,000 cases. I recognize that that is why we are studying this situation.

We were awarded the prestigious Nansen medal as a people who were open and receptive. We are now faced with a very difficult situation. I think it is a good idea to make changes, however, we must look intelligently at the amendments which are being moved.

When a refugee states that he desires to claim refugee status, who does the initial interview and says yea or nay to him? There are two people standing at the gatepost, acting independently of any refugee panel, saying that they can or cannot come in.

What are the restrictions? If there is any question, that is the end of the story. If he says that he has come from the United States he is immediately judged as having come from a safe third country. Are these safe third countries truly safe in all instances? Should we be demanding that another country take up our own responsibilities to these people? Are we responsible for the administration or a change of heart of a safe third country? I think that would be interfering with their right to manage. Who will determine whether a safe third country is still safe at the last moment?

I think the Cabinet has taken unto itself a very dangerous responsibility. It will make a list of countries to which claimants may be returned. It will seek the advice of the U.N. High Commission in drawing up that list. What will happen to these people whose lives are put in jeopardy if that list becomes outdated? I do not think this is what Canadian people want. It is not what refugees should expect and it is not what immigrants who came to this country and helped to build it think is right or fair.

I hope that we will give very serious consideration to a proper refugee system. There should be a first appeal to the refugee board on points of fact. The Federal Court should hear the appeals, not only on points of law but on points of fact. We will then have a truly fair and open hearing of the concerns of refugees who come to our shores. We must not only choose from the refugee camps those people whom we wish to integrate into our society. We must also be open to those who arrive on our shores and those who arrive on planes, trains and buses at our frontiers across the land. I urge the support of this amendment.

Mr. Benno Friesen (Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, I would like to respond to a number of the representations which have been made. The Member for Winnipeg—Fort Garry (Mr. Axworthy) said that one of the things he has not been able to understand is that the Government would bring in a measure which contravenes—and I emphasize the word "contravenes"—the Convention. I listened carefully to that because the representative of the United Nations Human Rights Commission was before the Committee.

Knowing that that charge had been levelled at the Government a number of times I asked Mr. Van der Veen the

following question: "Do you contend that Bill C-55 contravenes the convention?" Mr. Van der Veen answered: "No, we do not". That is on page 4:70 of the committee proceedings held only two weeks ago. Yet the Member for Winnipeg—Fort Garry persists in circulating the notion that the Bill contravenes the Convention. I underscore the fact that the UNHRC has said that it does not. It is pernicious for Members to keep circulating something which has been denied.

I will respond briefly to the quotations which the Member for Davenport (Mr. Caccia) read from the proceedings. They are accurate quotations and I have no objection to them except that they were all made before the amendments were introduced, and many passed, in committee. Therefore, while the quotations may have represented legitimate concerns of those organizations at the time—and I suspect some of them have a mind set such that they are still their concerns—I think the Member for Davenport would concede that the Government introduced substantial amendments in committee to deal with the kinds of concerns that some of those people raised at the time.

• (1530)

I recall the words of my friend, the Hon. Member for Spadina (Mr. Heap), who I agree worked very hard in committee. One of his principal concerns was the safe third country concept. That is another issue we addressed in committee. The Member for Spadina now says that the amendment is not adequate because we did not take a universal approach to the Convention. We introduced the concept of Article 33 of the Convention. That is the basic concern of people. It deals with the whole notion of *refoulement* or the danger that refugees might face if they were returned to another country which could then, in turn, bring them back to the country where their lives might be in danger. That is the notion with which Article 33 deals.

The Member for Spadina then asked about the whole universal application of the Convention because refugees who go back to Germany are not allowed to work, may not be allowed full access to the court system and do not have access to the social security system.

The principle in Section 48 concerns *refoulement* or the notion that one could be in danger of being sent back to the country where one fears persecution. It has nothing to do with these other concepts.

Last year, the Federal Republic of Germany had a budget allocation of $1.3 billion to take care of refugees in Germany. One hundred thousand refugees came to Germany last year. One witness came before the committee and complained because those refugees whom Germany was clothing, housing and feeding were not given the food from their own culture. I do not know if we are supposed to supply a menu, but that was the nature of the types of complaints. The fact that they were safe in Germany was not enough. They also wanted their own local menu from the country from which they came. That would be nice if it were possible, but try that with several hundred thousand people.

I suggest to the Hon. Member for Spadina that the question is one of *refoulement*. Canada honours the entire Convention. Refugees in Canada are given opportunities to work. Refugees in Canada are given protection by the courts, and refugees in Canada are protected from *refoulement*. If they are not permitted to remain in Canada, when they are sent back to the country from which they came immediately prior to their entry to Canada they will be protected from being sent back to the country where they face persecution.

I say categorically that those Central Americans who live in the U.S. are protected under this Bill from being sent back to El Salvador or Guatemala. This Bill protects their security.

I hope Members opposite will accept the fact that while the Bill was in committee it was amended to make sure that the drafting itself would be so precise as to protect those who fear persecution.

Let me make one final point. I refer to the fifth report tabled by the Standing Committee on Labour, Employment and Immigration. It is Issue No. 46, page 46:7 where it states:

> It should be noted that it is the policy of the UNHCR that the practice whereby refugees leave their country of protection and enter other countries irregularly to seek asylum should be deterred. The UNHCR has stated that refugees may be returned to a country which has previously protected them against refoulement and will allow them to remain under minimum recognized standards until a durable solution is found. Provided these conditions are met and due consideration has been given to Canada's policy of family reunification, the Committee believes that Canada should be allowed to return Convention refugees to countries which have previously protected them.

That statement was endorsed by the committee. The Member for Spadina and the Member for York West (Mr. Marchi) were on that committee. Having dealt with that issue, I hope they will now accept the thrust of the Bill and recognize that the amendment they have put forward under this motion contradicts the Bill and we cannot accept it.

Hon. Warren Allmand (Notre-Dame-de-Grâce—Lachine East): Madam Speaker, while we in the Liberal Party support this amendment and oppose this Bill, I want to make it clear again that we support action to weed out phoney refugees. That is why we have generally supported from the beginning the recommendations of the Plaut report and the recommendations of the Standing Committee on Labour, Employment and Immigration. Both those reports made recommendations to correct the abuses which now exist, but they also recommended strongly that we have a system that is fair, efficient and provides universal access to the refugee determination process.

Those recommendations that are contained in the Plaut report and in the Standing Committee report are not in this Bill. That is why we oppose the Bill, while supporting reasonable measures to weed out phoney refugees.

We do not support this Bill because it goes too far in many areas. In its attempt to set up a system to weed out phoney refugees it has put forward a preliminary hearing process. This

morning, I used the old term "safe country". It is no longer called a safe country, but amounts to the same thing. It is a slight improvement, as the Member for Spadina (Mr. Heap) pointed out, but it is still part of a preliminary process of selecting refugees before they get a full hearing on their application for refugee status.

The Bill as reported from the committee now states in Section 48.01(1):

> A person who claims to be a Convention refugee is not eligible to have the claim determined by the Refugee Division if
>
> (b) the claimant came to Canada from a country—that has been prescribed as a country that complies with Article 33 of the Convention—

Several Members have pointed out that this wording is still vague. The Parliamentary Secretary seems to believe that it is satisfactory and will ensure that all legitimate applicants for refugee status will get through and have a full hearing. However, some people have suggested that such countries as Chile may be considered to be a country complying with Article 33 of the Convention. There could be others. There is no absolute process for ensuring the safety of people who would be returned to these countries.

The Liberal Party stands for universal access to a fair, efficient, effective method for determining refugee status, that is open to all those who feel they are refugees. Send them back if they are found to be phoney refugees after they go through that process, but it is unacceptable to have a preliminary process to weed out people before they have a full and fair hearing. That is why we have made this amendment. That is why we will persist in opposing this Bill as long as those provisions are in it.

• (1540)

The Plaut Commission was before the Government, I believe in late 1984 or early 1985. It goes back at least two years. Yet it took the Government until May 5 of this year to table this Bill. Even then, although the Government controls the business of the House, it did not put it forward for debate until a few days before the summer adjournment. Then it recalled us in the middle of summer to deal with the Bill because there was a so-called crisis on our shores. The Government has been derelict all along. Several Members on this side of the House—and I recall rising several times myself—asked the Government to proceed with the recommendations of the standing committee or with the Plaut report, but no action was taken month after month. Finally the Government produced the Bill and it did not even bother calling the Bill for debate.

On the basis of the landing of, I believe, 157 people on the shores of this country, the Government declared it a critical emergency and rush us all back to deal with this Bill and with Bill C-84, which we dealt with last week, because the matter had to be dealt with in an urgent way. But the Government had ignored the recommendations of the committee and the Plaut Commission over several years.

The Hon. Member for Mount Royal (Mrs. Finestone) referred to some of the statistics. However, the numbers of refugees and immigrants coming to our shores in recent years are not large compared to those who came in past years. During the Hungarian revolution we had over 50,000 refugees, who have all now settled in this country and are making a grand contribution to it. Because of the situation in Czechoslovakia, in Uganda, and because of the Vietnam situation when the boat people arrived, a great many more people have come to this country, and those people have settled in and integrated into our society and, on the whole, are contributing very well. Of course, in all groups of people there are some who will perhaps break the law. However, they are a very small percentage of those who have come. These people who are the target of this Bill are no different from those who came in the past and were accepted by this country.

The subject was brought home to me this summer when I travelled to Israel and visited the Holocaust memorial. During my visit I learned again with great emphasis how several countries in the 1930s turned back boats of immigrants fleeing from Nazi Germany. These people were seeking refugee status to come to safe countries, but they were turned back. Of course, we learned after the war that many of those people were sent to the ovens and were annihilated.

Let us not put in place measures which could lead to the same situation. Let us make sure that this country, which won awards for its humanitarian refugee policies, allows those who apply for refugee status because they are fleeing from countries where there is political, religious and racial persecution at least to have a chance to demonstrate their case fully. If they cannot demonstrate their case, we can send them back, but at least we should give them a chance for a full and fair hearing.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 11 standing in the name of the Hon. Member for York West (Mr. Marchi). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): Pursuant to the suggestion made by the Hon. Member for Windsor West (Mr. Gray) this morning, shall the Chair conclude that the recorded division shall be deferred?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): The next question is on Motion No. 13 standing in the name of the Hon. Member for Spadina (Mr. Heap).

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

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): Shall the recorded division be deferred?

Some Hon. Members: Agreed.

The Acting Speaker (Mrs. Champagne): As the Chair cannot presume the outcome of the deferred division on Motion No. 13, the question, of course, cannot be put at this time on Motion No. 14.

The Chair has examined a suggestion made earlier by the Hon. Member for Calgary West (Mr. Hawkes) with regard to Motion No. 65 standing in his name on the Notice Paper. Since the Hon. Member wishes not to proceed any further with Motion No. 65, it will, therefore, be dropped. Therefore, Motion No. 67 standing in the name of the Hon. Member for York West (Mr. Marchi) will be debated and voted on separately.

The next grouping of motions for debate will be Motions Nos. 27, 29 and 34.

PROCEEDINGS ON ADJOURNMENT MOTION

[*Translation*]

SUBJECT MATTER OF QUESTIONS TO BE DEBATED

The Acting Speaker (Mrs. Champagne): It is my duty, pursuant to Standing Order 66, to inform the House that the questions to be raised tonight at the time of adjournment are as follows: the Hon. Member for York East (Mr. Redway)—Employment—Job creation in Toronto area; the Hon. Member for Burnaby (Mr. Robinson)—Canadian Security Intelligence Service—Indian Cabinet Minister—Knowledge of presence in Canada. Request for parliamentary inquiry; the Hon. Member for Ottawa—Vanier (Mr. Gauthier)—Official languages—Right to use official language of one's choice. Right to use official language everywhere in Canada—Opportunity to put pressure on Albertans.

GOVERNMENT ORDERS

[*English*]

IMMIGRATION ACT, 1976

MEASURE TO AMEND

The House resumed consideration of Bill C-55, an Act to amend the Immigration Act, 1976 and to amend other Acts in consequence thereof, as reported (with amendments) from a legislative committee.

The Acting Speaker (Mrs. Champagne): We will now proceed with the next grouping.

Mr. Dan Heap (Spadina) moved:

Motion No. 27

That Bill C-55, be amended in Clause 14 by striking out lines 12 to 17 at page 15.

Motion No. 29

That Bill C-55, be amended in Clause 14 by striking out lines 36 to 50 at page 15.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie) moved:

Motion No. 34

That Bill C-55, be amended in Clause 14 by striking out lines 15 to 19 at page 16.

[*English*]

Mr. Heap: Madam Speaker, we have three motions here, Motions Nos. 27, 29 and 34, which have been grouped by the Speaker for debate. I wish to mention briefly what they are and then comment. In Motion No. 27 we call for deleting paragraphs on page 15 which were introduced by the Government during the last couple of days of the committee meeting. The first paragraph is actually a little ambiguous. It is the second two paragraphs I am moving to delete.

The first paragraph says that a claimant who is in the country solely for the purpose of joining a connecting flight to Canada shall not be considered as coming to Canada from that country. There is no logical objection to that clause but there is a hook in it, as I found after having more time to consider it. However, I shall not be opposing that clause because, taken in isolation, it seems useful and fair. The trouble is that we will not be able to take it in isolation, not with what is going on at Pearson Airport and the immigration proceedings there. It is subparagraph (b) that I propose to delete. It states:

> (b) a claimant who comes to Canada from a country shall be considered as coming to Canada from that country whether or not the person was lawfully in that country.

• (1550)

Paragraph (4) states:

> (4) For the purposes of paragraph (1)(b), where a person who has come to Canada in a vehicle seeks to come into Canada without a valid and subsisting passport or travel document issued to that person and claims to be a Convention refugee, the burden of proving that the person has not come to Canada from the country in which the vehicle last embarked passengers rests on that person.

What I am concerned about in the paragraphs that I have read is a person who has escaped from El Salvador from the death squads and the bombing of civilian villages by the air force that the American Government supplies, pays, arms and directs, and that person has escaped into the United States where it is possible, of course, sometimes to hide among the

lower-paid and usually not quite white-skinned population. However, the American Government has tightened up its laws and is chasing those people out. It has deported many thousands of them back to El Salvador where some have already been killed. Thus some of them try to come to Canada.

The Minister is busy trying to prevent them from coming to Canada. He does that in this way. First, he does so with the regulations which were brought in in February and, second, with this legislation. So when the Minister states, "a claimant who comes to Canada—shall be considered as coming to Canada from that country whether or not the person was lawfully in that country", he means that if the person was hiding in the United States he will be considered as coming from the United States. This is so regardless of the fact that the United States was not willing to give him any protection, did not know he was there and most likely would not have given him protection if it did know. That country now deports 98 per cent of the Salvadorans who claim refugee status. However, we will treat him as though he had been coming to Canada from the United States for the purpose of sending him back to the United States. That is the meaning of that clause.

The next clause in the Bill is similar. If he comes on a bus from the United States but says that he came across the United States as fast as he could from Mexico or Central America, then we will say, "Prove that you did not come to Canada from the United States". Of course, he will not be able to do that. In other words, he will be treated as if he came to Canada from the United States. We have never had a straight answer from the Government as to whether it will return Salvadorans to the United States under its present practices. The Government hints that it might not do that, but there has been no firm assurance that it will not do it. Those two paragraphs are judiciously worded so as not to make very plain what it is the Government is doing. But that will be the effect of them.

The first paragraph turns out to be not as good as appeared at first. Part of my reason for saying that is simply that it means that anyone who stayed in the country any longer than just to join a connecting flight to Canada by implication may be considered to have been living there in the sense that that is a safe country and he has protection. We would have a right to send him back there because we do not want to be bothered with him here. That is a fully valid possible interpretation of subparagraph (a).

It is reinforced by the information and the instructions that are being given to the immigration staff at Pearson Airport, and perhaps at other points in Canada. They are required to fill out a form with information from each refugee claimant arriving. They are asked what countries they have been to, and so on and so forth. The sixth question asks this question. "Did the claimant seek or receive the protection of any of the above countries?" At this point he will have already mentioned that he has been in this country and that country. He is then asked, "Okay, did you receive protection there?" The responses are yes, no, or unknown. There are four classes of answer as to what kind of protection they received. The first is refugee claim pending, which means that he made a claim and has not had an answer. The second is refugee claim rejected, which simply means that he made a claim but was turned down. The third is refugee claim accepted, which is obvious. He was accepted there but is leaving. The fourth is *de facto* protection. Therein lies the trap. It is a trap, and a very well planned one at that, by the same people who planned this legislation. They have issued instructions to staff in this regard. One of the instructions is printed on a mimeographed sheet distributed to the staff. It pertains to a section called "Third Countries—Protection", and refers to the question numbered 6 to which I referred. The document states:

> 6. Protection is defined as either the granting of de facto asylum or formal refugee status, whereby the claimant is not in danger of involuntary return to a country in which he or she has a well-founded fear of persecution.

If in effect he can be considered to have been allowed to be there, even though he was not officially and formally granted protection, then we will say that he has *de facto* protection. This is the Government's plan.

The final stage of it is contained in a copy that was made of a handwritten instruction in the immigration office at Pearson Airport. It is a handwritten instruction added to the mimeographed instructions. The handwritten instruction states, "deemed *de facto* protection if person admitted as visitor legally transiting *en route* even without visa through any country *en route*". So if he is legally transiting *en route*, he can be classified as having *de facto* protection. If he is classified as having *de facto* protection, then it is clear that the intent of the administration under this Government is to send him back there.

All we get a chance to debate in Parliament is the legislation. We do not get a chance to debate the regulations.

Mr. Friesen: Yes, you do.

Mr. Heap: We do not get a chance to debate the instructions that are written with respect to interpreting regulations.

The Parliamentary Secretary says that we do get a chance to debate the regulations. He may be referring to the fact that if the committee is willing to meet to look at the regulations within the 30 days while they are Gazetted, then we get a chance to debate them in committee. That is not in Parliament. The fact is that these instructions to interpret the regulations are normally not even available to our eyes. But when somebody fortunately makes them available, we understand the weasely way that this law is intended to be used by those who framed it, that is to say, the task force on refugee determination that drafted the law steered it through Parliament and through committee with very selectively incomplete information to the opposition Parties.

[*Translation*]

Mr. Fernand Jourdenais (La Prairie): Madam Speaker, fair, fast and efficient are three words which scare me when I

look at Bill C-55. Fair, I doubt; fast, yes, everybody will be turned back at our borders; efficient, a moot point about which I still entertain some doubts. I have been asking myself this question for three months: Do we accept, do we want to accept refugees, yes or no? Do we still want to be party to the Geneva convention, yes or no? If so let us change the system, let us switch to a faster, more effective and better system, but definitely not Bill C-55.

Of course, when I rise in the House to debate Bill C-55 I feel vibrations in the House, and I would hope no one is trying to influence me with these vibrations to make me change what I intend to say. I introduced amendments to this Bill. Had the decision been left to me alone, I would have scrapped Bill C-55. Had I been selected to sit on the legislative committee I would have worked very hard to change it, set it aside, have it reconsidered by the committee of the House. But we do have this Bill before us and we simply must amend it to make it fair, fast and efficient. I said last week, last Friday, that Bill C-55 now under study does not reflect the ideas expressed in the fifth report of the Standing Committee on Labour, Employment and Immigration. Above all I did not say it did not faithfully reflect the report, but that roughly 80 per cent of the ideas or suggestions expressed in the fifth report are not included in the Bill. For openers, the fifth report of the committee of the House does not say anything about a pre-screening test. In addition, Section 45 prohibits the claimant from requesting refugee status at any time during his hearing before the adjudicator.

As I recall, it had also been suggested that a new division to be called the Refugee Division be created. Bill C-55 does this, but we have still kept a representative of the immigration services, an adjudicator who would have to rule before the claimant can present his arguments and explain why he claims refugee status. This claimant, who will probably be very nervous and afraid of being deported quickly or imprisoned, could forget to mention that he is claiming refugee status. If he does, after the investigation, he will no longer have the right to come back and say: Yes, I wish to claim refugee status, but for whatever reason, be it nervousness, fear or apprehension, I did not do so at the time of the hearing.

As I recall, the Fifth Report of the Committee suggested that there be two levels of selection. Last Friday, the former Chairman of the Committee on Labour, Employment and Immigration, the Hon. Member for Calgary West (Mr. Hawkes), who, I am sure, knows this report by heart, accused me of making erroneous statements. As he is very familiar with this report, I am certain, or at least I hope so, that when the Hon. Member said that the Hon. Member for La Prairie (Mr. Jourdenais) had made erroneous statements, he probably meant that I had simply omitted to say that Bill C-55 included at least 20 per cent to 25 per cent of the recommendations contained in the Fifth Report of the Committee. The report also recommended universal access, which is not included in Bill C-55. Any claimant can present his case individually in person and will not be judged by an adjudicator, as I said earlier, but by a member of the new Refugee Division.

• (1600)

[*English*]

Bill C-55 was intended to be fair, fast, just, and efficient.

[*Translation*]

"Efficient" is a very big word. Those who believe that this is possible are not living in the real world. This is indicated by the fact that there are 77 amendments at the third reading stage.

I am sorry, but I do not recall the term for the stage before third reading. There are 77 amendment motions, and over 300 non-profit organizations dealing directly or indirectly with refugees have indicated that they disagree completely with this Bill. Could they all be incompetents, Madam Speaker?

Many say that it is unconstitutional and I cannot help wondering and thinking especially when I know that the Canadian Bar Association says the same thing. And in spite of that, we continue to want to enact this Bill.

[*English*]

As you know, Madam Speaker, in my riding of La Prairie I was democratically elected. As a matter of fact, I was elected twice during the same election. It is a long story, and I do not wish to take the time that I have on debate to explain that to Members. Any time after the debate anyone may come and ask. I wish to tell my colleagues that I was elected to represent the people of Canada, of Quebec, and of my riding, and to take different positions following my conscience. That is the reason I am presently speaking.

In my riding there are more than 40 different nationalities. One-third of the population is non-French or English speaking. There are Greeks, Italians, Poles, Indian, Chinese, Egyptian, Vietnamese, and many more.

In my riding, I have never heard anyone who is Canadian-born say that those refugees in my riding are terrorists or not good for Canadian society.

I really enjoy people from the different cultures. Two weeks ago, without flying anywhere, I attended two different weddings. One was Indian and one was Chinese. How great it is to live in a riding where there are so many different cultures and heritages! It is good to learn from them and to speak to them, except when they talk about Bill C-55. Many of those people are refugees themselves, and they are afraid that some members of their family will not be able to join them, that because they ran away from their countries they will not be accepted here because there is no longer universal access.

Madam Speaker, has my time expired? I see that you are impatient.

Motion No. 34 is very simple. We must delete the text because it states that whoever will judge the refugee present

before him should take an example of people who were previously refused. I think you call it—

[*Translation*]

In legal parlance, this means that the ruling would have to be based on the precedents.

I believe that Section 34 should be completely eliminated.

The Acting Speaker (Mrs. Champagne): Before recognizing someone else, I simply want to say to the Hon. Member for La Prairie (Mr. Jourdenais) that I was not showing any impatience, but that I simply wanted to indicate to him that he had only 30 seconds left and that his allotted time was nearly expired.

[*English*]

Mr. Jim Manly (Cowichan—Malahat—The Islands): Madam Speaker, I am pleased to be able to speak briefly on Motion No. 29 which would delete the last few lines on page 15.

It is very important that we understand the process that is taking place here. We are attempting to take a bad Bill and perhaps make it less bad. It is a slow and painful process because Members on the government side are refusing to accept any positive change suggested at this report stage.

I was impressed when I heard the speech of the Hon. Member for La Prairie (Mr. Jourdenais). In the last two years the Hon. Member has spent a great deal of time looking at this subject. As a result of having spent that time, he has reached certain convictions and ideas that he feels are absolutely essential to the process. Yet the Government absolutely refuses to pay attention to the types of things recommended by the Hon. Member and the committee which he chaired.

• (1610)

I know that the Hon. Member is not alone in the Conservative caucus and that there are other people who think as he does. I just wish that there were other Members who had the gumption to get up and speak as he does; then perhaps we would see some real change and movement on this particular Bill.

We are concerned with the fact that this clause allows the Government to say that a claimant who comes to Canada from another country shall be considered as coming to Canada from that country, whether or not the person was lawfully in that country.

This means that the Government can return somebody to a third country as being a safe third country, even if the person has no right to stay in that country. What a travesty that is for a refugee policy!

A few weeks ago I spoke with an American worker who works with refugees in that country. She said that in the area where she worked a great many families were involved in giving some refuge or some sanctuary to people from Central America who did not have legal standing in the United States. The United States is very restrictive in terms of the kinds of people to whom it will give refugee status. If one comes from El Salvador, for example, one can forget it. She is working with a number of American families who are involved in providing sanctuary, yet changes in American law introduced in the last few months impose very severe penalties upon anybody who has someone living in his home or who gives work to someone who does not have legal status in the United States.

These people had a natural desire to come to Canada, and this refugee worker was helping some of them do so. Canada's refugee policy should be open to them, at least to give them a hearing. Many of them, not all of them, were genuine refugees. As all Hon. Members acknowledge, we need to eliminate the abuses and to speed up the process. We agree with that, but we must have an open system so that genuine refugees can come here and get a hearing.

With the law as we see it today, we are saying that we will return such people to countries like the United States even if they have absolutely no standing in the United States, even if they are not legally allowed to remain in the United States. However, we claim that by doing that we are complying with international covenants. That is a sham.

Canadians who are genuinely concerned about the refugee policy can only be ashamed that the Government is taking such action. On that basis, I simply appeal again to government Members to consider the example of the Hon. Member for La Prairie, to consider the rather silent voices of other Conservative Members who have very serious reservations about this legislation, and to support this amendment. At least let us try to make a bad Bill a little less bad.

Mr. Jim Hawkes (Calgary West): Madam Speaker, I should like to deal with two or three issues raised in the debate and then with the motions.

The Hon. Member for Spadina (Mr. Heap) read from a handwritten note—I think that was the characterization of it—from the Department. Maybe it is time in this country that the attempt, for example, to take handwritten notes from one union member to another union member and characterize them as government policy was exposed by members of the Press Gallery. Surely, with 27,000 employees in a Department, the Minister cannot be held accountable for a handwritten note which goes from one employee to another. To bring it up in this Chamber in that fashion is a bit of sophistry, and I think it should be laid bare for what it is. It simply cannot go on.

When unions choose to join a particular Party and, internal to their functioning on the job, to write each other notes, the Government cannot and should not be held accountable by this Chamber or by the press of the country.

I come to the Hon. Member for La Prairie (Mr. Jourdenais). In my intervention last week I indicated that I thought upon further examination that he might not want to

continue to reinforce some of the statements he made during his intervention on Friday. I see that I was mistaken. He brought to our attention today his deeply held conviction that the fifth report of the standing committee is not incorporated in Bill C-55.

I went over it again on the weekend and find in it time after time after time recommendations of the committee, or in some cases Rabbi Plaut's recommendations, over those of the committee. Bill C-55 is built upon the Plaut report and the committee's report.

For people to stand up in this House and say that anybody in need of protection will not have access to this system, is either to try to deceive Canadian people or to demonstrate that they have not read the Bill. It is either a deliberate attempt to deceive or to show that they have not read the Bill.

An inquiry starts with the need to determine whether or not persons are admissible to Canada. If their desire to be admitted to this country is on the basis that they are Convention refugees, they say it; that is the reason; they have counsel; and the hearing must be adjourned until the refugee board is brought into the hearing. That is universal access. Anybody who claims to be a Convention refugee has his or her case dealt with by a refugee board member.

There are conditions of eligibility. If the Hon. Member from the New Democratic Party who just spoke had been in committee and had heard the witnesses whom the committee brought from New York to tell us about world-wide conditions and American conditions, he would have seen the piece of paper, which is an exhibit before the committee, that laid out the legal situation for anybody in the United States of America whom the Government of that country was trying to send back to his or her country of origin.

Those of us on the committee who are familiar with the current Canadian condition reached the conclusion that the American condition might even be more complex, longer lasting, with more loopholes for a clever lawyer to exploit. It is not an easy thing to remove somebody from the United States of America.

They have had a Charter of Rights for a lot longer than this country has had, embedded in their Constitution. They have legal processes. They are at least of the kind of quality which exists in our mosaic. Their Charter requires it, their system of government requires it, and people have it.

To stand in this Chamber time after time and say that the only country in the world which gives these rights, these protections, these legal safeguards, to refugee claimants is Canada is nonsense. People should spend a little more time at organizations like the United Nations to see what other countries do—to see what Scandinavian countries do and to see what France does.

France is viewed world-wide as a country with, in many ways, the best protection for refugees. It takes people whom I am sure this Parliament and this country would not want. They took Duvalier from Haiti. I am sure there would have been quite an outcry in this Chamber and this country if we had tried to bring Duvalier here.

The Hon. Member for La Prairie seemed to be bothered by my remarks the other day. He and I were in discord in the month of May. I was in discord with members of the committee about some things on which I felt I was right and on which committee members were wrong. Committee members voted to uphold the point of view expressed by the Hon. Member for La Prairie, and I resigned the chairmanship of the committee so that I could speak in this Chamber as an individual on things that I believe in.

• (1620)

I believe the Member from La Prairie inside and outside of the Chamber comes dangerously close to expressing his personal opinions as if they were the opinions of the committee. I think a careful examination of the opinions of committee members would reveal that they are not, that, in the majority, members on the standing committee are clearly supportive of Bill C-55 because it is designed to get the job done.

We are dealing with Motions No. 27, 29 and 34. Motion No. 27 suggested by the Hon. Member for Spadina would create the following situation if Members were to approve it. No departure notice or removal order can be issued in this country without a refugee board member and an adjudicator. The removal of that clause would encourage everybody who had been given a deportation order to disappear for a few hours, days or weeks. In other words, do not obey the removal order. All of a sudden a person would have the right of re-entry into the refugee system. Is that what we want? These people would have been through an inquiry and an actual determination hearing if there was credibility to their claims. Simply by disappearing upon the issuance of a removal order a person would have the right of re-entry. That is what Motion No. 27 is all about. I suggest that we should defeat it and defeat it resoundingly.

Let us go now to Motion No. 29. There is a slight practical problem with the suggestion that we eliminate the words which the Member requests. Actually quite a few lines are involved. Thirty-seven million visitors come into this country annually. In the absence of these words we would be saying to our civil servants, when people destroy all their documentation, papers, airline tickets and everything else, that they, the civil servants, will have an obligation to prove where the people came from. The situation is absurd. People do not come without tickets, and to prove where they came from they simply have to submit their ticket. If people choose to destroy their tickets, are these the refugees about whom we are concerned or are they bogus claimants, people who are trying to abuse our generosity? The words must stay as they are. We cannot transfer the obligation to trace the history of 37 million visitors a year to a few civil servants at border points.

Now we come to Motion No. 34 suggested by the Hon. Member for La Prairie. That motion lays an obligation on the Crown, the adjudicator and a refugee board member to make sure that entered into the record before making a decision on credibility are the facts of the refugee board's hearings. If we find that 10 per cent of the people who make a claim from a certain country are refugees or 80 per cent, 2 per cent or 90 per cent, that percentage must be entered on the record before a decision is made, and one must conclude that the requirement to put that on the record is in the interest of the true refugees. We have had close to 8,000 claimants from three countries which do not produce refugees, 3,500 from Portugal. That fact should be on the record to deter abuse. We do have refugees from Guatemala, El Salvador and Afghanistan. That factor should be on the record to protect the legitimate refugees and to make sure that their claims go forward to a full oral hearing.

The presentation of that evidence lies at the heart of the ability of the adjudicator and the refugee board member to discriminate between those who might be refugees and those who clearly abuse the system. The thrust of the amendments with which we have dealt up to this point are to provide bonuses to abusers. Nothing that has been suggested has very much to do with the protection of legitimate refugees. It enables people to abuse the system better over a long period of time. I recommend that the House vote against all three amendments.

Mr. Don Boudria (Glengarry—Prescott—Russell): Madam Speaker, I had the pleasure of listening to the remarks made by the Hon. Member for Calgary West (Mr. Hawkes) which provoked me not only to speak at this point but also to research just what the Member had contributed in the past toward committee reports and other such reports on issues involving refugees. I came across Issue No. 46 of the Standing Committee on Labour, Employment and Immigration, minutes and proceedings of evidence before the standing committee, and I have here the fifth report which is included in that document in which there are four recommendations.

It is my duty to bring to your attention, Madam Speaker, that the Hon. Member for Calgary West just happened to be the Chairman of the committee at that time. Today we hear the harsh criticism by that member on the beliefs of the Hon. Member for La Prairie (Mr. Jourdenais), who just happened to take away the job of chairman of the committee from the Member for Calgary West. I am sure though that that has nothing to do with the criticism we are hearing today. Having said that it has nothing to do with it—and you would not want me to suspect otherwise, I never would in any case being the non-partisan individual that I am—I want to put on the record some of the recommendations from the fifth report of the standing committee. First:

> 1. It is the Committee's strongly-held conviction that Canadians do not want people sent back to countries where they may be persecuted.

Remember who was chairing that committee, Madam Speaker. It was the Member for Calgary West. As far as I can see, that was a unanimous report. The Member for Calgary West certainly did not vote against that recommendation. Let me come to recommendation No. 2 which reads:

> 2. Every person in Canada who wishes to claim that he or she is a Convention refugee should have an unqualified—

Note the word "unqualified".

> —right of access to a formal process that will adjudicate the claim.

It goes on:

> 3. All Convention refugee claimants should have their case decided at a non-adversarial oral hearing.
>
> 4. The decision-maker in the formal process shall have the power, in addition to declaring an individual to be a Convention refugee, to recommend to the Minister that specific individuals who are not within the strict definition of Convention refugee, nevertheless should be considered for landing on compassionate and humanitarian grounds.

Obviously the Member for La Prairie was inspired by the excellent chairmanship provided at the time the fifth report was tabled in this House. As a matter of fact, I would say the Member for Calgary West was the mentor of the Member for La Prairie, who brought these excellent recommendations to us today by way of his amendment.

But what has happened to change the heart and mind of the Member for Calgary West, who himself had such excellent views in the past as we see reflected today in the motion of the junior Member of the House, the new Member for La Prairie, who listened attentively to his former Chairman and learned all those things so well, so well that he brought them to the attention of this House by way of a recommendation? I wonder about that. However, I believe that it has nothing to do with the fact that the Hon. Member for La Prairie took away the job of the Hon. Member for Calgary West when he took over as Chairman. I would never suspect that. Far be it from me to even suggest something like that. I know that the Hon. Member for La Prairie's name was taken in vain today on several occasions by the Hon. Member for Calgary West, obviously for reasons other than the unlikely one I have suggested.

• (1630)

I want to congratulate the Hon. Member for Calgary West for the views he held when this report was tabled in the House some time ago. I cannot help but wonder what caused him to change his mind and his convictions.

I am glad that someone still believes those strongly held views formerly held by the Hon. Member for Calgary West. That person is the Hon. Member for La Prairie who was inspired by the positive views the Hon. Member for Calgary West held in the past. I hope that some day, the Hon. Member for Calgary West, under the excellent chairmanship of the Hon. Member for La Prairie, can once again relearn what he knew so well from the person to whom he taught it in the first place.

Mr. Sergio Marchi (York West): Madam Speaker, it is always difficult to follow a speaker of such eloquence as is the Hon. Member for Glengarry—Prescott—Russell (Mr. Boudria), but I will try nonetheless.

I would like to direct my attention to two motions, Motion No. 29 presented by the Hon. Member for Spadina (Mr. Heap) and Motion No. 34 presented by the Hon. Member for La Prairie (Mr. Jourdenais), who is the Chairman of the Standing Committee on Labour, Employment and Immigration. Both motions are very important. They deal with the very concern we all have about Bill C-55.

Motion No. 29 proposes to delete a paragraph that would suggest that a claimant who comes to Canada from a country shall be considered as coming to Canada from that country whether or not the person was lawfully in that country. That paragraph is used to define who cannot be considered for a claim under the refugee board and to define what a safe country means.

It is a very crucial paragraph because, essentially, it says that if a person comes from a country that supports and respects Article 33 of the Convention, the *non-refoulement* article, then for the purposes of this Bill, even though that person may not have enjoyed any kind of status while coming through that safe country, he will nonetheless be deemed to have resided in that country. That will formulate the basis for calling that country a safe country.

Unless we delete that paragraph, Canada and Parliament will be condoning the sending of individuals into orbit. We would not be taking our responsibilities seriously. Rather than ensuring that an individual would not go to a country where he could face persecution, we would be sending him to such a country if that person did not enjoy status in the country to which we returned him. That country will obviously not respect any claims made by an individual who does not have status and could as well send that person into orbit.

That paragraph undermines one of the two commitments we made under the Geneva Convention. First we are committed to seeking individuals from refugee camps in order to allow them to resettle. The second commitment is not to send back to a country a person who may eventually face persecution in that country.

Either the Government supports its commitments under the Geneva Convention or it does not. If it does not support them, let the Government say so loudly and clearly. Let it use the front door rather than some clauses hidden in the bosom of Bill C-55 to undermine the very Convention we signed in the 1950s.

A country does not show leadership when it tolerates and promotes the sending of individuals into orbit and the passing of the buck to another country. An officer at the border may ask a person from which country he came last, and if the person says he came from the United States, without batting an eyelash, the officer will send him back to the United States. This will occur without even determining whether or not it is safe for an El Salvadoran to go back to the United States, given the number of refugee claimants who get deported from the United States back to that Central American country.

If the Government wishes to implement a safe country concept, then let it determine what "safe country" means. Let us have guarantees with those countries, as the Minister of State for Immigration (Mr. Weiner) mentioned repeatedly in the House during Question Period. If we are not prepared to determine what "safe" means, then I do not think we should legislate a safe country concept.

Motion No. 34 presented by the Hon. Member for La Prairie is also significant. The motion proposes to delete the paragraph which reads as follows:

> (b) the disposition under this Act or the regulations of claims to be Convention refugees made by other persons who alleged fear of persecution in that country,

That paragraph will allow officers to make a determination based on the experiences of other individuals from the same country. Again, that is a complete shift from looking at individual circumstances in favour of looking at generalities. I do not know what other piece of legislation operates in that way.

Disability claims and workers' compensation claims do not generalize based upon the class of worker or the community from which an individual comes. There is no suggestion that if a person is of Italian background and lives West of Yonge Street, we can generalize about what kind of claim he will present. There is no suggestion that if an individual comes from a certain cultural background, he will have a certain bias toward one thing or another because seven out of 10 previous cases told us that. We do not judge an individual's claim, whether it be for workers' compensation or disability benefits, on the collective claims from particular communities, so why should we do it in this legislation?

No one is suggesting that we are in favour of illegitimate claims. We are all in favour of deterring those who want to run around our regulations, but it would be highly discriminatory to give authority and powers to two officers to make a judgment on an individual claim based on someone else's story. If an individual from Uganda once made a frivolous claim and then another Ugandan came to make a refugee claim, why should his claim be marred by the previous one simply because both claimants came from the same country? I think it is very dangerous to have in the heart of our legislation a paragraph providing that previous claims can somehow affect the outcome of an individual's claim. That is not the basis of the Geneva Convention. The Geneva Convention is clearly founded on the merits of individual circumstances. That is why we will have a refugee board. If we planned to allow collective accounts to determine individual claims, we would have no need for a refugee board.

• (1640)

I suggest it would be very prudent for us to pay close attention to these three amendments, particularly Motions Nos. 29 and 34 which speak to the commitment which we have as a nation to the Geneva Convention. I do not think we would be very well advised to move away from those commitments and support the orbiting of individuals as though they were pinballs in a pinball machine. No one wants to go through life that way. No one appreciates being bandied about, unable to find a home.

As a privileged society we have a responsibility to ensure that these people do not become the pinballs of the international community. If we play pinball with refugees, the problem will not go away. We will not make life easier in our country for coming generations. The problem is an international one and the solution, therefore, is also an international one. If we play pinball with refugees, in the year 2000 the Member of Parliament for York West will still be dealing with this unsolved problem.

Let us take this opportunity, keep in mind the international commitment under the Geneva Convention, and do what ought to be done. Let us give leadership to other countries. Let us not send the message to other countries that Canada has enacted Bill C-55, thereby giving them cause to say that if Canada did it they can do it. If they do it as well, we will have an international corridor of locked doors, all sending refugees to the next door down the hall where they will receive the very same response. At the end of the corridor will be one hell of a frustrated and desperate human being who will resort to anything to save his or her life and who will give more business to the immoral immigration consultants who wish to reap immoral profits from human desperation.

Let us hold our heads up high. If the Government wants to break the Geneva Convention, let it do so in a courageous way rather than through the back door.

Mr. Steven W. Langdon (Essex—Windsor): Madam Speaker, it has been a long time since I have had a sense of uncertainty and unhappiness in speaking in the House of Commons. I still cannot believe that the Government is going to do what it intends to do. Over the past three years I have come to know that the members of the Government are, for the most part, honourable Members of this House committed to thinking issues through and considering them with rationality.

I cannot believe that those same Members are pushing through the House of Commons a major and fundamental change in the way in which our country will treat some of the poorest and most unfortunate people in the world. They are pushing it through with no deference to the many people who would have liked to have made contributions to the committee discussions but were told that these measures had to be rushed through because we were dealing with a national emergency brought upon us by 174 Sikhs.

There will be a reckoning in the country for what the Government is doing. That can be foreseen in the words of the woman from Nova Scotia quoted in the *Globe and Mail* this morning who said that they decided that they would make peanut butter sandwiches and try to act like human beings. That is what the House of Commons, in one of the most fortunate, richest, and largest country in the world, should be doing. We should be looking at the desperate plight of people throughout the world. Instead of trying to create a very difficult system for refugees to penetrate, we should be looking at the circumstances which face people throughout this world and exercising charity, humanity and openness.

I can tell Members of this House about things I have seen in this world. I have seen refugee camps in Somalia where people are forced to eke out a bare subsistence for families far larger than the average family in this country on an acre and a half of land. I could talk about the plains of Nepal where people have been forced onto the most difficult agricultural lands imaginable to try to provide for themselves the barest necessities. I could talk of people throughout the countries of western Africa who live in a claustrophobic closeness which makes it almost impossible for them to get the barest of necessities. I could talk about people in the Kisumu area of Kenya where the average land holding of a family of 20 is two to three hectares. It is no wonder that throughout the world people are trying to better their lives, just as my ancestors tried to find a part of the world for themselves where they could see a future rather than nothing but desperation.

• (1650)

One could talk about Ethiopia and Namibia and what has been created there by government oppression. One could talk about the devastation created by South Africans in southern Angola.

The point is that ours is a country of tremendous opportunity and potential. We should be welcoming many of the people in the world who are facing the kind of desperation which we can barely imagine. It is the kind of desperation which we saw in Ethiopia and which made my constituents weep and help to send boatloads of grain to those refugees. The spirit of this country is not reflected by the miserly, Scrooge-like attitude brought to the House by the Government.

Rather, one sees in this country a tremendous generosity of spirit in the ordinary person. It is a generosity of spirit which leads us to give great contributions to development, to missionary efforts and to provision of food whenever there is disaster in any part of the world. That is the real Canada. That is the Canada which the Government has forgotten to the point where it is lost in a fog that leads to this kind of legislation, which proposes tricky, sneaky and nasty ways of keeping people out of this country.

At the very least, these people should have a chance to apply to a refugee determination board. At the very least, those who

have made their way to this country should have a chance for a fair hearing which this country has traditionally offered refugees. Yet the clauses which my colleagues seek to amend do not provide that fairness. I urge the House, at least in these small areas, to show some of that generosity of spirit and sense of fairness which exists among the real people of Canada.

The Acting Speaker (Mrs. Champagne): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 27 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the recorded division on the proposed motion stands deferred.

The Acting Speaker (Mrs. Champagne): The question is on Motion No. 29 standing in the name of the Hon. Member for Spadina (Mr. Heap). Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): All those in favour of the motion please say yea.

Some Hon. Members: Yea.

The Acting Speaker (Mrs. Champagne): All those opposed please say nay.

Some Hon. Members: Nay.

The Acting Speaker (Mrs. Champagne): In my opinion, the nays have it.

And more than five Members having risen:

The Acting Speaker (Mrs. Champagne): Pursuant to Standing Order 114(11), the record division on the proposed motion stands deferred.

[*Translation*]

The question is on Motion No. 34 in the name of the Hon. Member for La Prairie (Mr. Jourdenais). Is it the pleasure of the House to adopt this motion?

Some Hon. Members: Agreed.

Some Hon. Members: No.

The Acting Speaker (Mrs. Champagne): Shall the recorded division be deferred?

Some Hon. Members: Yes.

The Acting Speaker (Mrs. Champagne): Agreed.

[*English*]

The next motion is Motion No. 17.

Hon. Frank Oberle (for Mr. Weiner) moved:

Motion No. 17:

That Bill C-55, be amended in Clause 14

(a) by striking out line 19 at page 14 and substituting the following therefor:

"(b) in the case of a claimant who is the subject of an inquiry caused pursuant to paragraph 23(3)(c), the claimant came to Canada from"

(b) by striking out lines 19 to 24 at page 17 and substituting the following therefor:

"48.03(1) Where a removal order is made against a claimant who has been determined not to be eligible to have a claim determined by the Refugee Division on the basis that the claimant is a person described in paragraph 48.01(b), but"

(c) by striking out lines 19 and 20 at page 20 and substituting the following therefor:

"but for the removal order, eligible to be granted landing."

(d) by striking out line 24 at page 20 in the English version and substituting the following therefor:

"for the removal order,"

(e) by striking out lines 11 to 15 at page 21 and substituting the following therefor:

"reason other than the removal order; or

(e) the person was determined to be, but for the removal order, eligible to be granted landing."

(f) by striking out line 27 at page 21 and substituting the following therefor:

"order, the person is"

(g) by striking out lines 40 to 42 at page 21 and substituting the following therefor:

"adjudicator shall

(a) confirm the order made against that person; or

(b) quash the order made against that person and take the appropriate action under section 32 with respect to that person."

(h) by striking out lines 11 to 17 at page 22 and substituting the following therefor:

"previously made."

Mr. Benno Friesen Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, this motion brings forward several government amendments which are designed to update a number of clauses as a result of the work done in the committee. Some of these amendments are consequential.

In Clause 14(1), this amendment will clarify that the safe third country limitation on eligibility to make a refugee claim is only applicable at the port of entry where, in the original Bill, the adjudicator and refugee board member dealt with the issue of "returnability", they could have quickly concluded that a person already admitted to Canada would not, in all likelihood, be able to return to a country where the person had no ongoing ties of citizenship, nationality, or permanent residence.

Now that the issue is dealt with after the inquiry, we need to avoid the anomaly that those claimants subject to an "inland" inquiry would be ordered removed from Canada, and then would be readmitted into the refugee determination system, because they had originally come to Canada from a country that complies with Article 33 of the Convention, but where that country has no continuing obligation to take them back.

• (1700)

The amendment confirms in law what we all recognize in fact that to return to a "safe" third country is only relevant at the port of entry. The amendment puts the subsection 48.03(1) into a syntax that corresponds to similar provisions elsewhere in the Bill. The amendment also drops a reference to departure notices because the concept of "safe third country" has been limited in law to the port of entry.

Further references to departure notices in Section 48.05 are deleted in amendments to paragraphs (c) and (f). Because the concept of "safe third country" had not been limited in law to the port of entry, it had been necessary to include in Section 48.05 reference to the possible existence of a departure notice. Departure notices can only be issued at "inland" inquiries, and therefore all references to departure notices are being deleted as a consequence of the amendment to paragraph 48.01(1)(b).

Paragraph (g) is a technical amendment that clarifies the role of the adjudicator who determines, at an inquiry reopened for the purposes of Section 48.05, that the Convention refugee cannot be landed and does not have a right, pursuant to Subsection 4(2.1) to remain in Canada.

The adjudicator may confirm the earlier order, or where more serious allegations are raised at the inquiry, the adjudicator may replace an exclusion order with a deportation order. This is likely to be a relatively rare occurrence since only those who pose serious security or criminality risks, who are unwilling to support themselves and their families, or who have medical conditions which pose a danger to Canadians or which impose an excessive demand on Canadian medical and social support facilities, will not be landed. Even those Convention refugees who are ordered removed under this provision are protected against refoulement by subsection 55(1) of the Act.

Since we have clarified that the safe third country concept is only applicable at the port of entry inquiry, there is no longer a need to distinguish between the processes for adding new allegations against the person at the port of entry or inland.

Since the Act requires, at the port of entry, that the adjudicator canvass all potential reasons for inadmissibility, there is no requirement for a direction from the Deputy Minister.

The requirements to inform the person of the new allegation and to provide the person with an opportunity to explain or respond are contained within the principles of natural justice which are always applicable to immigration inquiries.

Mr. Dan Heap (Spadina): Madam Speaker, when I saw this motion on Friday, I read it over several times, looked up the references contained in it as far as I could find them, and tried to understand it. We did hear on Friday about the undesirability of motions being moved at report stage which might have been moved in committee. Presumably this is one to which that might have applied. Fortunately, not only for the Opposition but for the Government, the Speaker did not apply that rule as vigorously as the Minister of State seemed to feel should be done. Therefore this comes in not only after the committee but in report stage.

I studied the amendment to understand what would be the impact and on whom. A few minutes ago, the previous speaker and his colleague, the Hon. Member for Calgary West (Mr. Hawkes), were kind enough to give me some comments as to what the section means, even to show me some of the notes. I decided that I would probably not understand the notes and, having heard the Parliamentary Secretary read them, my opinion is confirmed. I assume the Hon. Member understands what he read, although by the way he read it, I was not convinced. However, I will make the assumption. I think the Hon. Member has confidence in whoever wrote the notes.

Fortunately, I am in a comparable position. I was able to consult last night with a representative of the Canadian Bar Association on this subject. He is recognized as very competent even by persons who disagree. That representative of the Canadian Bar Association said this one is fine, whatever it is doing. He seemed to understand it probably as well as the person who wrote it.

Mr. Friesen: Or read it.

Mr. Heap: If not as well as the person who read it or the person who heard it read.

I will be supporting the motion and recommending that we all support it.

The Acting Speaker (Mr. Redway): Is the House ready for the question?

Some Hon. Members: Question.

The Acting Speaker (Mr. Redway): The question is on Motion No. 17 standing in the name of the Minister of State (Immigration) Mr. Weiner. Is it the pleasure of the House to adopt the motion?

Some Hon. Members: Agreed.

Motion agreed to.

The Acting Speaker (Mrs. Champagne): The next grouping for debate are Motions Nos. 18 and 21.

The first question is on Motion No. 18.

Mr. Sergio Marchi (York West) moved:

Motion No. 18

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

Motion No. 21

That Bill C-55, be amended in Clause 14 by striking out lines 20 to 29 at page 14 and substituting the following therefor:

"a country that the Refugee Division considers to be a safe third country for the claimant and would be admitted to that country, if removed from Canada, or has a right to have the claim determined therein;".

He said: Madam speaker, Motions Nos. 18 and 21 represent an attempt on behalf of our Party to address the second major concern of three. First, we moved amendments unsuccessfully on prescreening. Motion No. 18 would have the effect of deleting "safe country" as a concept and as a fundamental piece of Bill C-55, and it really infringes upon the latitude that the two officers can have at the border crossings.

Motion No. 18 would suggest that the safe country concept be deleted. Motion No. 21 assumes the Government will stick hard and fast to the safe country concept, and, therefore, Motion No. 21 suggests that if the safe third country concept is going to be advocated by the Government, the Refugee Division should be given the responsibility of drafting such a safe country list to ensure that individuals will in fact be guaranteed their safety rather than have the Cabinet charged with the responsibility of drafting such a list.

• (1710)

Of the two motions our Party would obviously support Motion No. 18 which, if accepted, would make Motion No. 21 redundant.

Why is it that the Government wants to implement a safe country concept? Why is it that it wishes to have most of those individual claimants deported or orbited back to what it calls a safe country? Why is it that the Government has not provided a definition of "safe"? Why is it that the Government refuses to answer this question with respect to a Salvadoran who comes from the United States to Canada and is sent back to the United States? Would the United States be a safe country for that Salvadoran given the reality that most of those individuals are deported from the United States because of its foreign policy *vis-à-vis* Central America? Why is it that the Government refuses to answer this question with respect to a Tamil who passes through Great Britain and is returned to Great Britain? Would that Tamil be in danger of his life or would he not? Would Great Britain be deemed to be a safe country?

Why is it that the Government refuses to answer questions with respect to what will happen given internal strife in some countries which are perhaps on our safe country list today and which tomorrow may have a revolution? The next day we may get individuals coming to us from that country. What will happen with those people given the fact that the list will have become out-dated because of the new internal pressures in that so-called safe country?

Those questions were not answered at second reading. Nor were they answered in committee. We are now looking for some of the answers here on the floor of the House of Commons. It seems to me and to a great number of people in the country that the imposition of a safe third country concept is really a nice way of saying that we wish to send our responsibilities off to someone else. It is synonymous with saying, "Let someone else deal with that person. Let some other country try to come to grips with that problem. We do not have the fortitude to do so".

Such a move will have serious repercussions throughout the world. It will have very serious repercussions in terms of our commitment to the Geneva Convention. If we cannot satisfy ourselves in returning a person to another country that we call safe that indeed his physical safety will be protected, then are we not guilty of contravening the Geneva Convention? Are we not guilty of contravening a responsibility we have as a country to try to spend our energy and time to ensure that that person will enjoy either safety or entry into another country's refugee determination system? Instead we have the safe country concept as the centre-piece of Bill C-55.

Every witness who came before the committee on Bill C-55 advocated the removal of the safe country concept. They suggested that we have a responsibility to allow the claimant to make his or her story before a refugee board, that we are not talking about months and years for the claim to be heard and decided upon but rather that the refugee board be the ultimate arbiter of the case. If the refugee board rules against the refugee, then so be it. At least we will have been assured that the process offered the refugee the ultimate opportunity to present his or her case.

But through the safe country concept we would be prejudging. We would be predetermining. We would be sending forth a judgment without having taken the time or the energy to listen to the circumstances of an individual. At the very heart of the refugee determination system are the merits of the individual's circumstances. We cannot base those judgments on the collective circumstances of someone else who came before that person. Nor can we make a predetermination based on the country that that person may have stopped in for a number of hours or a period of days or weeks.

Motion No. 18 is an attempt to do away with sending off the problem to someone else. It is saying, "Let us allow that human being who has a story to be told to appear before the refugee board and allow the board to make its determination rather than hide behind this safe country concept saying that some other countries of the world have already done it, why should we not do it?"

It was Canada which won the Nansen Medal, not other countries. It was Canada that was awarded the Nansen Medal for the first time in the history of the award. It was awarded to a country and to a people rather than to an individual. That says something about Canada. It says that we have been offering leadership to the world until today. If that is the case, then why should we take second-best? Why should we follow the worst instincts or the mediocre instincts of societies rather than improving on our record by offering leadership and inspiration to other countries? If the safe country concept were adopted by other countries which subscribe to the Geneva Convention then we would render that Convention null and void. In the end it is the actions and not the rhetoric that will speak to whether we support as a community the Geneva Convention.

I tell you, Madam Speaker, in all seriousness, that if countries such as Canada, Great Britain and the United States of America were to legislate safe third country concepts, then the Geneva Convention on Refugees will not be worth the paper on which it is printed. It will be but an agreement on paper written in the fifties with no relevance, strength or morality for the eighties. That is the reality.

Let the members of the Government come out from behind the curtains of the safe third country concept and tell us what they are really doing. It is synonymous to making the system more efficient by limiting the number of people within it. It is analogous to a hospital saying that it will become more efficient by limiting the number of patients that it treats. Of course that can be done. If there are fewer patients then there are more beds. If there are fewer patients then they will receive more attention from individual doctors. But in the case of a hospital, if a patient is sick and requires attention there is no way that efficiency can be maximized by excluding the sick from the hospital. Either a bigger hospital is needed or more hospitals are needed. That is how we make the sick healthy. In this system if a person is a legitimate refugee or wishes to make a legitimate case, then let us take our responsibility seriously rather than putting the problem off on someone else.

Motion No. 21 states that if the Government is to have a safe country list then let us have the refugee division formulate that list based on its knowledge and credibility. Let us depoliticize the drafting of such a list. Cabinet will be receiving international and diplomatic pressures from a host of allies and friends to be put on the list regardless of whether or not their human rights record merits such a place on the list.

• (1720)

Therefore, we are saying that if there is to be a safe country list, let the refugee division suggest that list. Let them live according to the standards of those lists. Let them change the list accordingly, rather than having Cabinet in some room on the third floor decide among our friends and allies who should and should not be on that list.

I venture to place a bet with the Speaker of this Chamber that the United States, Great Britain, and many other countries that do not deserve to be on the list for a number of classes of individuals will be on the list if this legislation becomes law.

Mr. Jim Hawkes (Calgary West): Madam Speaker, I wish to respond to the Hon. Member for York West (Mr. Marchi). I think it is a bit presumptuous to say that all of the witnesses were against the safe third country concept. It is especially presumtuous when the Hon. Member attended 10 per cent of the hearings, given the hours we spent in committee, and there was no substitute replacement. It is a lot of reading, and I doubt very much if the Hon. Member has had the time to read the 55 hours' worth of testimony.

Mr. Marchi: That is pretty presumptuous of you.

Mr. Hawkes: It is simply not true that all the witnesses rejected the concept. Certainly, the standing committee's report in November, 1985 went out of its way—

Mr. Marchi: Name names.

Mr. Hawkes: The record has been read in earlier today. The UNHCR is very concerned about the orbiting phenomenon of refugee claimants. There is a certain absurdity to people having claims in two, three, or four countries at the same time. There is a certain absurdity in a person being rejected by a country with high standards, whether or not that person is a refugee, and that person keeping going in a series across approximately 100 countries that are signatories to the Convention.

I hear hollers across the Chamber to name names. The Chairman of RSAC and a professor from York University, were not happy with the drafting. The Mennonite International Committee, Amnesty International, the UNHCR were before the committee. None of them were happy with the original drafting of the concept. The committee listened and probed and brought forward substantial amendments which were adopted in committee. In looking through the motions that we are in the process of debating one will find more. The House just approved Motion No. 17, which further modifies the original drafting of the concept. Intuitively and in a common-sense manner, it is a very important concept which lies at the heart of the Bill.

There are some 12 million plus refugees, and some estimates suggest there are as many as 80 million economic migrants in the world today. The generosity of Canadians has been

recognized by the Nansen Medal. Our spirit of generosity is recognized the world over as being of a very high order.

Who should that generosity go to? I suggest that we owe that spirit of generosity to those who do not have protection. None of us like the concept that someone who is in a camp in West Germany is a refugee claimant. Is a person better off in a West German camp than he or she would be on the Cambodian border, or than they would be in a camp in other countries of the world, or than the three million Afghans in Pakistan? Do Members wish to stand in the House and say that the people with no resources who are in refugee camps in Pakistan are less deserving than people who make their way to West Germany and are in that situation?

It is an inescapable fact that the people who need our protection most are to be found in those border situations and not in West Germany, Denmark, Sweden, or Great Britain. Surely we are part of an international community where we have some faith and some trust in other countries.

There has been no suggestion, except for some amendments proposed by some witnesses, that would have determined a safe third country simply to be a signatory to the Convention. That would include over 100 nations. I would quarrel with that type of amendment. We are talking about a determination by Cabinet that a country that goes on the list will, in practice, fulfil its obligation to *non-refoulement* of refugees in either a direct or an indirect manner, in other words, that it will provide the type of protection that we in Canada provide.

We are attempting to say to people around the world that, if you are in one of those countries and you fit the classification, you should not waste your money on bogus consultants, or board a leaky boat with people who may not have the proper credentials to captain those boats. Do not risk the North Atlantic in winter. There will be no advantage for you in arriving on Canadian shores. Presently you are in a protected situation, see it through.

This nation goes one step further. It says to all of those people in all of those countries that they have a right to approach a Canadian embassy and ask for resettlement in Canada. They will be given special consideration. If their economic needs are such that they have to learn the language and get settled, we do have a sponsorship program. We have an unlimited capacity in this country; the limitation is only put on by the generosity of Canadians. Sponsorships can come from social organizations to bring refugees to Canada from the refugee camps in Europe and in other places. But we tell them to take their place in line, argue their case in that situation that their needs are greater than someone else's.

By putting this provision in our law, essentially we are saying that we will protect the domestic resources to enable them to be used to deal with legitimate people in need of protection. This clause deals with the reality that indeed they have achieved prior protection. They are outside their country of origin and they are in a country whose system we value.

When this concept was originally introduced in the House, I wondered about the wisdom of Cabinet being the final arbitrator of the list. During the 55 hours of testimony I listened to many people, and I came to the conclusion that that was probably the only way it could be done.

We are part of an international community. It is our Government, Cabinet, and Ministers who speak for our nation as they talk to other nations. Members will see in the motions before us that at the heart of the redrafting of the safe third country concept is the stipulation that a person can only be returned to a country they came from that is on the list. If they came from France, they can return to France. If France does not wish to admit them, they can go forward in our system. Where is the tragedy in someone who was safe in France being returned to France? Surely the resources we save with speedy removal back to safe situations for a limited number of people are resources which we can take, use, and redirect to people who need our help. Why should we allow people who do not need our help to get it?

• (1730)

It is a bit like a situation where, because of a crisis, a community is cut off from food supplies and we have extras. If our next door neighbours have more than we have, should they get a share, or should that share go to those who need it, those who do not have it? That is all we are talking about in terms of the safe third country concept. If one already has protection in a very safe situation, I say: "Please stay there and do not come to Canada; we will give our resources to people who need our help".

Mr. Ernie Epp (Thunder Bay—Nipigon): Madam Speaker, I appreciate the opportunity to say something in support of Motion No. 18 that would strike out the section in Bill C-55 dealing with the safe third country concept, to which the Hon. Member for York West (Mr. Marchi), as proposer of the motion, and the Hon. Member for Calgary West (Mr. Hawkes) have spoken, of course on opposite sides of the question.

The Hon. Member for Calgary West has been endeavouring to make a reasonable argument for this as an acceptable measure and a humane measure. Of course he ignored the fact that this is only one provision of a Bill, which has been recognized by the vast majority of organizations concerned about refugees, designed to exclude from Canada, to keep from our shores—and that of course is in the literal sense—to keep out of our airports, and to keep from our ports of entry persons who could conceivably be kept from coming to Canada.

The concept of a safe third country is one of trying to force on other countries what the Canadian Government is not prepared to have Canada do. It is a matter of trying to force other countries to accept a burden, while at the same time, by its very actions, indicating an unwillingness in the case of the Canadian Government and suggesting an unwillingness on the

part of the Canadian people to bear that same burden. We have here a potential for quite a shuffling of people or a business in human freight, sending people back and forth. Humane persons—and Canadians have demonstrated their humanity over the years and had that recognized in the awarding of the Nansen Medal for our dealings with refugees—would not want to see that happen.

Unfortunately, the reality of our time is that in the prosperous countries of the industrialized world—or at least we saw it that way not very long ago—there is this same kind of reluctance to allow refugees to arrive or to stay. Tamils came to Canada from Europe more than a year ago because they were afraid of losing their refuge in Europe. One does not have to read very much of the news out of Asia in the last while to know that they might have very real reason to fear for their lives in Sri Lanka. To cite only the incident of a year ago, the present Government handled it in a proper and humane way, as Canadian people wanted it handled.

Some northern European Governments, just like the American Government, are not Governments which have been very friendly to those who have been forced into fleeing their countries because of the actions of repressive regimes. When we have right wing Governments that are unhappy about the appearance of these particular refugees, we begin to see a situation, very clear in the United States, in which persons from Central American countries, particularly from El Salvador, are no longer necessarily safe in the United States. If the Canadian Cabinet is allowed to make this decision, surely it will be subject to all diplomatic pressures that operate on the Canadian Government. In the case of the United States, that is quite obvious as far as the pressure on the Canadian Government is concerned. We have a Prime Minister (Mr. Mulroney) whose heart seems half American and who is very, very interested in the warmest possible relations with the United States.

If in the defence of lives it becomes necessary to make a hard judgment which says that our nearest neighbour, this great power to the south of us, is not interested in protecting the lives and safety of people who have fled from Central or South America, what will the Canadian Cabinet do in making its assessment? Will it in fact make the tough assessment that the United States of America is not a safe third country? Similarly, with European countries, does one really want to come to those brutal assessments?

Economically, 1987 is far from the misfortunes we knew as Canadians half a dozen years ago with the interest rate depression of the early 1980s. As economic activity picks up thanks to stable interest rates, as economic activity particularly in some parts of Ontario brings us close to fears of demand pressures and the inflationary potential developing again, government private Members are ready to boast about the fact that Canada anticipates a higher growth rate than is true for other OECD countries. That is more a commentary on the misfortunes in which they live than an expression of how really well we are doing. These are differences of a few tenths of a percentage point which have us ahead of the others. We know that Canadian prosperity in the past has often been based upon immigration, on large movements into Canada, on settlement developments, and so on.

To be bringing forward a Bill in which the safe third country proposal is part of trying to fend people off, to push them back to Europe, to the United States, or to wherever it may happen to be, just to keep them out of Canada at a time of such prosperity, such a response to the refugee situation is quite untrue to the best impulses in Canada and to the actions of past decades, initially with European refugees and then with other refugees which justified Canada receiving the Nansen Medal.

I speak in support of Motion No. 18 in particular, with perhaps less support in my own mind for Motion No. 21, assuming that earlier motions, particularly Motion No. 13 standing in the name of the Hon. Member for Spadina (Mr. Heap), would take care of all this.

Speaking strongly in support of this motion is speaking for all the best impulses in Canadian life; is recognizing Canadian traditions, Canadian history, and Canadian potential; is wanting to take advantage of our economic strength; and is recognizing that refugees who drew themselves to the attention of repressive regimes in many cases are people with the fine sense of integrity, principle, and political freedom which would make them the very best kinds of Canadians if they were able to come here.

I speak very strongly in support of Motion No. 18 in particular. I call upon government Members, if they have any sense of these principles at all and want to build a stronger and better Canada rather than play to the worst tendencies which exist in some Canadian hearts, to support this particular motion.

• (1740)

Hon. Chas. L. Caccia (Davenport): Madam Speaker, it is important in debating the motion that has been so eloquently explained to you and to the House a few minutes ago by the Hon. Member for York West (Mr. Marchi) to put on the record some views, not of Members of this House, but of individuals and organizations who appeared before the committee. I am doing so because it is important for the House to hear and to have on record non-partisan views by individuals who take the question of refugees very seriously. The subject is approached in an objective manner by people who have been in the field of refugee resettlement for years if not decades and who have come forward because of a deeply-felt and genuine concern for the manner in which the Government is approaching Bill C-55.

I will start with the Refugee Status Advisory Committee which appeared before the standing committee on August 28.

Mr. Friesen: Was this before or after the amendment?

Mr. Caccia: The Parliamentary Secretary is so ignorant of the matter before us that he is asking whether a statement was made before or after the amendment. Evidently there is an amendment before us because it was not accepted in committee. What kind of wool is the Member trying to pull over the eyes of Members of this House by these silly interventions? Is the Parliamentary Secretary so ignorant of the matter before us that he has to wonder whether something is before or after the amendment?

There is an amendment before us. It is the one we are debating and it was made necessary by the insensitivity of the Government and the Minister whom he represents. The Minister is not here to defend the Bill. He is again hiding behind the skirts of the Parliamentary Secretary because he does not have the guts to fight for this Bill or Bill C-84. Is that enough of an answer?

Mr. Gauthier: Yes.

Mr. Caccia: Let us deal with the Refugee Status Advisory Committee, which stated on August 28, 1987:

> Nothing guarantees protection to the claimant in these countries.

The advisory committee was commenting on the notion of safe third country, a notion which we reject. The advisory committee said that nothing guarantees protection, and went on to say that there could be risk of diplomatic embarrassment in making reference to some incident in 1983.

Let us move for a moment to the Canadian Bar Association, certainly not an organization devoted to radical changes in Canada or to the promotion of extremist views. On August 31 it stated:

> The safe third country list system is not a workable concept because it denies—

An important observation is that it denies:

> —evaluation on a personal basis.

The association also commented on the safe third country notion by saying:

> Nothing guarantees protections to the claimant in these countries.

Let us turn now to the Inter-Church Committee which appeared before the committee on September 1. It insisted:

> All applicants should receive a hearing on the merits.

Applicants should not be judged on the matter of whether or not they had a safe third country to go to. The Inter-Church Committee also commented that:

> Readmission to the safe country is problematical.
>
> It is assumed that safe countries will readmit but there is no evidence that this is the case.

That is an important consideration, Madam Speaker. Let us look at what the United Nations High Commissioner for Refugees said. He insisted that the exception of the particular clause which we adopted earlier:

> —should apply to all who claim that the safe country is not safe, whether they have been recognized as Convention refugees or not.

This would provide a safety net for some exceptional cases. It is nevertheless an important consideration. The United Nations Commissioner for Refugees went on to say:

> —there should be an exception when people fear for their safety in that country.
>
> A person not permitted to return to the safe country should be allowed to enter Canada's refugee system.

We had the Halifax Refugee Assistance Group which appeared before the committee on September 2. This group made the point:

> It is objectionable not to examine the claimant's case on its individual merits.

That is something which the Hon. Member for Calgary West (Mr. Hawkes) ought to remember. It is objectionable what he is proposing in the Bill. Individual merits are important. Our immigration and refugee systems have been based on that main pillar of considering individual merits, which is something that the Government is now forgetting.

On September 2, the Mennonite Central Committee said:

> The safe country is arbitrary and subject to political influences.
>
> No notice can be taken of individual considerations; it is dangerous to generalize situations.

That is why we are putting forward this amendment, because without putting it forward we would allow a generalization, a blanket application, of a safe third country without looking at the history of the individual, the merits of the case and the options which the individual may or may not have available.

Rabbi Plaut on September 3 noted:

> Diplomatic imperatives will be present when the list is being compiled.

He said that the list would be politicized:

> This list won't be subject to any evaluation.

How do you like that, Madam Speaker?

Pierre Duquette on September 3 made some interesting remarks. He said:

> Almost all accepted refugees in Canada wouldn't have passed this test.

It might well be that a study of this nature, if carried out, would reveal that those who have been admitted so far would not have passed the test.

The Hispanic Congress on September 3 said:

> That criterion is dangerous because it doesn't guarantee real protection to refugees.
>
> Danger of political criteria influencing the list.
>
> This criterion doesn't allow any evaluation of individual cases—

The congress was speaking of the safe third country. A number of organizations came forward more or less saying the same thing. The Montreal Refugee Coalition said:

> Danger of political factors relating to list-making.

—the lack of discretion—

Then we have the Nanaimo Immigrant Settlement Society which raised a very strong signal of the violation of the United Nations Commissioner for Refugees. There are scores and scores of individuals who took the trouble either to appear or to write in opposition to this safe third country notion. Perhaps I might be allowed to quote the Canadian Jewish Congress, which stated that there are no guarantees against subsequent rejections. It said:

If we are to return people, they should have some status in that country.

The Government has decided through a subterfuge to remain distant from its commitments to the United Nations Convention on Refugees. That is what the Government is doing without admitting it, without coming clean with Canadians and with the United Nations as to its intentions. In other words, the Government is doing something through the back door, by way of an amendment to one piece of legislation, hoping that somehow what it is doing will go by unnoticed, that it will get away with it, or that possibly it will not be challenged in the higher courts. That practice is an objectionable one, and must be put on the record. It has to be said that if the Government has the intention of reneging on Canada's commitments to the United Nations, particularly in regard to refugees, then it had better come out in the clear and say it openly to everyone so it can be judged for its actions.

• (1750)

Mr. Dan Heap (Spadina): Madam Speaker, I rise to speak in support of Motions Nos. 18 and 21. I support Motion No. 21, particularly because it includes a test which, while it would not be enough to make the original safe-country clause satisfactory, does make it better than the clause that has replaced it in one vital respect.

Motion No. 21 provides that if a person is to be returned, he would be returned to a country that the refugee division considers to be a safe third country for the claimant. The people who are experts in refugee matters, not the people who are experts in external affairs, would be making that decision. Furthermore, it provides that the refugee would be admitted to that country.

The clause the Hon. Member for Calgary West (Mr. Hawkes) likes so well does not assure us that a person will be admitted to a country. Later on, there is a clause which deals with what to do if a person is not admitted to a country. That is very nice if the person who is not admitted to a country is sent back to Canada. We have no assurance that that will happen.

There is nothing in the Bill about an agreement, an arrangement or a guarantee, all of which words the Minister has used since May to sell this Bill to the public, to deal with people who are chucked back to a certain country. There is only the requirement that the country be in compliance with Article 33 of the Convention, an article which provides that the country will not send the refugee back but does not provide that it will give a person a chance to claim refugee status. It does not provide a refugee the right to be returned to Canada or the right to claim refugee status in the country to which we have sent him.

In that respect, the clause moved by the Hon. Member for York West (Mr. Marchi) is better than the Government's clause. We could have moved an amendment that would have referred both to the Convention and to the right to return or to make a claim, but the Government did not want it that way.

We heard a very moving speech made by the Hon. Member for Calgary West. Oh, yes, he got to me, he really moved me. He said that people in Afghan or Pakistani refugee camps or people in refugee camps in Cambodia or Thailand are more needy than people in refugee camps in western Europe. He is right. They are more needy, from everything I have heard. I have not visited those camps, but some Hon. Members have and they probably know that. I believe that those people are more needy, but then the Hon. Member for Calgary West went on to make a little skip in logic and say that if we shut out the people from western Europe, of course we will take the people from refugee camps in Southeast Asia or Pakistan. That is a lot of pure boloney from Calgary West.

The fact is that Canada has taken in very few Afghanis. All kinds of crocodile tears are shed over the Afghan people who were invaded by the Soviet Union. I opposed the invasion of Afghanistan when I was on city council before I was a Member of Parliament, and I do now oppose the invasion of Afghanistan by the Soviet Union. We hear all about the poor Afghan people, but at least until very recently, less than 100 Afghan refugees were accepted into Canada.

Mr. Friesen: Say why, Dan.

Mr. Heap: The Hon. Member wants to know why. The reason must lie with this Government's overseas selection policy. It is not because people came from western Europe, it is because, for example, of medical criteria.

There was a complaint from the Mennonite Central Committee this spring about a family of Kampucheans who were in Thailand and had waited there for years. This family was finally selected to be relocated to Canada. A couple of days before they were to board the airplane, a young son of the family was found after an X-ray to have a spot on his lung. There was a possibility that he had TB, and of course the whole family was not allowed to come to Canada. Of course, they would have had a chance to do so later on.

What happened not much later was that the young man hanged himself because he was an impediment to his family's chances of getting to Canada. In this case, the policy of the United States would have been much more generous. The family would have got to the United States if they had been scheduled to go there and the young man would either have been X-rayed again to find out if he really had TB or he would have been treated for TB. In our countries, TB can normally be cured in half a year.

Canada is not selecting the neediest refugees overseas, contrary to what the Hon. Member for Calgary West has suggested. The Hon. Member for Calgary West took part in the discussion in committee, not only with the Mennonites but also with the B'nai B'rith. At that time, the Hon. Member made this same moving plea about helping the neediest, but the witnesses present who had been working with refugees contradicted him. He forgot to tell us that when he made his speech. The witnesses said that our policy as now applied is not helping the neediest.

The policy for selecting refugees overseas that is being used at the present time is not to help the neediest. If we were helping the neediest, we would not have turned down the Chileans who were in Buenos Aires last February. These Chileans were found by reputable witnesses to have been the subjects of persecution, imprisonment and torture by the police in Chile for union acitvities. I do not refer to the entire planeload of Chileans, but some of those people who were turned down could show strong evidence of a strong need for refugee protection.

Argentina is not a completely safe country for Chileans for two reasons. First, we have to read the papers every day to see if the Argentine Government still exists or if the generals have taken it over again. Second, the Chilean secret police operate in Argentina and not for the health of Chilean refugees.

When I asked the Minister of Employment and Immigration (Mr. Bouchard) in the House if he would look at the evidence provided by a reputable Canadian lawyer from Montreal in that matter or if he would meet with him, he said to have him send the evidence down to Buenos Aires. He knew that those in Buenos Aires would continue to turn those people down because need on the part of a refugee is not the chief criterion at which Canada looks. In choosing refugees through our overseas offices, Canada now looks at economic benefits or maybe political benefits for Canada.

While I agree with the Hon. Member that we should help the neediest, I do not agree with him that the Bill does that. The Bill leaves us with a great uncertainty about what will happen when we send a person to a certain country because the Government has taken away even the slim guarantees that existed in the original Bill about the right to return and the right to have a claim determined. The policy of the Government is not to shut out western Europeans in order to help the Asians, but to shut them both out.

• (1800)

PROCEEDINGS ON ADJOURNMENT MOTION

[*English*]

A motion to adjourn the House under Standing Order 66 deemed to have been moved.

EMPLOYMENT—JOB CREATION IN TORONTO AREA

Mr. Alan Redway (York East): Madam Speaker, like many of us who were elected for the first time to the House of Commons in 1984, I ran for Parliament as a result of the great recession of the early 1980s. You will recall those times very well, Madam Speaker. Those were the times of 20 per cent interest rates, record inflation, record bankruptcies, and national unemployment rates of an average of 12 per cent. Of course, there were pockets of higher rates of unemployment in various regions of the country, but the national average was a horrendous 12 per cent.

I believed at that time that there was no reason a country like Canada should have such unemployment levels. I believed that I had to try to do whatever I personally may be able to do. It was for that reason that I decided to stand for Parliament, to put aside the position I then held and try my best to do something about the horrendous levels of unemployment with which we were faced at that time.

You will remember, Madam Speaker, that other Canadians felt the same way as I did. The issue in the election campaign was the economy and jobs. That issue has not really disappeared. It has been with us ever since the early 1980s. It has been a constant theme. Public opinion polls indicate that unemployment continues to be one of the major issues in the country.

What has happened to the unemployment situation since September 4, 1984, when the Government was elected? As you know, there has been a dramatic increase in the number of Canadians employed and in the number of jobs in the country in the past three years. We have had an increase of almost one million new jobs, 907,000 to be exact. National unemployment levels have fallen from near 12 per cent to 8.8 per cent in August. In the Province of Ontario, where I am from, unemployment is now down to 5.8 per cent, which is very encouraging to say the least.

I am sure that when you ran for office you were concerned, as was I, about the national picture, but were even more concerned about your own local community, as was I. I am pleased that the unemployment situation in Metropolitan Toronto has improved dramatically. The unemployment rate has fallen to below the 4 per cent mark which would traditionally be considered full employment in any economy. Fortunately, at the moment we actually have jobs going looking for people even though everyone cannot find the exact job they would like to have.

It is because of this improving job situation that I was most disturbed when I heard the Leader of the NDP indicate that 95 per cent of all jobs created in Canada since September, 1984, had been created within a radius of 160 kilometres of Metropolitan Toronto. I ran for office because I was concerned about unemployment in my own community. However, I was certainly concerned about unemployment across the country and wanted to see full employment throughout the country.

• (1805)

It seems to me that in the last three years there has not just been a growth of employment in Metropolitan Toronto and within 160 kilometres of Metropolitan Toronto, and in Ontario, there has been growth of employment across the country. It is my impression that 46 per cent of the new jobs have been created in Ontario, but after all, Ontario has approximately 40 per cent of the total labour force.

It is my impression as well that about 54 per cent of all the jobs have been created elsewhere across the country. In the last three years, for instance, it is my impression that more jobs have been created in Atlantic Canada than had been created in the previous six years. It is my impression that in the last year alone, three times as many jobs were created in your Province of Quebec, Madam Speaker, as was created in the past five years in Quebec. It is my impression as well that right now the unemployment rate across this country is lower in all provinces than it was at the time the Government took office some three years ago.

I am interested in the fact that in August, the Statistics Canada "help wanted" index reached its highest level ever. I understand that "help wanted" advertising in Atlantic Canada is up some 72 per cent, to its highest level in 20 years. In Quebec it is up some 85 per cent, and in Ontario it is up 154 per cent. In the prairie region, it is up 51 per cent and it is up 83 per cent in British Columbia.

I believe those figures reflect the fact that employment has not just been created within an area around Metropolitan Toronto, but right across this country.

That impression has been reinforced by a recent article in *The Globe and Mail*. I want to quote briefly from it:

> In June, 1984, opposition leader, Brian Mulroney said that "tens of thousands" of jobs would be created soon after the election of a Conservative government. He was roundly criticized in the media for this extravagant prediction and told to be more realistic. The media were wrong.

In fact, we have seen that they were wrong because almost one million jobs have been created in those three years. *The Globe and Mail* went on to say:

> The Conservatives would get all the blame if the economy were lagging, but are reaping little of the credit as Canada leads the industrialized world in economic growth. This is unfair, because federal policies on deregulation, deficit control, privatization, foreign investment, tax reform and free trade are very much part of the environment in which jobs are appearing and incomes are rising.

My impression has been reinforced by this article in *The Globe and Mail*. My impression is that job creation in Canada has not only been in Metropolitan Toronto and nearby, and in Ontario, but right across the country. If I am wrong—and I do not believe I am—I hope the Parliamentary Secretary will tell me so tonight.

Mr. Benno Friesen Parliamentary Secretary to Minister of Employment and Immigration): Madam Speaker, first, I am happy to know that the Hon. Member has raised that question on behalf of his constituents. I can understand why his constituents would be confused by the statistics given by the Hon. Member for Oshawa (Mr. Broadbent), the Leader of the New Democratic Party, when he said that 95 per cent of the jobs that were created were within a 160 kilometre radius of Toronto.

I recall very vividly, just after the last Budget, the same Member for Oshawa being interviewed on television. He said that he had just received information regarding companies that had paid income tax and found out just before the Minister of Finance (Mr. Wilson) had tabled his Budget that last year 60,000 companies had not paid tax.

• (1810)

Naturally, the first impression would be that that is shocking. What he did not say was that most of those companies had not made money last year. In fact, probably a lot of them had lost money last year, and obviously, if one does not make money or one loses money, one does not pay tax. The Hon. Member for Oshawa overlooked that piece of information when he gave us those statistics.

The same holds true in the statistics he gave with respect to the improved employment picture in Canada. It is just totally wrong to say that 95 per cent of the jobs were created in and around Oshawa.

The Hon. Member for York East (Mr. Redway), who just asked the question, was absolutely right in the perspective he gave. There have been, since this Government was elected, 907,000 jobs created in Canada. It would be ludicrous to say that 95 per cent of those 900,000 jobs would be in and around Oshawa. That just makes no sense at all. It is true that many of those jobs were created in Ontario. We are happy for the Ontarians who have got those jobs and we want to make sure the rest of Canada benefits in the same way. However, Ontario also has 38 per cent of the labour force as of September 1984. Therefore, just to see a larger number of workers employed does not mean there has been a statistical growth in the way the Hon. Member for Oshawa indicated.

Metropolitan Toronto has accounted for 15 per cent of all the jobs created in the last three years, from August 1984 to 1987. When this Government was elected, the gainsayers all said that was not going to happen. Actually, we can be very proud of what has happened. I spoke to a Member from Calgary the other day. That Member said that all the drilling rigs will probably be employed this winter because the Government has removed the PGRT and has provided incentive in the oil industry.

There have been 35,000 jobs created in Atlantic Canada, 123,000 jobs in Quebec, 162,000 jobs in Ontario, 15,000 jobs in the Prairies and 22,000 jobs in British Columbia. I think that while we want to see more jobs created in the regions, we can be very proud of what has already been done.

With the continued impetus to the economy given by the incentives programs, both in western Canada and in the

Maritimes, we will see more jobs created. The federal Government is discussing with the provincial Governments and the private sector ways to promote the Western Economic Diversification.

I commend the Hon. Member for raising this point in the House so that we can correct the record. The distortions given in the statistics left with us by the Leader of the New Democratic Party really do no service to the country at all.

[*Translation*]

OFFICIAL LANGUAGES—RIGHT TO USE OFFICIAL LANGUAGE OF ONE'S CHOICE. RIGHT TO USE OFFICIAL LANGUAGE EVERYWHERE IN CANADA—OPPORTUNITY TO PUT PRESSURE ON ALBERTANS

Mr. Jean-Robert Gauthier (Ottawa—Vanier): Madam Speaker, I hope I will have as much time as the previous speaker!

Mr. Prud'homme: He hopes to have as much time as the previous speaker!

Mr. Gauthier: Last June 30 I asked the Prime Minister (Mr. Mulroney) a question concerning the right to use the official language of one's choice everywhere in Canada, and especially before the provincial legislatures and before the courts. I will recall the facts for those who might have forgotten them.

On April 7, 1987, Alberta Member of the Legislative Assembly Léo Piquette was denied the right to speak or the right to express himself in French before the Legislative Assembly. Some time later, on June 26, the Committee on Privileges of the Alberta Assembly made a decision and requested Mr. Piquette to apologize for having questioned the authority of the Speaker of the House and spoken French before the Alberta Legislature. In addition the committee recommended that any Member wishing to address the House in a language other than English first obtain the agreement of the Speaker of the House.

Madam Speaker, I raised objections at the time and I am still raising objections because I sincerely believe that any Canadian, whoever he may be, with a Charter of Rights, with an official declaration stating that French and English are the official languages of the country . . . Madam Speaker, I believe that this constitutional right enables us to use French or English, to express ourselves freely and without restraints before the courts and before a provincial legislature.

• (1815)

I realize that this right is not recognized in practice everywhere, that there are restrictions, but we all work toward eliminating this resistance, and this is why, as everyone knows, Madam Speaker, I often refer in this House to basic inalienable rights which should be guaranteed to all Canadians by our Constitution, because we of the minority, who must work hard to survive in this country, whether in this province or elsewhere, need to have our rights protected and promoted. I know that the Parliamentary Secretary will tell me that, under the constitutional amendments proposed to the Charter of Rights and Freedoms in the Meech Lake Accord, the provinces would have to protect the official language minorities, that is the French-speaking minorities outside Quebec and the English-speaking minority in Quebec. However, I believe that it is still more important to realize that it is essential for the survival of this country to promote French-speaking minorities because we are submerged in an English-speaking sea in North America and we are being conditioned every day by American television, books, films, music, and so on. I am not the only one to say so. During the weekend, I read a newspaper article in which certain English-speaking groups were saying that it was time for the Canadian anglophones to become aware of this Americanization and that they had to be able to assert and defend their Canadian identity.

This phenomenon has also been noticed elsewhere, Madam Speaker. European countries are complaining about it. Countries such as France, Britain, Germany and Japan are facing a major cultural upheaval. As we know, China has also opened its doors to the United States and it will now be subject to American influences too. If these countries are influenced by the English-speaking North American culture when they are so geographically distant from the United States, how much more so are we influenced by it, we French-speaking Canadians outside Quebec, in Ontario or elsewhere? We need the political will to guarantee our survival, but first of all, we need constitutional guarantees to ensure that the survival of the minorities and their rights will not depend only on this political will.

Indeed, the Prime Minister recognized this fact in his answer to my question on June 30, and I quote:

> We are going to work together with the Fédération des francophones hors Québec and the provincial Governments, and with language minorities wherever they happen to be, to promote—

—and I emphasize this word—

> —to promote their rights at all times.

That, Madam Speaker, is a political will and indeed this commitment by the Government is incorporated in Section 40 of the Official Languages Act and I quote:

> Commmitment to enhancing the vitality of the English and French linguistic minority communities in Canada.

Madam Speaker, that is a legal obligation that is set out in the Official Languages Act. It is not a constitutional obligation. It is not the same thing because an Act can always be amended while a Constitution is more difficult to amend, it is a much more reliable safeguard and that is what we are aiming at, we of the French-Canadian diaspora. Francophones would like to see their rights spelled out in the Constitution just as Anglophones from Quebec are entitled to expect that their rights be also guaranteed by the Constitution.

Madam Speaker, I am happy that the Federal level has given a commitment to promote the vitality of linguistic minority communities in the Official Languages Act that was introduced, as we will recall, on June 25, 1987. However, I

must stress once again that I deplore that the Prime Minister did not have the courage to enshrine in the Constitutional Act, 1987, the obligation for the federal Government to promote linguistic duality. That is why we in the Liberal Party have suggested an amendment to the Meech Lake Accord which would bind the federal Government to promote linguistic duality for minorities while allowing provinces to make that obligation binding upon them by passing a resolution in the provincial legislature if they wish to do so.

We do not want to impose this on anyone, but we are simply saying that, first of all, the federal Government should not only preserve, but also promote this duality, and that, when they deem it appropriate to do so, the provinces should have the right to follow suit simply by passing a constitutional resolution.

I can see some problems, Madam Speaker, because people are always telling me that we are moving toward this objective gradually and that we shall reach it eventually. However, as you will recall, Madam Speaker, we recently had a provincial election in Ontario during which we went through some difficult times. Certain groups attacked bilingualism in Ontario and the Leader of the Conservative Party, Mr. Grossman, stated firmly and as regressively as possible that Ontario would never be bilingual under a Conservative Government.

What can I say, Madam Speaker? The democratic process, and I am happy about this, rejected Mr. Grossman and he had to admit defeat. I am not saying that he lost everything on the language issue, but he certainly did not show an open mind about it.

In the case of Alberta, I asked the Prime Minister what he did to try to convince our friends in Alberta that a Member of the provincial Legislature had the right to speak in his own language, which is one of the official languages of this country. I do not know what the Parliamentary Secretary will reply. I do not know whether he did something, whether he wrote or whether he took any other action. But I should like to think that in this country of ours, in any legislature in Canada—provincial and here of course where it is spoken, as it is in Quebec and in New Brunswick—I should like to think that in Ontario, in Manitoba and in all western provinces where there are francophones who wish to express themselves, they would have the right to speak in French or in English if they wish, whenever they feel like it and without wondering whether they will be allowed to do so. And if they do, for Heaven's sake do not ask them to apologize for that, as Mr. Piquette was asked to do!

Madam Speaker, I want to conclude my brief remarks by saying to the Parliamentary Secretary: Well, I should imagine we will be talking about the official languages in the near future. We have had in this country experiences which resulted in progress in this field. Let us hope that in Alberta, let us hope that elsewhere in Canada—recently in New Brunswick we heard about Lynn Lévesque who had a deplorable experience with bilingualism when she applied for a job in a post office. We have had examples such as APEC, the Association for the Protection of English Canada, which has been acting up and would have us believe that everything is in danger, that the French power is taking over.

Madam Speaker, I think we are making some progress, and the case of Mr. Piquette is another example which can be a lesson to us. We must take measures, we must take action, we must tell the legislatures: Be generous, be patient, do not worry, we are not threatening you when we speak French in Canada.

• (1820)

[*English*]

Mr. Murray Cardiff (Parliamentary Secretary to Solicitor General of Canada): Madam Speaker, on June 30 during Question Period, the Hon. Member for Ottawa—Vanier (Mr. Gauthier) directed a question to the Prime Minister (Mr. Mulroney). It concerned what is now commonly called "The Piquette Affair", which pertained to the use of the French language by a Member of the Legislature in the Province of Alberta.

The Hon. Member asked the Prime Minister if he was prepared to take action, and "call the Premier of the province to put pressure on his Alberta cousins and friends, so they will finally understand, once and for all, that French and English are the official languages of this country . . . and that it is unthinkable that a Francophone should suffer any restrictions in Alberta, any more than an Anglophone would in Quebec?"

The Minister of Justice (Mr. Hnatyshyn) has requested that I elaborate on the questions raised by the Hon. Member, in light of the new legislation on official languages contained in Bill C-72, and tabled on June 25 of this year.

Neither Bill C-72, nor the Meech Lake Accord contemplate any measure that could deprive a provincial legislature of any degree of its sovereignty. The tools that the federal Government has at its disposal in matters that fall within the jurisdiction of a provincial legislation are reason, suasion, and good example.

What the historic achievement of Meech Lake and the important measures contained in Bill C-72, an Act respecting the status and use of the official languages of Canada, demonstrate, is the will of the Government to advance the equality of status and use of French and English throughout the country, to promote the linguistic rights of all Canadians in a spirit and a framework of co-operation with the provinces.

• (1825)

For example, according to Subparagraph (d) of Subsection 42(1) of Bill C-72, the Secretary of State can take measures to "encourage and assist provincial Governments to support the development of English and French linguistic minority

communities generally and, in particular, to offer provincial and municipal services in both English and French and to provide opportunities for members of English or French linguistic minority communities to be educated in thier own language".

I can assure the Hon. Member that the Minister of Justice, like the Prime Minister, is deeply committed to this renewed spirit of federal-provincial co-operation, and that he will be urging all Parties to support and swiftly pass this important piece of legislation.

[*Translation*]

The Acting Speaker (Mrs. Champagne): The motion to adjourn the House is now deemed to have been adopted. Accordingly this House stands adjourned until tomorrow at 11 a.m., pursuant to standing Order 3(1).

The House adjourned at 6.25 p.m.